

Also, petition of German-American Alliance of Connecticut, against regulation of shipment of intoxicating liquors; to the Committee on the Judiciary.

By Mr. HILL: Petition of Dr. D. C. De Wolfe and others, of Bridgeport, Conn., in favor of House bill 16690, for the relief of scientific institutions; to the Committee on Ways and Means.

By Mr. HINDS: Petition of Woman's Christian Temperance Union of South Portland, Me., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of Raymond Hill, and Siloam Lodge of Good Templars, No. 151, of Biddeford, Me., for legislation to restrict the interstate traffic in intoxicating liquors; to the Committee on the Judiciary.

By Mr. HUGHES of New Jersey: Petitions of the Woman's Christian Temperance Union of Closter, Baptist Church of Netcong, and Village Improvement Association of Ramsey, N. J., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. LEWIS: Petition of Harris & Filler and others, of Frederick, Md., praying a reduction in the duties on raw and refined sugars; to the Committee on Ways and Means.

Also, petition of the thirty-ninth annual meeting of the farmers of Montgomery County, Md., praying the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. LINDSAY: Petition of the Republican Club of New York, for a department of national health; to the Committee on Interstate and Foreign Commerce.

By Mr. LOBECK: Petition of W. D. Hughes and other citizens of Washington County, Nebr., for parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. MCKINNEY: Petition of Local No. 313, Street Railway Employees, Rock Island, Ill., in favor of parcel-post legislation; to the Committee on the Post Office and Post Roads.

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

By Mr. MAHER: Petition of the Republican Club of New York, for a department of national health; to the Committee on Interstate and Foreign Commerce.

By Mr. NORRIS: Petition of the Brotherhood of the First Congregational Church of Red Cloud, Nebr., for the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. O'SHAUNESSY: Petitions of the Woman's Christian Temperance Unions of Central Falls and Woonsocket, R. I., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of S. Penegarve, of Saylesville, R. I., for passage of House bill 14; to the Committee on the Post Office and Post Roads.

Also, petition of the Union League Club, of New York, for memorial to Peletiah Webster; to the Committee on the Library.

Also, petition of Farmers' Educational and Cooperative Union of America, for children's bureau; to the Committee on Labor.

Also, memorial of Department of Ohio, Grand Army of the Republic, relative to pension legislation; to the Committee on Invalid Pensions.

Also, memorials of Union No. 142, Pawtucket (R. I.) Printing Pressmen and Assistants' Union, and Union No. 12, Providence (R. I.) Web Pressmen, for increased compensation of pressmen in the Government Printing Office; to the Committee on Printing.

By Mr. PARRAN: Papers to accompany bill for the relief of John Ayres (H. R. 15879); to the Committee on Pensions.

By Mr. PATTEN of New York: Resolutions of the Republican Club of New York City, urging the passage of Senate bill 6049, establishing a department of health; to the Committee on Interstate and Foreign Commerce.

By Mr. RIORDAN: Petitions of citizens of New York, for House bill providing for old-age pensions; to the Committee on Pensions.

By Mr. ROBERTS of Nevada: Petition of citizens of Round Mountain, Nev., for passage of the old-age pension bill; to the Committee on Pensions.

Also, petitions of business men of Carson City, Elko, Lovelock, Reno, and Virginia City, Nev., protesting against the establishment of a parcel post; to the Committee on the Post Office and Post Roads.

Also, petitions of business men of Carson City, Elko, Lovelock, Reno, Sparks, and Virginia City, Nev., favoring legislation that will give the Interstate Commerce Commission further power in the regulation of express rates and classifications; to the Committee on Interstate and Foreign Commerce.

By Mr. SIMMONS: Petition of Baptist Church of Warsaw, N. Y., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. SIMS: Petition of citizens of Henry County, Tenn., for passage of an effective interstate liquor law; to the Committee on the Judiciary.

By Mr. STEPHENS of Nebraska: Petitions of citizens of the State of Nebraska, protesting against the passage of parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. SULZER: Petitions of citizens of New York City and Brooklyn, N. Y., urging the reduction of duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. WOOD of New Jersey: Petitions of the First Methodist Episcopal Church of Pennington and Woman's Christian Temperance Unions of Clifton and Frenchtown, N. J., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

SENATE.

MONDAY, February 12, 1912.

The Senate met at 2 o'clock p. m.

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

Almighty God, our heavenly Father, who hast called us for freedom, as we come before Thee help us to lay aside every weight and the sin that doth so easily beset us that so Thy word of truth may have free course in us. Bound though we be with the chain of our sins, yet speak but the word, O Lord, and we shall be set free and be admitted to the glorious liberty of the sons of God. So may we and this people joyfully submit ourselves to Thee, whom to know is life and whom to serve is perfect freedom. In the name which is above every name hear our prayer. Amen.

JACOB H. GALLINGER, a Senator from the State of New Hampshire, took the chair as President pro tempore under the previous order of the Senate.

The Journal of the proceedings of Thursday last was read and approved.

PRESIDENT OF THE SENATE PRO TEMPORE.

On motion of Mr. CULLOM, it was

Ordered, That the Secretary wait upon the President of the United States and inform him that the Senate has elected JACOB H. GALLINGER, a Senator from the State of New Hampshire, President of the Senate pro tempore, to hold and exercise the office in the absence of the Vice President on Monday, February 12, and Tuesday, February 13, 1912.

Ordered, That the Secretary inform the House of Representatives that the Senate has elected JACOB H. GALLINGER, a Senator from the State of New Hampshire, President of the Senate pro tempore, to hold and exercise the office in the absence of the Vice President on Monday, February 12, and Tuesday, February 13, 1912.

AFFAIRS IN INSULAR POSSESSIONS (S. DOC. NO. 306).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting compilations prepared by the Bureau of Insular Affairs relating to affairs in American insular and isthmian possessions and territories, which, with the accompanying papers, was referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed.

CAPT. P. H. UBERROTH AND GUNNER KARL JOHANNSEN (H. DOC. NO. 534).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, requesting that Capt. P. H. Uberroth, United States Revenue-Cutter Service, and Gunner Karl Johannsen, United States Revenue-Cutter Service, attached to the United States revenue cutter *Gresham*, may be authorized by Congress to accept gold watches which it is the desire of the Government of the Dominion of Canada to present to them in recognition of their services in saving the lives of the crew of the wrecked British schooner *S. A. Fownes* on December 16, 1910, which was referred to the Committee on Foreign Relations and ordered to be printed.

DISTRICT EMPLOYEES (S. DOC. NO. 303).

The PRESIDENT pro tempore laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of the 5th instant, certain information relative to employees connected with the District government engaged in political activity in the District, which was ordered to lie on the table and be printed.

RAILROADS IN THE DISTRICT OF COLUMBIA (S. DOC. NO. 304).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, stating, in response to a resolution of the 7th instant relative to the valua-

tions of the property of railroads in the District of Columbia, that the information called for is contained in the records of the District of Columbia and is not of record in the Treasury Department, which was referred to the Committee on the District of Columbia and ordered to be printed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, executive clerk, announced that the President had approved and signed the following acts:

On February 9, 1912:

S. 3024. An act to provide for the reconstruction, alteration, and repair of a bridge across the Weymouth Back River, in the State of Massachusetts; and

S. 4339. An act to authorize the Lewisburg & Northern Railroad Co. to construct, maintain, and operate a bridge across the Cumberland River, in the State of Tennessee.

On February 10, 1912:

S. 3580. An act to authorize the change of name of the steamer *Henry A. Hawgood*;

S. 3869. An act to grant authority to the Inland Steamship Co., of Indiana Harbor, Ind., to change the name of the steamer *W. R. Woodford* to *N. F. Leopold*;

S. 3870. An act to grant authority to the Inland Steamship Co., of Indiana Harbor, Ind., to change the name of the steamer *Arthur H. Hawgood* to *Joseph Block*;

S. 4351. An act to authorize and direct the Secretary of the Interior and the Secretary of the Treasury to deliver to the governor of the State of Arizona, for the use of the State, certain furniture and furnishings; and

S. 4246. An act to authorize the sale of land within or near the town site of Midvale, Mont., for hotel purposes.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 14055) to provide for the sale of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Nations, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

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

H. R. 18954. 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. 18955. 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. 19721. An act 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.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 4651) to amend section 171 of the penal laws of the United States, approved March 4, 1909, and it was thereupon signed by the President pro tempore.

MEXICAN COTTON BOLL WEEVIL (S. DOC. NO. 305).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read and, with the accompanying paper and illustrations, referred to the Committee on Agriculture and Forestry and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, a communication from the Secretary of Agriculture, accompanying the manuscript of a report on the "Mexican Cotton Boll Weevil: A Summary of the Results of the Investigation of this Insect up to December 31, 1911." (Bulletin No. 114, Bureau of Entomology.)

The report contains valuable information of great public interest to cotton planters of this country and those dependent upon the cotton-plant industry, and I cordially indorse the recommendation of the Secretary that the report be printed for distribution by Congress, as well as by the department.

WM. H. TAFT.

THE WHITE HOUSE, February 12, 1912.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a resolution adopted by the Chamber of Commerce of Boston, Mass., favoring the

creation of an international commission on the cost of living, which was referred to the Committee on Education and Labor.

He also presented resolutions adopted by the Municipal Council of Valdez, Alaska, favoring an appropriation to provide for the maintenance, extension, and building of new wagon roads and trails in the Territory of Alaska, which were referred to the Committee on Territories.

He also presented a petition of the Christian Endeavor Society of Greenback, Tenn., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Mercer, Tenn.; of Fairgrove, Mich.; of Aberdeen, Md.; and of South Bend, Ind., remonstrating against the extension of the parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

Mr. CULLOM presented a petition of the Wholesale Grocers' Association of Danville, Ill., praying for a reduction in the duty on raw and refined sugars, which was referred to the Committee on Finance.

He also presented memorials of sundry cigar manufacturers of Pekin, Ill., remonstrating against the imposition of a tax on cigars furnished employees by the manufacturers thereof, which were referred to the Committee on Finance.

He also presented a petition of Newspaper Web Pressmen's Union No. 7, of Chicago, Ill., praying for the enactment of legislation to increase the compensation of pressmen employed in the Government Printing Office, which was referred to the Committee on Printing.

He also presented a petition of the State Medical Society of Illinois, praying for the establishment of a department of public health, which was referred to the Committee on Public Health and National Quarantine.

He also presented memorials of the Woman's Christian Temperance Unions of Galesburg, Elgin, and McLean, and of sundry citizens of Chicago, all in the State of Illinois, remonstrating against the repeal of the anticanteen law, which were referred to the Committee on Military Affairs.

He also presented a memorial of Barbers' Local Union No. 140, of Streator, Ill., remonstrating against the proposed abolishment of the hand-roller process of manufacturing paper currency, which was referred to the Committee on Printing.

He also presented a petition of Painters, Decorators and Paperhangers' Local Union No. 29, of Galesburg, Ill., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of members of the Woman's Club of Jacksonville, Ill., praying for the repeal of the oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of the congregations of sundry churches of Chicago, Aurora, Batavia, Montgomery, Quincy, Manito, Reno, and Naperville, all in the State of Illinois, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Pinckneyville, Enfield, and Aurora, all in the State of Illinois, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Prairie City, Streator, Chicago, Monticello, Durand, Polo, Steeleville, Springfield, Peoria, and Elburn, all in the State of Illinois, remonstrating against the extension of the parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Illinois, New Hampshire, Pennsylvania, and Massachusetts, remonstrating against the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Illinois and New Hampshire, praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

He also presented a petition of Sidney B. Phillips Post, No. 379, Department of Illinois, Grand Army of the Republic, of Litchfield, Ill., praying for the passage of the so-called dollar-a-day pension bill, which was referred to the Committee on Pensions.

Mr. OLIVER presented petitions of Local Grange No. 214, of East Smithfield; No. 1311, of Luthers Mills; No. 706, of Mahaffey; No. 1295, of South Abington; No. 1423, of Everett; No. 1166, of Hallstead; No. 250, of Linden; No. 67, of Oxford;

No. 563, of Clarion County; and No. 760, of Montgomery County, all in the State of Pennsylvania, praying for the adoption of certain amendments to the oleomargarine law, which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of the congregations of the First Presbyterian Church of New Milford; the Methodist Episcopal Church of New Milford; the Methodist Episcopal Church of Pinebank; the First United Presbyterian Church of McKeesport; and of the Union Methodist Episcopal Church, of Pittsburgh; and of the Woman's Christian Temperance Unions of Lawrenceville, Homewood, New Florence, Sharpsburg, Etna, and McKeesport, all in the State of Pennsylvania, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. NELSON presented a petition of sundry citizens of Duxby, Minn., praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the congregation of the Wesley Methodist Church, of Minneapolis, Minn., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. GRONNA presented a memorial of sundry business men of Richardton, N. Dak., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of the Woman's Christian Temperance Union of Jamestown; of the congregation of the Methodist Episcopal Church of Valley City; and of sundry citizens of Grand Forks, all in the State of North Dakota, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. BRISTOW presented petitions of sundry citizens of Wichita, Haviland, Jetmore, Newton, Agricola, Kensington, and Luca, all in the State of Kansas, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Mayetta, Salina, and Culver, all in the State of Kansas, remonstrating against the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Salina, Caldwell, Tully, Osborne, and McPherson County, all in the State of Kansas, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

Mr. OVERMAN presented a petition of sundry citizens of Sanford, Jonesboro, Colon, and Gum Neck, all in the State of North Carolina, praying for the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Waxhaw, Wilson, Lewisville Township, Leaksville, and Spray, all in the State of North Carolina, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. GAMBLE presented petitions of sundry citizens of Andover and Valley Springs, in the State of South Dakota, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the congregation of the United Norwegian Lutheran Church, of Lake Preston, S. Dak., praying for the adoption of an amendment to the Constitution to prohibit the manufacture, sale, and importation of intoxicating liquors, which was referred to the Committee on the Judiciary.

He also presented the petition of Mrs. Elizzebeth Frances Jones, of Muskogee, Okla., praying that she be enrolled as a member of the Five Civilized Tribes of Indians, which was referred to the Committee on Indian Affairs.

Mr. BURNHAM presented a petition of the Woman's Christian Temperance Union of Sunapee, N. H., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented a petition of the New Hampshire Peace Society, of Manchester, N. H., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which was ordered to lie on the table.

He also presented a petition of the Woman's Reading Club, of Henniker, N. H., praying for a reduction of the duty on raw

and refined sugars, which was referred to the Committee on Finance.

He also presented a petition of the State Federation of Women's Clubs of Oregon, praying for the repeal of the oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Tri-State Grain and Stock Growers' Convention, held at Fargo, N. Dak., favoring an appropriation for the endowment and support of the agricultural colleges of the country, which was referred to the Committee on Appropriations.

Mr. BACON presented a petition of members of the City Council of Augusta, Ga., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which was ordered to lie on the table.

Mr. FLETCHER presented a petition of sundry citizens of Florida, praying for the enactment of legislation to prevent the breaking of seals of railroad cars containing interstate or foreign shipments, etc., which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Florida, praying for the repeal of the anticanteen law, which was referred to the Committee on Military Affairs.

He also presented a petition of members of the Republican Club of New York City, N. Y., praying for the establishment of a department of public health, which was referred to the Committee on Public Health and National Quarantine.

He also presented a petition of members of the conference of the Methodist Episcopal Church in annual session at South Jacksonville, Fla., praying for the enactment of legislation to regulate the manufacture, sale, and importation of intoxicating liquors in prohibition districts, which was referred to the Committee on the Judiciary.

He also presented a memorial of the officers and board of directors of the Ancient Order of Hibernians in America and of the Ladies' Auxillary of the Ancient Order of Hibernians in America, remonstrating against the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, unless amended as reported by the Committee on Foreign Relations, which was ordered to lie on the table.

Mr. DU PONT presented a petition of the Center Montfly Meeting of the Society of Friends, of Hockessin, Del., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. PAGE presented petitions of the congregations of the Methodist Episcopal Church of Winoski; the First Baptist Church of Burlington; the First Congregational Church of Hyde Park; the Young Men's Christian Association of Woodstock; the First Church of Burlington; the Commercial Club of Northfield; the First Congregational Church of Jericho; the Congregational Church of Barre; the Union Meeting of the Protestant churches of Woodstock; the Congregational and Methodist churches of Barton; the Burlington Commercial Club, of Burlington; the Bethany Church of Montpelier; the Church of the Messiah, of St. Johnsbury; F. E. Hayward, of Westminster; the First Congregational Church Society (Unitarian) of Burlington; the Randolph Christian Brotherhood, of Randolph; W. J. Van Patten, of Burlington; the Rev. Joseph Reynolds, of Rutland; the First Congregational Church of Cornwall; the First Congregational Church of Bellows Falls; the Center Congregational Church, of Brattleboro; the First Baptist Church of Brattleboro; the Vermont Baptist State Convention; the pastors of the churches of Woodstock; and of the Board of Trade of Brattleboro, all in the State of Vermont; and of the Delaware Peace Society, of Wilmington, Del.; of the Representative Meeting of the Society of Friends for Pennsylvania, New Jersey, and Delaware, held at Philadelphia, Pa.; of the Clothiers' Association of New York City; and of the Massachusetts Peace Society, Boston, Mass., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

Mr. CURTIS presented petitions of sundry citizens of Logan, Portis, Concordia, and Jamestown, all in the State of Kansas, praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented memorials of the congregations of the German Methodist Episcopal Church, the Grace Methodist Episcopal Church, the Seventh-day Adventist Church, the West Side Presbyterian Church, and of the Lincoln Street Presbyterian Church, all of Wichita, in the State of Kansas, remonstrating against the repeal of the anticanteen law, which were referred to the Committee on Military Affairs.

He also presented petitions of the congregations of the Second Methodist Episcopal Church of Manhattan; the German

Methodist Church of Wichita; the Lincoln Street Presbyterian Church, of Wichita; the United Brethren Church of Iola; the First Presbyterian Church of Iola; the Reformed Church of Iola; the Grace Methodist Episcopal Church, of Wichita; the Seventh-day Adventist Church of Wichita; the West Side Presbyterian Church, of Wichita; the Monthly Meeting of Friends of Haviland; the Mothers' Club of Iola; and of sundry citizens of Mount Hope, all in the State of Kansas, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. TILLMAN presented a petition of the Woman's Christian Temperance Union of Johnston, S. C., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. BRANDEGEE presented a petition of the congregation of the Union Baptist Church, of Groton, Conn., and a petition of the Christian Endeavor Union of Connecticut, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. ROOT presented petitions of the congregations of the Methodist Episcopal Church of Slaterville; the Methodist Episcopal Church of Enfield; the Congregational Church of Danby; and the Baptist Church of Warsaw; of the Woman's Christian Temperance Unions of Brookton, Dryden, and Slaterville Springs; of the Brotherhood of Pilgrims of the Memorial Congregational Church, of Jamestown; the Christian Endeavor Society of Brookton; and of the Railroad Young Men's Christian Association of Rouses Point, all in the State of New York, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. McLEAN presented a petition of members of the Republican Club of New York City, praying for the establishment of a Department of Public Health, which was referred to the Committee on Public Health and National Quarantine.

He also presented petitions of the congregation of the First Congregational Church of East Windsor; of Local Grange No. 94, Patrons of Husbandry, of East Windsor; and of the Woman's Christian Temperance Union, of Seymour, all in the State of Connecticut, praying for the enactment of an interstate-liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. RAYNER presented petitions of the congregation of the Methodist Episcopal Church, of Mount Washington; the Woman's Christian Temperance Union; and the Ladies' Aid Society of the Methodist Episcopal Church, of Royal Oak; of the Enterprise Farmers' Club, of Sandy Spring, and a resolution adopted by the thirty-ninth annual farmers' convention, held at Sandy Spring, all in the State of Maryland, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented a resolution adopted by the thirty-ninth annual farmers' convention, held at Sandy Spring, Md., favoring the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which was ordered to lie on the table.

He also presented a memorial of the Chamber of Commerce, of Baltimore, Md., remonstrating against the proposed abolishment of the Revenue-Cutter Service, which was referred to the Committee on Commerce.

Mr. CRANE presented a petition of the Woman's Christian Temperance Union, of Pittsfield, Mass., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

Mr. SHIVELY presented petitions of Local Post No. 203, of Tipton; and Royal Center Post, of the Grand Army of the Republic, in the State of Indiana; and a petition of Local Post No. 74, Grand Army of the Republic, Department of Iowa, of Maquoketa, Iowa, praying for the passage of the so-called dollar-a-day pension bill, which were referred to the Committee on Pensions.

He also presented a memorial of Local Union No. 5, National Brotherhood of Operative Potters, of Evansville, Ind., remonstrating against the proposed abolishment of the hand-roller process of manufacturing paper currency, which was referred to the Committee on Printing.

He also presented a memorial of the Chamber of Commerce of Milwaukee, Wis., remonstrating against the proposed abolishment of the Revenue-Cutter Service, which was referred to the Committee on Commerce.

He also presented a petition of the Farmers' Educational and Cooperative Association, of Heltonville, Ind., and a petition of Local Grange No. 2174, Patrons of Husbandry, of Columbus, Ind., praying for the establishment of a parcel-post system, which were referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by the Indiana Retail Clothiers' Association, in convention at Indianapolis, Ind., remonstrating against the establishment of a parcel-post system, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the Business Men's Association of Union City, Ind., and a memorial of sundry citizens of Ligonier, Ind., remonstrating against the extension of the parcel-post system beyond its present limitations, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Local Union No. 12868, American Federation of Labor, of Bedford, Ind., praying for the passage of the so-called eight-hour bill, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Indianapolis, Ind., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, amended as reported by the Senate Committee on Foreign Relations, which was ordered to lie on the table.

He also presented a memorial of Local Post No. 34, Grand Army of the Republic, Department of Indiana, of Otwell, Ind., remonstrating against the incorporation of the Grand Army of the Republic, which was referred to the Committee on the District of Columbia.

He also presented petitions of the congregations of the Brethren Church, the Lutheran Church, the Methodist Episcopal Church, and the Mennonite Church, and of the Men's Forward Movement Class, all of Nappanee, in the State of Indiana, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented a memorial of members of the Alliance of German Societies of the State of Indiana, remonstrating against the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was referred to the Committee on the Judiciary.

He also presented a petition of Printing Pressmen's and Assistants' Union, No. 117, of Evansville, Ind., and a petition of Printing Pressmen's Union No. 105, of La Fayette, Ind., praying for the enactment of legislation to increase the compensation of pressmen employed in the Government Printing Office, which were referred to the Committee on Printing.

Mr. CLAPP presented resolutions adopted by the City Council of Two Harbors, Minn., praying that an investigation be made relative to a combination in restraint of trade existing between the wholesale coal dealers operating at Duluth and Superior and between these coal dealers and the retail coal dealers' associations, which were referred to the Committee on Interstate Commerce.

Mr. BROWN presented petitions of sundry members of the Nebraska National Guard, residents of Stanton, Holdrege, and Fremont, in the State of Nebraska, praying for the enactment of legislation to regulate the pay of the Organized Militia, which were referred to the Committee on Military Affairs.

He also presented a memorial of sundry citizens of McCook, Nebr., remonstrating against the extension of the parcel-post system beyond its present limitations, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of members of the Woman's Club of Omaha, Nebr., praying for the establishment of a department of health, which was referred to the Committee on Public Health and National Quarantine.

He also presented a memorial of sundry citizens of Beaver City, Nebr., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was ordered to lie on the table.

Mr. O'GORMAN presented a memorial of the Ancient Order of Hibernians in America, remonstrating against the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, unless amended as reported by the Senate Committee on Foreign Relations, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Brooklyn, N. Y., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, with the so-called Root amendment, and also favoring the ratification of a similar treaty with Germany, which were ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Easton, N. Y., and a petition of the Central

Christian Mothers' Union, of Albany, N. Y., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

Mr. PERKINS presented a petition of Local Union No. 33, Press Assistants, of San Francisco, Cal., praying for the adoption of an amendment to the so-called Smoot printing bill to increase the pay of pressmen in the Government Printing Office, which was referred to the Committee on Printing.

He also presented a petition of the Sacramento Valley Development Association, of California, praying that an appropriation be made for the improvement of the Sacramento River, in that State, which was referred to the Committee on Commerce.

He also presented a memorial of the members of the Institute of Art of San Francisco, Cal., remonstrating against the construction of a public highway from Washington, D. C., to Gettysburg, Pa., as a memorial to Abraham Lincoln, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made for the improvement of the Yosemite National Park, in that State, which was referred to the Committee on Public Lands.

He also presented a petition of the Municipal Council of Valdez, Alaska, praying that an appropriation be made for the construction of wagon roads and trails in Alaska, which was referred to the Committee on Territories.

He also presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying that an appropriation be made for the deepening of the harbor at that city, which was referred to the Committee on Commerce.

He also presented a memorial of sundry assayers and metallurgists of San Francisco, Cal., remonstrating against the establishment of a Government station at Auburn, Cal., for the investigation of minerals, which was referred to the Committee on Mines and Mining.

Mr. GARDNER presented petitions of the Board of Trade of South Portland, the First Congregational Church of Farmington, the Union Church of Stillwater, the First Congregational Church of Blue Hill, the Congregational Church of Orono, the Maine Teachers' Association, and of sundry citizens of Walnut Hill, Bath, Atkinson, Silvers Mills, Westbrook, and Stroudwater, all in the State of Maine, praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which were ordered to lie on the table.

He also presented a memorial of Local Union No. 27, Pulp, Sulphite, and Paper Mill Workers, of Woodland, Me., and a memorial of Local Union No. 270, International Brotherhood of Stationary Firemen, of Madison, Me., remonstrating against the proposed abolishment of the hand-roller process in the manufacture of paper currency, which were referred to the Committee on Printing.

He also presented petitions of the Woman's Christian Temperance Union and the Union Evangelical Church of Greenville; of the Woman's Christian Temperance Union and the Second Baptist Church of Calis; of the Woman's Christian Temperance Unions of Westbrook; of the Woman's Christian Temperance Union and the People's Methodist Episcopal Church of Ripley; of the Island Avenue Congregational Church, of Skowhegan; of the Friends' Plural Church of Winthrop Center, of Winthrop; of the Woman's Christian Temperance Unions of Harrison, Culberland Mills, West Falmouth, Kennebunk, Gardner, and Marrs Hill; of the Baptist Church and the Adventist's Christian Church of Milltown; and of Rev. J. W. Farrell, of West Falmouth, all in the State of Maine, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented petitions of the congregation of the Christian Union Church of West Epping and of sundry citizens of Sunapee and Tilton, all in the State of New Hampshire, praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were referred to the Committee on the Judiciary.

He also presented the petition of Joseph Madden, of Keene, N. H., and a petition of the Commercial Law League of America, praying for the enactment of legislation extending the right of execution throughout the United States, which were referred to the Committee on the Judiciary.

He also presented the memorial of Roland H. Boutwell, president of the Standard Horse Shoe Co., of Boston, Mass., remonstrating against placing horseshoes on the free list, which was referred to the Committee on Finance.

He also presented the memorial of T. F. Schneider, of Washington, D. C., remonstrating against the enactment of legislation requiring a device on passenger elevators to prevent their mov-

ing until the door is closed, which was referred to the Committee on the District of Columbia.

He also presented a petition of the New Hampshire Peace Society, of Manchester, N. H., praying for the ratification of the proposed treaties of arbitration between the United States, Great Britain, and France, which was ordered to lie on the table.

He also presented a resolution adopted by the Robert T. Freeman Dental Society of the District of Columbia, favoring the adoption of a certain amendment to the act to regulate the sale of poisons and narcotics in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a resolution adopted by the board of directors of Columbia Hospital for Women, in the District of Columbia, favoring an appropriation for the continuance of that hospital, which was referred to the Committee on Appropriations.

THE INITIATIVE, REFERENDUM, AND RECALL (S. DOC. NO. 302).

Mr. BROWN. I present and ask to have printed as a public document a contribution by Senator BOURNE, appearing in the Atlantic Monthly of last month. The subject of the communication is the initiative, referendum, and recall.

The PRESIDENT pro tempore. The Senator from Nebraska presents a paper which he asks to have printed as a public document. Is there objection? The Chair hears none, and it is so ordered.

REPORTS OF COMMITTEES.

Mr. FOSTER, from the Committee on Military Affairs, to which was referred the bill (S. 838) to correct the military record of David R. B. Winniford, reported it with amendments and submitted a report (No. 345) thereon.

Mr. CLARK of Wyoming, from the Committee on Public Lands, to which was referred the bill (H. R. 8853) for the relief of John L. Baird, reported it without amendment and submitted a report (No. 346) thereon.

Mr. HEYBURN, from the Committee on the Philippines, to which was referred the bill (S. 4762) to amend an act approved February 6, 1905, entitled "An act to amend an act approved July 1, 1902, entitled 'An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes,' and to amend an act approved March 8, 1902, entitled 'An act temporarily to provide revenue for the Philippine Islands, and for other purposes,' and to amend an act approved March 2, 1903, entitled 'An act to establish a standard of value and to provide for a coinage system in the Philippine Islands,' and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes," reported it with amendments and submitted a report (No. 347) thereon.

Mr. WARREN. The bill (H. R. 18794) to authorize the Secretary of the Interior, the Secretary of the Treasury, and the Attorney General to deliver to the governor of the State of New Mexico, for the use of the State, certain furniture and furnishings, law books, and typewriters, having been referred to the Committee on Appropriations, that committee has considered the same. As the bill does not seek to appropriate money and evidently belongs to the Committee on Territories, the Committee on Appropriations report it back with the suggestion that it be referred to the Committee on Territories.

The PRESIDENT pro tempore. Without objection, the Committee on Appropriations will be discharged from the further consideration of the bill and it will be referred to the Committee on Territories.

Mr. McCUMBER, from the Committee on Pensions, to which were referred certain bills granting pensions and increase of pensions, submitted a report (No. 343), accompanied by a bill (S. 5193) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, the bill being a substitute for the following pension bills heretofore referred to that committee:

- S. 4. Mary J. Stumpff.
- S. 42. Robert M. Reynolds.
- S. 156. Ansil Decatur.
- S. 157. Hiram Smith.
- S. 158. Joseph C. Norris.
- S. 196. David H. Burge.
- S. 197. James H. Baker.
- S. 201. David T. Moneyppenny.
- S. 204. William R. Jones.
- S. 367. Francis Bills.
- S. 398. Emma Montgomery.
- S. 477. Marcy A. Tyler.
- S. 479. James Scott.
- S. 482. Nathan Wakefield.
- S. 490. William H. Amsbury.

S. 537. Amcs T. Phares.
 S. 586. David Bishop.
 S. 623. Adoniram J. Goff.
 S. 638. William A. Sharp.
 S. 641. Betsy B. Simons.
 S. 643. John W. Watsbaugh.
 S. 797. David Cain.
 S. 800. John Boler.
 S. 810. Bernard F. Morrow.
 S. 857. James Y. Kennedy.
 S. 858. William E. Brown.
 S. 883. Francis Caux.
 S. 914. Henry Worthington.
 S. 922. Frederick C. Payne.
 S. 941. Thomas Reynolds.
 S. 946. Robert H. Keller.
 S. 948. John M. Perry.
 S. 1114. John Goldsmith.
 S. 1192. Washington H. Wells.
 S. 1194. Christian Miller.
 S. 1195. Albert C. Jefferson.
 S. 1367. William J. Perkins.
 S. 1670. Jacob P. Buswell.
 S. 1884. George S. Putnam.
 S. 1912. William S. Hosack.
 S. 1913. William Roberts.
 S. 1963. Alfred Greenstreet.
 S. 1990. William O. Campbell.
 S. 1998. Charles Shabley.
 S. 2015. Michael H. Skinner.
 S. 2017. Delevan L. Terrill.
 S. 2018. Henry M. Willis.
 S. 2027. Isaiah Fry.
 S. 2089. Abigail J. Fairfield.
 S. 2092. John F. Chamberlin.
 S. 2093. Charles L. Burgess.
 S. 2130. James Smith.
 S. 2131. Samuel S. Wilhite.
 S. 2138. Edward G. Danforth.
 S. 2229. Elizabeth Cleary.
 S. 2230. John Stevens.
 S. 2328. Abial S. Loomis.
 S. 2715. John R. Littell.
 S. 2800. Royal Cranston.
 S. 2827. Thomas Cogar.
 S. 2869. Daniel D. Whitney.
 S. 2884. David D. Barclay.
 S. 2950. Charles L. Hubbs.
 S. 3010. Eli Hoyt.
 S. 3033. William L. Norton.
 S. 3053. Josiah McKirahan.
 S. 3054. Josiah H. Gordon.
 S. 3102. Clark Colvin.
 S. 3103. Emily Fisher.
 S. 3105. George Choron.
 S. 3106. William Starry.
 S. 3133. Samuel Osborne.
 S. 3144. William Boyd.
 S. 3172. Michael Crane.
 S. 3192. William Boyce.
 S. 3298. Jacob Lantz.
 S. 3299. William M. Clark.
 S. 3384. Lucy R. Stokes.
 S. 3415. Reuben P. McCutchan.
 S. 3416. John A. Larimer.
 S. 3448. George Gault.
 S. 3457. Hiram Souders.
 S. 3477. William Simpson.
 S. 3486. Solon Peterson.
 S. 3496. Aaron Hemingway.
 S. 3497. Monroe D. Whitman.
 S. 3498. Robert Thom.
 S. 3504. Amos L. Burdick.
 S. 3623. Josiah Wood.
 S. 3676. Manlius Holbrook.
 S. 3677. John A. McFeeters.
 S. 3689. Edwin Underhill.
 S. 3706. James L. Lane.
 S. 3708. Sylvester Abbott.
 S. 3718. William E. Flesher.
 S. 3746. Christopher Miller.
 S. 3792. William A. Pierce.
 S. 3793. Levi J. Silverthorn.
 S. 3822. Allison Olinger.
 S. 3836. Theresia Meyer.
 S. 3922. John G. Ward.

S. 3933. James Gosnell.
 S. 3934. Ephraim Hensley.
 S. 3957. Maria Hinchcliff.
 S. 4117. Thomas Kehoe.
 S. 4154. Robert G. Sleater.
 S. 4156. William A. Clovis.
 S. 4188. William H. Steel.
 S. 4225. Enoch Adkins.
 S. 4261. William H. Layfield.
 S. 4292. William E. Clarke.
 S. 4343. William Hodge.
 S. 4344. Julius Cohn.
 S. 4426. Isaac Cutright.
 S. 4429. Lewis H. Ewart.
 S. 4469. John W. Whipple.
 S. 4530. Harriet B. Nichols.
 S. 4592. Mattie H. Miner.
 S. 4608. Margaret W. Ide.
 S. 4610. George W. Harlow.
 S. 4650. William H. Hall.
 S. 4657. Nancy A. Searis.
 S. 4671. Roswell Bradley.
 S. 4771. Dennis Morean.
 S. 4775. Mary E. Seaton.
 S. 4785. William A. Willis.
 S. 4909. John Burton.

Mr. McCUMBER, from the Committee on Pensions, to which were referred certain bills granting pensions and increase of pensions, submitted a report (No. 344), accompanied by a bill (S. 5194) 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 certain widows and dependent relatives of such soldiers and sailors, the bill being a substitute for the following pension bills, heretofore referred to that committee:

S. 523. James T. Brown.
 S. 755. John W. Sturm.
 S. 775. William A. Hamilton.
 S. 777. Thomas McCavan.
 S. 877. Archie E. Booth.
 S. 1134. Albert F. Reynolds.
 S. 1674. Jacob Adams.
 S. 1846. John Waalkes.
 S. 1954. Harriet J. Bockerman.
 S. 1975. Jacob Korby.
 S. 2128. James C. Smith.
 S. 2271. Ralph W. Ingard.
 S. 2631. Harry McFarlin.
 S. 3068. Josephine K. Woodson.
 S. 3123. Vee Aiken.
 S. 3309. Bert Derendinger.
 S. 3330. Harry Colpus.
 S. 3679. Abner E. Armstrong.
 S. 3680. Mealchie Baughman.
 S. 3681. Hiram R. McCord.
 S. 3682. Mahlon Petree.
 S. 3688. Andrew McDonal.
 S. 3884. George F. Wallet.
 S. 4116. Charles Miller.
 S. 4529. Jesse Turrentine.
 S. 4766. William F. Pace.
 S. 4811. Margaret B. Sherman.

Mr. BRADLEY, from the Committee on Claims, to which was referred the bill (S. 2512) for the relief of the Snare & Triest Co., reported it without amendment and submitted a report (No. 348) thereon.

Mr. ROOT. On the 5th instant I reported from the Committee on Industrial Expositions Senate bill 180, for the celebration of the semicentennial anniversary of the act of emancipation, and for other purposes. I submit a report, No. 311, on the bill and ask that it be printed in connection therewith.

The PRESIDENT pro tempore. Without objection, it is so ordered.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

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

By Mr. BRISTOW:

A bill (S. 5195) granting an increase of pension to Balaam Fox (with accompanying papers);

A bill (S. 5196) granting an increase of pension to Marvin Chapman; and

A bill (S. 5197) granting an increase of pension to Eri Guthrie (with accompanying papers); to the Committee on Pensions.

By Mr. CLARK of Wyoming:

A bill (S. 5198) to authorize the issuance of patent to James W. Chrisman for the southeast quarter of the northeast quarter, the southeast quarter, and the southeast quarter of the southwest quarter of section 13, and the north half of the northeast quarter of section 24, township 29 north, range 113 west, of the sixth principal meridian; to the Committee on Public Lands.

A bill (S. 5199) granting a pension to Alfred E. Zemp; to the Committee on Pensions.

By Mr. GUGGENHEIM:

A bill (S. 5200) to authorize the President to appoint A. C. G. Williams-Foote, late first lieutenant in the Philippine Scouts, to the grade of first lieutenant in the United States Army and place him on the retired list; and

A bill (S. 5201) to authorize the President to appoint Clarence C. Faw, late second lieutenant in the Philippine Scouts, to the grade of second lieutenant in the United States Army and place him on the retired list; to the Committee on Military Affairs.

A bill (S. 5202) for the relief of drought sufferers in Colorado; to the Committee on Agriculture and Forestry.

A bill (S. 5203) for the relief of the Confederate Bands of Ute Indians; to the Committee on Indian Affairs.

By Mr. BURNHAM:

A bill (S. 5204) providing for the promotion of assistant paymasters in the Navy; to the Committee on Naval Affairs.

By Mr. BRYAN:

A bill (S. 5205) directing the Commissioner of Pensions to make report of pensioners on the pension rolls; to the Committee on Pensions.

By Mr. DIXON:

A bill (S. 5206) to amend that portion of the act of Congress approved March 3, 1911 (36 Stat. L., p. 1066), relating to the reservation of an easement in lands bordering Flathead Lake; which was read twice by its title.

Mr. DIXON. I wish to make a statement. Ordinarily the bill should go to the Committee on Public Lands, but it is a matter which the Committee on Indian Affairs has heretofore dealt with specifically, and I think it should be referred to the Committee on Indian Affairs.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Indian Affairs.

By Mr. ROOT:

A bill (S. 5207) to provide an American register for the steamer *Oceana*; to the Committee on Commerce.

By Mr. KENYON:

A bill (S. 5208) for the relief of A. D. Gaston; to the Committee on Claims.

By Mr. CULLOM:

A bill (S. 5209) granting an increase of pension to John Chenoweth (with accompanying papers); and

A bill (S. 5210) granting an increase of pension to Herman Schroeder (with accompanying papers); to the Committee on Pensions.

By Mr. JONES:

A bill (S. 5211) to require the registration of vital statistics in the Territory of Alaska, and for other purposes; to the Committee on Territories.

By Mr. MARTINE of New Jersey:

A bill (S. 5212) providing for the recognition of the men who served as locomotive engineers during the late War of the Rebellion; and

A bill (S. 5213) to remove the charge of desertion on the first enlistment of Daniel B. Stone, alias Nelson Davis (with accompanying papers); to the Committee on Military Affairs.

By Mr. PERKINS:

A bill (S. 5214) to increase the number of paymasters and passed assistant and assistant paymasters in the United States Navy; and

A bill (S. 5215) to provide a uniform method for fixing the date from which the pay of officers of the United States Navy, when promoted to the next higher grade, shall be computed; to the Committee on Naval Affairs.

A bill (S. 5216) granting an increase of pension to William Quinlivan; to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 5217) to place on the retired list of the Army the names of the surviving officers who were mustered out under the provisions of the act of Congress approved July 15, 1870 (with accompanying paper); to the Committee on Military Affairs.

A bill (S. 5218) for the relief of Joshua F. Spurling; to the Committee on Claims.

By Mr. TILLMAN:

A bill (S. 5219) for the relief of the trustees of Beaverdam Baptist Church, of Marlboro County, S. C. (with accompanying papers); to the Committee on Claims.

A bill (S. 5220) granting a pension to Lula B. Hicklin; to the Committee on Pensions.

By Mr. DU PONT:

A bill (S. 5221) for the relief of the Delaware Transportation Co., owner of the American steamer *Dorothy*; to the Committee on Claims.

By Mr. OLIVER:

A bill (S. 5222) granting an increase of pension to Joshua Eckman (with accompanying papers); to the Committee on Pensions.

By Mr. NELSON:

A bill (S. 5223) granting a pension to Catherine A. Leonard (with accompanying paper); to the Committee on Pensions.

A bill (S. 5224) to grant American registry to the Norwegian ice breaker *Kit*; to the Committee on Commerce.

By Mr. CLAPP:

A bill (S. 5225) granting an increase of pension to C. L. Miles (with accompanying papers); to the Committee on Pensions.

A bill (S. 5226) for erecting a suitable memorial to John Ericsson; to the Committee on the Library.

A bill (S. 5227) for the restoration of annuities to the Medawakanton and Wahpakoota (Santee) Sioux Indians, declared forfeited by the act of February 16, 1863; to the Committee on Indian Affairs.

By Mr. CHILTON:

A bill (S. 5228) for the relief of the heirs of James L. Pyne, deceased;

A bill (S. 5229) for the relief of Andrew J. Weese;

A bill (S. 5230) for the relief of the Baptist Church of Sutton, W. Va. (with accompanying paper); and

A bill (S. 5231) for the relief of heirs of Mary A. Rock, deceased (with accompanying papers); to the Committee on Claims.

A bill (S. 5232) granting an increase of pension to Enos J. Brownfield;

A bill (S. 5233) granting an increase of pension to Margaret Matheny;

A bill (S. 5234) granting an increase of pension to Charles T. Howard;

A bill (S. 5235) granting a pension to George W. Smith; and

A bill (S. 5236) granting an increase of pension to Henry Harris; to the Committee on Pensions.

By Mr. DILLINGHAM:

A bill (S. 5237) granting an increase of pension to Greenleaf D. Farnum (with accompanying papers); to the Committee on Pensions.

By Mr. WILLIAMS:

A bill (S. 5238) for the relief of Clarissa Duncan and Charles E. Duncan; and

A bill (S. 5239) for the relief of the estate of Joseph S. Rogers, deceased; to the Committee on Claims.

By Mr. BRANDEGEE:

A bill (S. 5240) granting an increase of pension to Mary Chappell; to the Committee on Pensions.

By Mr. BROWN:

A bill (S. 5241) for the relief of the Medawakanton and Wahpakoota Bands of Indians, otherwise known as the Santee Sioux Indians, and for other purposes; to the Committee on Indian Affairs.

A bill (S. 5242) granting an increase of pension to Thomas E. Ellis; to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 5243) to protect investors in stocks, bonds, and other securities in the District of Columbia (with accompanying papers);

A bill (S. 5244) to regulate the practice of dentistry in the District of Columbia (with accompanying papers);

A bill (S. 5245) to authorize the condemnation of land for highway and park purposes along the Anacostia River in the District of Columbia in connection with the reclamation and development of the Anacostia River and Flats from the Anacostia Bridge to the District line (with accompanying papers); and

A bill (S. 5246) to redeem a certain outstanding certificate of indebtedness issued by the late board of audit of the District of Columbia, and for other purposes (with accompanying papers); to the Committee on the District of Columbia.

A bill (S. 5247) to amend an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906; to the Committee on Manufactures.

By Mr. JOHNSTON of Alabama:

A bill (S. 5248) granting an increase of pension to Andrew G. McAusland; to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 5249) granting an increase of pension to Mary Ryder (with accompanying papers); and

A bill (S. 5250) granting an increase of pension to Thomas Southergill (with accompanying papers); to the Committee on Pensions.

By Mr. BAILEY:

A bill (S. 5251) for the relief of the estate of Lemuel Thomas, deceased; to the Committee on Claims.

By Mr. BRADLEY:

A bill (S. 5252) granting an increase of pension to Marcus Connelly (with accompanying paper); to the Committee on Pensions.

By Mr. GRONNA:

A joint resolution (S. J. Res. 75) to provide for the appointment of a commission to investigate the operations of cooperative land-mortgage banks and cooperative rural credit unions in other countries; to the Committee on Finance.

THE PRESIDENTIAL OFFICE.

Mr. REED. I introduce a joint resolution. I ask that it may lie on the table for the present.

The PRESIDENT pro tempore. Does the Senator from Missouri desire to have the joint resolution read?

Mr. REED. I desire to have it read and printed in the Record.

The joint resolution (S. J. Res. 76) to amend paragraph 5 of Article II of the Constitution 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 in Congress assembled (two-thirds of each House concurring therein), That the following be proposed as an amendment to the fifth paragraph of Article II of the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States, viz:

Add, at the end of paragraph 5, Article II, the following words: "Neither shall any person be eligible to that office who shall have been President two terms, or one term and a part of another, or a part of two terms," so that said paragraph as amended shall read:

"No person except a natural-born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President, neither shall any person be eligible to that office who shall not have attained the age of 35 years, and been fourteen years a resident within the United States; neither shall any person be eligible to that office who shall have been President two terms, or one term and a part of another, or a part of two terms."

The PRESIDENT pro tempore. The joint resolution will be printed and lie on the table.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. NELSON submitted an amendment, proposing to amend section 4875 of the Revised Statutes relative to the compensation of superintendents of national cemeteries, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. MARTIN of Virginia submitted an amendment, proposing to increase the number of mechanics at \$1,200 each from three to four; and also for four mechanics, at \$1,200, in the office of the Secretary, Department of Agriculture, intended to be proposed by him to the agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

HEARINGS BEFORE THE COMMITTEE ON INTERSTATE COMMERCE.

Mr. POMERENE submitted the following resolution (S. Res. 214), which was considered by unanimous consent and agreed to:

Resolved, That the Senate Committee on Interstate Commerce be, and they are hereby, authorized to have printed for their use 5,000 copies, or as many thereof as they may deem necessary, of the hearings, under Senate resolution No. 98, entitled "Control of corporations, persons, and firms engaged in interstate commerce."

EULOGIES ON THE LATE SENATOR ELKINS.

Mr. CHILTON. I submit a resolution, and ask that it be read.

The Secretary read the resolution (S. Res. 216), as follows:

Resolved, That the remarks of Dr. Radcliffe on the life of the late Senator Elkins be printed as a part of his eulogies.

Mr. CHILTON. Mr. President, I desire to explain the necessity for the passage of the resolution. I learned to-day that, in order to have these remarks printed as a part of the eulogies, it will be necessary to have a resolution adopted by the Senate. The remarks are very short, and I hope there will be no objection to the present consideration of the resolution authorizing the printing.

The resolution was considered by unanimous consent and agreed to.

HOUSE BILLS REFERRED.

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

H. R. 18954. 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. 18955. 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. 19721. An act 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.

'MUNICIPAL BRIDGE AT ST. LOUIS, MO.

Mr. REED. I ask unanimous consent, if now in order, that the Senate take up House bill 16693. It is simply a bill extending the time for the construction of a bridge across the Mississippi River.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent for the present consideration of the bill named by him, which the Secretary will read for the information of the Senate.

The Secretary read the bill (H. R. 16693) to extend the time for the completion of the municipal bridge at St. Louis, Mo.; and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to extend for three years the time for the completion of the bridge authorized by an act entitled "An act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River," approved June 25, 1906.

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

ST. FRANCIS RIVER BRIDGE AT HODGES FERRY, MO.

Mr. REED. Mr. President, I ask the Senate to grant unanimous consent to consider at this time House bill 16677. It is a bill to authorize Butler and Stoddard Counties to construct a bridge across a small stream in those counties. The stream is not navigable in fact, but is so in law.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent for the present consideration of a bill, which will be read for the information of the Senate.

The Secretary read the bill (H. R. 16677) to authorize Butler and Stoddard Counties, in Missouri, to construct a bridge across the St. Francis River at Hodges Ferry, Mo., and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

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

WHITE RIVER BRIDGE AT BRANSON, MO.

Mr. KENYON obtained the floor.

Mr. SMOOT. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. KENYON. I do.

Mr. SMOOT. I was simply going to suggest that the Senate proceed with the calendar under Rule VIII, if the Senator has nothing special to request.

Mr. REED. Mr. President—

The PRESIDENT pro tempore. The Chair did not observe that the Senator from Missouri had addressed the Chair.

Mr. REED. If Senators will indulge me for a moment until I can get these little bills out of the way I shall be gratified.

The PRESIDENT pro tempore. The Senator from Missouri—

Mr. REED. I ask unanimous consent for the present consideration of the bill (H. R. 17232) to authorize Taney County, Mo., to construct a bridge across the White River at Branson, Mo. It is purely a local bill.

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

Mr. SMOOT. Mr. President, I shall not object to the consideration of this bill, but I give notice that at its conclusion I shall ask that the calendar, under Rule VIII, be taken up.

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

DAM AND TUNNEL ON BIG BEND OF JAMES RIVER, MISSOURI.

Mr. REED. I ask unanimous consent for the present consideration of the bill (H. R. 14484) to amend an act approved February 24, 1911, authorizing J. W. Vance and others to con-

struct and maintain a dam and tunnel on the Big Bend of the James River, in Stone County, Mo., to create electric power.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent for the present consideration of the bill named by him, which will be read for the information of the Senate.

The Secretary read the bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. ROOT. I think I should like to examine this bill a little more closely before it is passed.

The PRESIDENT pro tempore. Objection is made, and the bill goes over.

CHOCTAW AND CHICKASAW COAL AND ASPHALT LANDS.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the amendment of the Senate to the bill (H. R. 14055) to provide for the sale of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Nations, and for other purposes.

The Secretary proceeded to read the amendment of the House of Representatives to the amendment of the Senate.

Mr. HEYBURN. Mr. President, is this a Senate bill that went to the House or an original House bill?

The PRESIDENT pro tempore. It is an amendment of the House of Representatives to an amendment of the Senate to a House bill.

Mr. HEYBURN. Then I ask that it go to the calendar.

Mr. GAMBLE. Mr. President, if there is objection, I presume it will necessarily go to conference or to the Committee on Indian Affairs.

Mr. HEYBURN. It comes here as an amendment in the nature of a substitute. Some of us who took an active part in this matter have not had time to see it, and we want to read it. I just caught a phrase as the amendment was being read that I do not think has been brought to the attention of the Senator from South Dakota.

Mr. GAMBLE. I will say to the Senator from Idaho that a bill substantially in the same form passed the House and was referred to the Committee on Indian Affairs of the Senate. It was very carefully considered by that committee, and a substitute with certain modifications recommended by the Committee on Indian Affairs of the Senate was passed by the Senate and went over to the House. I think there were a couple of amendments made to the Senate substitute by the House of Representatives.

Mr. HEYBURN. I ask the Senator if the provision in the House amendment in regard to grazing lands is the same as the provision of the Senate bill? It did not strike me as being the same.

Mr. OWEN. It is the same.

Mr. GAMBLE. The senior Senator from Oklahoma [Mr. OWEN] is entirely familiar with it.

Mr. OWEN. There is no change in that respect. Six hundred and forty acres is the maximum of grazing land allowed to be sold. That was the provision of the Senate bill.

Mr. HEYBURN. It was not the quantity; it was the manner of selection within a very short time—the classification. I have no personal interest in this matter, only I propose to be always on the alert against building up a grazing-land trust in this country. That is all.

Mr. OWEN. As I have said, 640 acres is the maximum of grazing land to be sold under this bill. It is the same as the bill heretofore passed.

The PRESIDENT pro tempore. The Chair would suggest to the Senator from Idaho that the amendment could not well go to the calendar, but should either be agreed to, referred to the Committee on Indian Affairs, or disagreed to and a conference committee appointed.

Mr. HEYBURN. Let it go over for a day.

Mr. BACON. I suggest further that it might lie on the table.

The PRESIDENT pro tempore. Yes; it might lie on the table.

Mr. GAMBLE. I suggest also, as has already been suggested by the Senator from Georgia, that it might lie on the table.

Mr. HEYBURN. I will agree to anything that will give us an opportunity to examine it.

Mr. OWEN. I have no objection to the amendment lying on the table.

Mr. WARREN. I want to ask if the entire amendment will be printed in the RECORD?

The PRESIDENT pro tempore. Yes.

Mr. WARREN. I thought the Secretary had not finished reading, and the entire amendment ought to go in the RECORD.

Mr. OWEN. The matter is already set forth in the report of the House, No. 317. It was printed last Saturday.

The PRESIDENT pro tempore. Without objection, the entire amendment will be printed in the RECORD, and will, for the present, lie on the table.

The amendment of the House of Representatives was to strike out all of the amendment of the Senate after the word "That," on page 1, line 1, and in lieu thereof to insert:

The Secretary of the Interior is hereby authorized to sell at not less than the appraised price, to be fixed as hereinafter provided, the surface, leased and unleased, of the lands of the Choctaw and Chickasaw Nations in Oklahoma segregated and reserved by order of the Secretary of the Interior dated March 24, 1903, authorized by the act approved July 1, 1902. The surface herein referred to shall include the entire estate save the coal and asphalt reserved. Before offering such surface for sale the Secretary of the Interior, under such regulations as he may prescribe, shall cause the same to be classified and appraised by three appraisers, to be appointed by the President, at a compensation to be fixed by him, not to exceed for salary and expenses for each appraiser the sum of \$15 per day for the time actually engaged in making such classification and appraisal. The classification and appraisal of the surface shall be by tracts, according to the Government survey of said lands, except that lands which are especially valuable by reason of proximity to towns or cities may, in the discretion of the Secretary of the Interior, be subdivided into lots or tracts containing not less than 1 acre. In appraising said surface the value of any improvements thereon belonging to the Choctaw and Chickasaw Nations, except such improvements as have been placed on coal or asphalt lands leased for mining purposes, shall be taken into consideration. The surface shall be classified as agricultural, grazing, or as suitable for town lots. The classification and appraisal provided for herein shall be completed within six months from the date of the passage of this act, shall be sworn to by the appraisers, and shall become effective when approved by the Secretary of the Interior: *Provided*, That in the proceedings and deliberation of said appraisers in the process of said appraisal and in the approval thereof the Choctaw and Chickasaw Nations may present for consideration facts, figures, and arguments bearing upon the value of said property.

SEC. 2. That after such classification and appraisal has been made each holder of a coal or asphalt lease shall have a right for 60 days, after notice in writing, to purchase, at the appraised value and upon the terms and conditions hereinafter prescribed, a sufficient amount of the surface of the land covered by his lease to embrace improvements actually used in present mining operations or necessary for future operations up to 5 per cent of such surface, the number, location, and extent of the tracts to be thus purchased to be approved by the Secretary of the Interior: *Provided*, That the Secretary of the Interior may, in his discretion, enlarge the amount of land to be purchased by any such lessee to not more than 10 per cent of such surface: *Provided further*, That such purchase shall be taken and held as a waiver by the purchaser of any and all rights to appropriate to his use any other part of the surface of such land, except for the purpose of future operations, prospecting, and for ingress and egress, as hereinafter reserved: *Provided further*, That if any lessee shall fail to apply to purchase under the provisions of this section within the time specified the Secretary of the Interior may, in his discretion, with the consent of the lessee, designate and reserve from sale such tract or tracts as he may deem proper and necessary to embrace improvements actually used in present mining operations, or necessary for future operations, under any existing lease, and dispose of the remaining portion of the surface within such lease free and clear of any claim by the lessee, except for the purposes of future operations, prospecting, and for ingress and egress, as hereinafter reserved.

SEC. 3. That sales of the surface under this act shall be upon the conditions that the Choctaw and Chickasaw Nations, their grantees, lessees, assigns, or successors, shall have the right at all times to enter upon said lands for the purpose of prospecting for coal or asphalt thereon, and also the right of underground ingress and egress, without compensation to the surface owner, and upon the further condition that said nations, their grantees, lessees, assigns, or successors, shall have the right to acquire such portions of the surface of any tract, tracts, or rights thereto as may be reasonably necessary for prospecting or for the conduct of mining operations or for the removal of deposits of coal and asphalt upon paying a fair valuation for the portion of the surface so acquired. If the owner of the surface and the then owner or lessee of such mineral deposits shall be unable to agree upon a fair valuation for the surface so acquired, such valuation shall be determined by three arbitrators, one to be appointed, in writing, a copy to be served on the other party by the owner of the surface, one in like manner by the owner or lessee of the mineral deposits, and the third to be chosen by the two so appointed; and in case the two arbitrators so appointed should be unable to agree upon a third arbitrator within 30 days, then and in that event, upon the application of either interested party, the United States district judge in the district within which said land is located shall appoint the third arbitrator: *Provided*, That the owner of such mineral deposits or lessee thereof shall have the right of entry upon the surface so to be acquired for mining purposes immediately after the failure of the parties to agree upon a fair valuation and the appointment, as above provided, of an arbitrator by the said owner or lessee.

SEC. 4. That upon the expiration of two years after the lands have been first offered for sale the Secretary of the Interior, under rules and regulations to be prescribed by him, shall cause to be sold to the highest bidder for cash the surface of any lands remaining unsold and of any surface lands forfeited by reason of nonpayment of any part of the purchase price, without regard to the appraised value thereof: *Provided*, That the Secretary of the Interior is authorized to sell at not less than the appraised value to the McAlester Country Club, of McAlester, Okla., the surface of not to exceed 160 acres in section 17, township 5 north, range 15 east: *Provided further*, That the mineral underlying the surface of the lands condemned for the State penitentiary at McAlester, Okla., under the Indian appropriation act approved March 3, 1909, shall be subject to condemnation, under the laws of the State of Oklahoma, for State penitentiary purposes: *And provided further*, That said mineral shall not be mined for other than State penitentiary purposes.

SEC. 5. That the sales herein provided for shall be at public auction under rules and regulations and upon terms to be prescribed by the Secretary of the Interior, except that no payment shall be deferred longer than two years after the sale is made. All agricultural lands shall be sold in tracts not to exceed 160 acres, and deeds shall not be issued to any one person for more than 160 acres of agricultural land, grazing lands in tracts not to exceed 640 acres, and lands especially

valuable by reason of proximity to towns or cities may, in the discretion of the Secretary of the Interior, be sold in lots or tracts containing not less than 1 acre each. All deferred payments shall bear interest at 5 per cent per annum, and if default be made in any payment when due all rights of the purchaser thereunder shall, at the discretion of the Secretary of the Interior, cease and the lands shall be taken possession of by him for the benefit of the two nations, and the money paid as the purchase price of such lands shall be forfeited to the Choctaw and Chickasaw Tribes of Indians.

SEC. 6. That if the mining trustees of the Choctaw and Chickasaw Nations and the three appraisers herein provided for, or a majority of the said trustees and appraisers, shall find that such tract or tracts can not be profitably mined for coal or asphalt and can be more advantageously disposed of by selling the surface and the coal and asphalt together, such tract or tracts may be sold in that manner, in the discretion of the Secretary of the Interior, and patents issued for said lands as provided by existing laws: *Provided*, That this section shall not apply to land now leased for the purpose of mining coal or asphalt within the segregated and reserved area herein described.

SEC. 7. That when full purchase price for any property sold herein is paid, the chief executives of the two tribes shall execute and deliver, with the approval of the Secretary of the Interior, to each purchaser an appropriate patent or instrument of conveyance conveying to the purchaser the property so sold, and all conveyances made under this act shall convey the fee in the land with reservation to the Choctaw and Chickasaw Tribes of Indians of the coal and asphalt in such land, and shall contain a clause or clauses reciting and containing the reservations, restrictions, covenants, and conditions under which the said property was sold, as herein provided, and said conveyances shall specifically provide that the reservations, restrictions, covenants, and conditions therein contained shall run with the land and bind the grantees, successors, representatives, and assigns of the purchaser of the surface: *Provided*, That the purchaser of the surface of any coal or asphalt land shall have the right at any time before final payment is due to pay the full purchase price on the surface of said coal or asphalt land, with accrued interest, and shall thereupon be entitled to patent therefor, as herein provided.

SEC. 8. That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated belonging to the Choctaw and Chickasaw Tribes of Indians, the sum of \$50,000 to pay expenses of the classification, appraisal, and sales herein provided for, and the proceeds received from the sales of lands hereunder shall be paid into the Treasury of the United States to the credit of the Choctaws and Chickasaws and disposed of in accordance with section 17 of an act entitled "An act to provide for the final disposition of the affairs of the Five Civilized Tribes in Indian Territory, and for other purposes," approved April 26, 1906, and the Indian appropriation act approved March 3, 1911.

SEC. 9. That the Secretary of the Interior be, and he is hereby, authorized to prescribe such rules, regulations, terms, and conditions not inconsistent with this act as he may deem necessary to carry out its provisions, including the establishment of an office during the sale of this land at McAlester, Pittsburg County, Okla.

Mr. OWEN subsequently said: I move that the Senate concur in the amendment of the House to the amendment of the Senate to the bill (H. R. 14055) to provide for the sale of the surface of the segregated coal and asphalt lands of the Choctaw and Chickasaw Nations, and for other purposes.

Mr. HEYBURN. I desire to withdraw my objection to concurrence in the amendment.

The PRESIDENT pro tempore. The Senator from Oklahoma moves that the Senate concur in the amendment made by the House of Representatives to the amendment of the Senate.

The motion was agreed to.

SENATOR FROM WISCONSIN.

Mr. HEYBURN. From the Committee on Privileges and Elections, to which was referred Senate resolution No. 136, providing for the investigation of charges relative to the election of ISAAC STEPHENSON as Senator from Wisconsin, I submit a report (No. 349). I will say that it is a majority report. There will be one name to add to the majority members. The resolution is reported with the testimony.

The PRESIDENT pro tempore. The Senator from Idaho presents a privileged report. What is the request of the Senator in connection with it?

Mr. HEYBURN. That it go to the calendar, I suppose.

Mr. CULLOM. Let the report be read.

The PRESIDENT pro tempore. Does the Senator desire to have it printed?

Mr. HEYBURN. Yes; and I desire to have the report read. We could not be better employed.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report, as follows:

CHARGES RELATIVE TO THE ELECTION OF ISAAC STEPHENSON.

The Committee on Privileges and Elections, to whom was referred certain charges preferred by the Legislature of the State of Wisconsin against ISAAC STEPHENSON, a Senator of the United States from the State of Wisconsin, with instructions to report to the Senate whether in the election of said ISAAC STEPHENSON as a Senator of the United States from the State of Wisconsin there were used or employed corrupt methods or practices, have had the same under consideration and submit the following report:

On August 15, 1911, the Senate adopted the following resolution: "Resolved, That the Senate Committee on Privileges and Elections or any subcommittee thereof be authorized and directed to investigate certain charges preferred by the Legislature of Wisconsin against ISAAC STEPHENSON, a Senator of the United States from the State of Wisconsin, and report to the Senate whether in the election of said ISAAC STEPHENSON as a Senator of the United States from the said State of Wisconsin there were used or employed corrupt methods or practices; that said committee or subcommittee be authorized to sit during the recess of the Senate, to hold its session at such place or places as it shall deem most convenient for the purposes of the investigation, to

employ stenographers, 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 or chairman of the subcommittee."

Pursuant to the authority given by said resolution the Committee on Privileges and Elections appointed a subcommittee consisting of Mr. HEYBURN (chairman), Mr. SUTHERLAND, Mr. BRADLEY, Mr. FAYNTER, and Mr. POMERENE, with full powers to investigate said charges.

On January 20, 1912, the subcommittee reported to the full committee as follows:

IN THE MATTER OF THE INVESTIGATION OF THE CHARGES AGAINST ISAAC STEPHENSON, A SENATOR OF THE UNITED STATES FROM THE STATE OF WISCONSIN.

To the honorable the Committee on Privileges and Elections of the United States Senate:

Your subcommittee proceeded pursuant to the terms of its appointment to investigate the above-mentioned charges, and in pursuance of said duty met in the city of Washington and, having organized, proceeded to adopt a plan for holding such investigation.

It was agreed by your subcommittee that the investigation should commence on October 2, 1911, at the city of Milwaukee, in the State of Wisconsin.

Accordingly your subcommittee met at the city of Milwaukee on the above-mentioned date, all parties in interest being present. Hon. Charles E. Littlefield, W. E. Black, and H. A. J. Upham, Esqs., appeared as counsel for Senator STEPHENSON.

The governor and the attorney general of the State of Wisconsin were notified by the chairman of your subcommittee of the time and place of the hearing and were invited to indicate to the committee whether or not they desired to be present and participate in any manner in such investigation. The governor of Wisconsin, speaking for the State, informed your subcommittee that no one on behalf of the State would appear at such investigation.

Your subcommittee then proceeded to the examination of witnesses and documents, which examination occupied 25 days, during which time 124 witnesses were sworn, 35 affidavits received, and 2,100 pages of printed testimony taken, which testimony, affidavits, and exhibits are herewith submitted as a part of the report of your subcommittee.

Your subcommittee has given the fullest consideration to all the testimony introduced and has considered its weight and effect under the rules pertaining to the investigation and is of the opinion that the charges preferred against Senator ISAAC STEPHENSON have not been sustained, and your subcommittee finds that the election of said ISAAC STEPHENSON as a Senator of the United States from the State of Wisconsin was not procured by corrupt methods or practices in said election of ISAAC STEPHENSON.

W. B. HEYBURN, Chairman.
GEORGE SUTHERLAND.
W. O. BRADLEY.
ATLEE POMERENE.

Mr. HEYBURN, chairman of the subcommittee, submitted a statement of his views in support of the conclusions reached, and on the request of members of the committee further consideration of the matter was postponed to February 3, 1912, on which date a further postponement was had to February 10, 1912, with the understanding that any member of the committee might file a statement of his views to accompany the final report of the committee, and that a vote might be taken on that date.

On February 10, 1912, the Committee on Privileges and Elections met in regular session and received a statement of the views of Mr. POMERENE and Mr. SUTHERLAND in support of the report of the subcommittee, and proceeded to the consideration of the report of the subcommittee, together with the views expressed by the members thereof upon a full record of the testimony and proceedings in the case.

On motion it was ordered that the report of the subcommittee be adopted and that said subcommittee be discharged.

Whereupon it was ordered that Mr. HEYBURN be instructed to report the action of the committee to the Senate, together with a transcript of testimony and of all the proceedings of the subcommittee, including the address of Hon. Charles E. Littlefield before the whole committee, and also the individual views presented by members of the committee. Leave was given to file a minority report by those dissenting from the conclusions reached.

Wherefore your committee, having given full consideration to the law and to the testimony and to all of the facts and circumstances brought to its notice, does find that the charges preferred against ISAAC STEPHENSON, a Senator of the United States from the State of Wisconsin, are not sustained, and your committee further finds that the election of said ISAAC STEPHENSON as a Senator of the United States was not procured by corrupt methods or practices.

WM. P. DILLINGHAM.
ROBERT J. GAMBLE.
W. B. HEYBURN.
GEO. SUTHERLAND.
GEORGE T. OLIVER.
J. F. JOHNSTON.
DUNCAN U. FLETCHER.
ATLEE POMERENE.
W. O. BRADLEY.

Mr. HEYBURN. Mr. President, the Senator from Kentucky [Mr. BRADLEY], who is absent from the Chamber, desires to be permitted to sign the report as though before the filing.

Mr. SUTHERLAND. Mr. President, the remainder of the report consists of the individual views of certain members of the subcommittee. I suggest that the reading be omitted and that they be printed in the Record.

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

VIEWS OF MR. HEYBURN IN SUPPORT OF THE REPORT OF THE COMMITTEE.

The subcommittee having reported to the whole committee in favor of ISAAC STEPHENSON, I desire to submit herewith the reasons which actuated me in arriving at that conclusion:

JURISDICTION.

On August 15, 1911, the United States Senate adopted the following resolution:

"Resolved, That the Senate Committee on Privileges and Elections or any subcommittee thereof be authorized and directed to investigate certain charges preferred by the Legislature of Wisconsin against ISAAC STEPHENSON, a Senator of the United States from the State of Wisconsin, and report to the Senate whether in the election of said ISAAC STEPHENSON as a Senator of the United States from the said State of Wisconsin there were used or employed corrupt methods or practices; that said committee or subcommittee be authorized to sit during the

recess of the Senate, to hold its session at such place or places as it shall deem most convenient for the purposes of the investigation, to employ stenographers, 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 or chairman of the subcommittee."

Pursuant to the authority given by said resolution the Committee on Privileges and Elections appointed a subcommittee consisting of Senators HEYBURN, SUTHERLAND, BRADLEY, PAYNTER, and POMERENE, with full powers "to investigate said charges preferred by the Legislature of Wisconsin relating to the election of ISAAC STEPHENSON, a Senator from the State of Wisconsin."

MEETING OF SUBCOMMITTEE.

In performance of said duty the subcommittee met at Milwaukee, Wis., on October 2, 1911, in the Federal Building, a quorum of said subcommittee being present.

The chairman announced that the subcommittee would recognize a duly authorized representative of the State of Wisconsin, in view of the fact that the State had submitted through its governor to the Senate of the United States the charges to be investigated. No one appearing, the chairman then instructed the secretary of the subcommittee to communicate with the governor and attorney general of the State and advise them that the committee was in session in Milwaukee for the purpose of investigating the charges aforesaid, and to inquire whether or not the State desired to be represented at the hearing, and, pursuant to such instruction, the secretary sent the following communication to the governor:

MILWAUKEE, WIS., October 2, 1911.

Hon. FRANCIS E. MCGOVERN,
Governor of Wisconsin, Madison, Wis.:

A subcommittee of the Committee on Privileges and Elections of the United States Senate, duly appointed, with instructions to investigate the election of ISAAC STEPHENSON as a Senator of the United States from the State of Wisconsin, as recommended by the Legislature of Wisconsin as provided in joint resolution 58 of said legislature, has entered upon the investigation in the Federal Building, in the city of Milwaukee. As the State appears to be unrepresented by counsel, you are requested to advise the committee whether or not it is the desire of the State to be represented by counsel before this committee; and, if so, designate in writing such person to represent the State.

W. B. HEYBURN, Chairman.

To which communication the governor replied as follows:

EXECUTIVE CHAMBER,
Madison, Wis., October 3, 1911.

Hon. W. B. HEYBURN,
Chairman Subcommittee of the United States Senate
Committee on Privileges and Elections, Milwaukee, Wis.

MY DEAR SIR: In reply to your telegram of yesterday, in which you request me to advise your committee "whether or not it is the desire of the State to be represented by counsel" before your subcommittee, permit me to say that I find there is very serious doubt that I have any power to act in the matter. Joint resolution 58, to which you refer, confers no such authority. It simply requests the United States Senate "to investigate the manner, means, and methods by and through which ISAAC STEPHENSON secured his election to the United States Senate," recommends to the district attorney of Dane County that prosecutions be commenced against all persons shown to have committed perjury in the senatorial inquiry in this city, and suggests that prosecutions be commenced in other counties of the State for such violations of the corrupt-practices or bribery statutes as the evidence may justify.

In the absence of any specific authority conferred by this joint resolution, the only other possible source is chapter 268 of the laws of Wisconsin for the year 1911. Careful consideration of this statute leaves me in doubt as to whether it confers power upon me to employ at the expense of the State counsel to attend the investigation your subcommittee is now conducting. Nor can I see that much good is likely to come from such employment. Your invitation comes so late as practically to preclude the possibility of anyone whom I might select rendering any real service to your committee or materially assisting in the investigation now in progress. That investigation has already begun. The transactions to be inquired into are numerous and involved, as appears from the fact that the testimony already taken occupied many months of the time of committees of the State legislature and now fills a number of large volumes of printed reports. To be of service counsel for the State should have been employed months ago. I say this with no feeling of personal responsibility in the matter, for the reason that until your telegram came yesterday there was no ground for anticipating that the appearance of an attorney for the State at this hearing would be acceptable to your committee. Indeed, more than a week ago, under date of September 25, the Associated Press quoted you as having expressed yourself as chairman of the subcommittee as follows: "The State of Wisconsin will not have an attorney in the investigation of the election of ISAAC STEPHENSON by the United States Senate committee. This hearing is under the jurisdiction of the United States Senate, which does not recognize the State as a party to the investigation. This is an investigation, not a trial."

An additional reason why I should not avail myself of your invitation at this time is furnished by the practice of other committees charged with duties similar to yours. So far as I know, no State has been represented by counsel at any of these investigations. The work has been done either by the members of the committee alone or by counsel of their own choosing. At any rate, the responsibility for a thorough, searching inquiry is upon your subcommittee, acting as the agent for the United States Senate in determining a question relative to the "election, returns, and qualifications" of one of its own Members. Neither the State of Wisconsin nor its legislature desires to assume the rôle of prosecutor or to sustain any other relation to this investigation than that of petitioner for a thorough, fearless, and impartial inquiry.

For the present, therefore, I shall take no action concerning the matter mentioned in your telegram. Assuring you, however, of my appreciation of your consideration in extending the invitation, I am,

Very truly, yours,

FRANCIS E. MCGOVERN.

The chairman inquired whether or not counsel were present to represent Mr. STEPHENSON. Whereupon Hon. Charles E. Littlefield, Mr. W. E. Black, and Mr. H. A. J. Upham appeared on his behalf and were recognized by the committee.

The joint resolution and specific charges certified to the United States Senate by the governor of Wisconsin were then read. (Transcript, pp. 4 and 5.)

Before entering upon the examination of witnesses by the committee Hon. Charles E. Littlefield, of counsel for Mr. STEPHENSON, requested leave to make a statement, which leave was granted. (Transcript, pp. 6-23.)

The subcommittee then proceeded to the examination of witnesses and documents, which examination occupied 25 days, during which time 116 witnesses were sworn and examined, 36 affidavits received, and upward of 2,100 pages of printed testimony taken, which testimony, affidavits, and exhibits are herewith offered as a part of the report of the subcommittee.

The subcommittee was directed to investigate certain charges preferred by the Legislature of Wisconsin against Mr. STEPHENSON. These charges were set forth in the communication of the governor of Wisconsin, and the papers accompanying the same, certified to the United States Senate, among which was the joint resolution adopted by the Legislature of Wisconsin on June 26, 1911, which is found on page 2 of the transcript.

The charges referred to in the resolution under which the subcommittee acted are as follows:

SPECIFIC CHARGES.

1. That ISAAC STEPHENSON, of Marinette, Wis., now United States Senator and a candidate for reelection, did, as such candidate for reelection, give to one E. A. Edmonds, of the city of Appleton, Wis., an elector of the State of Wisconsin and said city of Appleton, a valuable thing, to wit, a sum of money in excess of \$100,000 and approximating the sum of \$250,000 as a consideration for some act to be done by said E. A. Edmonds in relation to the primary election held on the 1st day of September, 1908, which consideration was paid prior to said primary election, and that said ISAAC STEPHENSON was at the time of such payment a candidate for the Republican nomination for United States Senator at such primary, and did by such acts, as above set forth, violate section 4543b of the statutes.

2. That said ISAAC STEPHENSON did, prior to said primary, pay to said Edmonds above-mentioned sums with the design that said Edmonds should pay to other electors of this State, out of said sums above mentioned and other sums of money received by said Edmonds from said ISAAC STEPHENSON, prior to said primary, sums ranging from \$5 per day to \$1,000 in bulk, as a consideration for some act to be done in relation to said primary by said electors for said ISAAC STEPHENSON as such candidate, in violation of said section.

3. That with full knowledge and with instructions from said ISAAC STEPHENSON, as to how and for what purposes said sums were to be expended, said sums were so paid as above stated to said Edmonds by said ISAAC STEPHENSON and that said sums were paid as above stated for the purposes above stated and also for the purpose of bribing and corrupting a sufficient number of the electors of the State of Wisconsin to encompass the nomination of said ISAAC STEPHENSON at said primary for the office of United States Senator.

4. That in pursuance of the purpose and design above stated said ISAAC STEPHENSON did, by and through his agents, prior to said primary, pay to one U. C. Keller, of Sauk County, an elector of this State, the sum of \$300 as a consideration for some act to be done by said Keller for said STEPHENSON preliminary to said primary, corruptly and unlawfully.

5. That in further pursuance of such purposes and design said ISAAC STEPHENSON, by and through his agents, prior to said primary, paid to one Hambricht, of Racine, Wis., large sums of money as a consideration for some act to be done by said Hambricht for said STEPHENSON preliminary to said primary, said Hambricht being then an elector of this State, corruptly and unlawfully.

6. That in further pursuance of the purposes and design above stated said ISAAC STEPHENSON did, by and through his agents, prior to said primary, pay to one Roy Morse, of Fond du Lac, Wis., then an elector of this State, the sum of \$1,000 as a consideration for some act to be done by said Morse for said ISAAC STEPHENSON preliminary to said primary, and corruptly and unlawfully.

7. That in further pursuance of such purposes and design said ISAAC STEPHENSON, by and through his agents, prior to said primary, paid to divers persons, then electors of the county of Grant, Wis., ranging from \$5 per day and upward, as a consideration for some act to be done by said several electors for said ISAAC STEPHENSON preliminary to said primary, corruptly and unlawfully.

8. That in further pursuance of such purposes and design, said ISAAC STEPHENSON, by and through his agents, prior to said primary, did pay to divers persons who were at such time electors in this State a consideration for some act to be done for said ISAAC STEPHENSON by such electors preliminary to such primary, corruptly and unlawfully.

9. That in further pursuance of such purposes and designs said ISAAC STEPHENSON, by and through his agents, prior to said primary, did pay to electors of this State, who were of a different political opinion and who held to other political principles than those of the Republican Party, more particularly Democrats, sums of money as a consideration for some act to be done by such electors for said ISAAC STEPHENSON preliminary to said primary, corruptly and unlawfully.

10. That in further pursuance of such purposes and design said ISAAC STEPHENSON, by and through his agents, prior to such primary, did offer to pay to Edward Pollock, of Lancaster, Wis., certain sums of money, as editor of the Teller, a newspaper published in said city of Lancaster, Wis., and to other editors of newspapers who were at such time electors of this State, and for the purpose of purchasing the editorial support of such editors and as a consideration of something to be done relating to such primary, corruptly and unlawfully.

11. That said ISAAC STEPHENSON did, prior to such primary, by and through his agents, promise and agree to pay to one Lester Tilton, a then resident and elector of this State, and residing at the city of Neillsville, Wis., a sum in excess of \$500 to procure or aid in procuring the nomination of said Lester Tilton to the assembly of this State from Clark County, and did offer to give to said Lester Tilton a sum in excess of \$500 if said Lester Tilton would become a candidate for the assembly from said Clark County if said Lester Tilton would support said Isaac Stephenson for the office of United States Senator, all of which is in violation of sections 4542b and 4543b of the statutes.

12. That said ISAAC STEPHENSON did, by and through his agents, give and promise and pay or agree to pay to other electors of this State sums of money to procure or aid in procuring the nomination of such electors to the senate and assembly of this State other than those electors residing in the district where said ISAAC STEPHENSON resides.

13. That E. M. Heyzer and Max Sells, prior to said primary, being at such time employees of the Chicago & North Western Railway Co., a corporation doing business in this State, did contribute and agree to contribute free services as such employees for the purpose to defeat the candidacy of former assemblyman E. F. Nelson, from the district embracing Florence, Forest, and Langlade Counties, for the nomination for assemblyman from said district, all of which was done with the knowl-

edge and consent and under the direction of said ISAAC STEPHENSON, his agents, and employees, contrary to chapter 492, Laws of 1905.

14. That in further pursuance of the purposes and design above set forth said ISAAC STEPHENSON, by and through his agents, did, in addition to paying certain sums as above set forth, offer and agree to pay to electors of this State, prior to said primary, a premium or bonus to those who in his employ carried their respective precincts in such primary for said ISAAC STEPHENSON as such candidate.

15. That said ISAAC STEPHENSON, if claiming an election by virtue of receiving a plurality of votes at such primary, then said ISAAC STEPHENSON has violated chapter 502 of the Laws of 1905 by failing and neglecting to file his expense account as provided by said chapter.

16. Charging generally the primary nomination or election of said ISAAC STEPHENSON was obtained by the use of large sums of money corruptly and illegally, by the violation of sections 4542b, 4543b, and 4478b of the statutes relating to illegal voting, bribery, and corruption, and other laws above set forth relating to elections and primary elections.

John J. Blaine, a State senator, who made the said 16 specific charges, which constituted the basis of the legislative investigation, was examined in detail as to each of such charges and failed to sustain any of them, either by his own testimony or by reference to the testimony of others. The charges were made on information and belief according to his own testimony. He seemed upon examination to have no information upon which any belief as to their truth could be based.

An inspection of his testimony (Transcript, p. 592, etc.) will fully justify the conclusion of the subcommittee that such charges were not sustained.

These charges were investigated by two legislative committees; first, by a joint committee which submitted a report which was not finally acted upon; second, by a committee of three members of the State senate, only one member of which was a member of the legislature when the report of that committee was made.

The time within which the joint legislative committee might take testimony and report was limited by the legislature to expire on the 13th day of April, 1909, and on that day the said committee met and adopted a resolution that each member make an outline of his proposed report and submit it at a later day for discussion before the committee.

Said committee then adjourned subject to the call of the chairman of the senate or assembly committee.

This ended the work of the joint investigating committee. The State senate, acting independently of the assembly and in view of the expiration of the time within which the joint committee might finish its work, adopted a resolution on March 25, 1909, authorizing the president of the senate to appoint a committee consisting of three members to complete the investigation that had been carried on by the joint committee and to "further fully, fairly, and thoroughly investigate the campaign and election of ISAAC STEPHENSON as a United States Senator, and the campaign and election of members of the legislature so far as their election in any way pertains to or affects the election of ISAAC STEPHENSON as a United States Senator."

SPECIFIC QUESTIONS PRESENTED FOR CONSIDERATION.

In the order of their importance the duties of the subcommittee may be classified as follows:

First. To investigate the proceedings by the legislature, including the action of Senator STEPHENSON and those representing him, during the session of the legislature.

Second. To investigate the campaign and election of members of the legislature so far as their election in any way pertains to or affects the election of ISAAC STEPHENSON as a United States Senator.

Third. The primary election and the campaign.

ELECTION OF A SENATOR BY THE LEGISLATURE.

The law providing for the election of Senators by the legislature is as follows, being chapter 1, title 2, of the Revised Statutes of the United States:

"SEC. 14. The legislature of each State which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress shall, on the second Tuesday after the meeting and organizing thereof, proceed to elect a Senator in Congress.

"SEC. 15. Such election shall be conducted in the following manner: Each house shall openly, by a viva voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for who receives a majority of the whole number of votes cast in each house shall be entered on the journal of that house by the clerk or secretary thereof; or if either house fails to give such majority to any person on that day, the fact shall be entered on the journal. At 12 o'clock m. of the day following that on which proceedings are required to take place as aforesaid the members of the two houses shall convene in joint assembly, and the journal of each house shall then be read, and if the same person has received a majority of all the votes in each house he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each house, or if either house has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva voce vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at 12 o'clock m. of each succeeding day during the session of the legislature and shall take at least one vote until a Senator is elected.

"SEC. 16. (Relates to filling vacancies.)

"SEC. 17. (Also relates to the filling of vacancies.)

"SEC. 18. It shall be the duty of the executive of the State from which a Senator has been chosen, to certify his election, under the seal of the State, to the President of the Senate of the United States.

"SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the secretary of state of the State."

PROCEEDINGS IN THE LEGISLATURE.

The Forty-ninth Legislature of Wisconsin consisted of 33 senators and 100 assemblymen, and convened at the capitol at Madison on January 13, 1909, at 12 o'clock m.

On Thursday, January 14, 1909, the organizing of both houses was complete, and the assembly adjourned until Tuesday, January 19, at 10 o'clock.

The senate organized on January 13, 1909, and on January 14 Senator Husting introduced joint resolution 3, providing for the investigation of the primary election, which was laid over until the next session, and the senate adjourned until Tuesday, January 19, at 10 o'clock a. m.

On Tuesday, January 26, the senate considered joint resolution 3 and a substitute was introduced by Senator Blaine. (Senate Journal, pp. 72-77.) This substitute contains the specific charges.

On January 26, 1909, a vote was taken on the election of United States Senator, each house voting separately.

In the senate the total number of votes cast was 17. Mr. STEPHENSON received 12 votes, Brown 4, Rummel 1. (Senate Journal, pp. 78-79.)

On the same day, January 26, upon the call of the roll in the assembly, the total number of votes cast for Senator was 84. Mr. STEPHENSON received 60, Neal Brown 16, Jacob Rummel 3, S. A. Cook 2, H. A. Cooper 1, J. H. Stout 1, and John J. Esch 1, which result was announced by the speaker. (Assembly Journal, pp. 74-75.)

On Wednesday, January 27, resolutions were introduced in the senate, among others joint resolution 3, being an arraignment of the United States Senate and a demand for its abolition, introduced by Senator Gaylord. (Senate Journal, p. 86.) It was referred to the committee on Federal relations. This is mentioned in passing only to show the temper of the legislature on the day of the first joint ballot for United States Senator.

At 12 o'clock noon of January 27, 1909, the two houses met in joint convention. The lieutenant governor, presiding, stated:

"Gentlemen of the joint convention, you are assembled here for the purpose of expressing your choice for United States Senator. In order to comply with the Federal law the clerk of the senate and the clerk of the assembly will read from the journal of each house, respectively, the proceedings of the preceding day with reference to the election of a United States Senator."

The senate journal (p. 94) and the assembly journal (p. 80) records as follows:

"The chief clerk of the senate read the journal of the senate of January 26, 1909, and the chief clerk of the assembly read the journal of the assembly of January 26, 1909.

"The president then said: 'The clerk will call the roll. As your names are called you will arise from your seats and announce the candidate of your choice.'"

Senator Hudnall said:

"I rise to protest against any other proceedings being taken in the joint assembly at this time except the announcement of the presiding officer that Hon. ISAAC STEPHENSON is elected to the United States Senate for the term commencing March 4, 1909. I do that for the reason that it appears from the journal of the senate that the total number of votes cast for persons were 17, of which ISAAC STEPHENSON received 12, Neal Brown 4, Jacob Rummel 1, and the journal of the assembly shows that of the members who voted for persons there were 60 for Stephenson, 10 for Brown, and 3 for Jacob Rummel; and it further appears from both journals of senate and assembly that Isaac Stephenson received a majority of all the votes cast in each house.

"It devolves then upon the president of this joint assembly to declare ISAAC STEPHENSON duly elected to the United States Senate, and then the duty devolves upon the president of the senate and speaker of the assembly to certify his election to the governor and to the secretary of state, and they to certify his election to the United States Senate. Any other proceeding is out of order and nugatory."

Senator Hudnall stated that he made this statement as a protest and as a point of order. The president held the point of order not well taken and held that Senator Hudnall was out of order in his protest.

The presiding officer then directed the nomination of candidates, and the joint assembly proceeded to vote for a United States Senator. There were 131 votes cast, of which ISAAC STEPHENSON received 65, and the presiding officer announced that "it appears from the records of the convention that no person has received a majority of the votes cast for United States Senator." Whereupon the joint convention dissolved.

On no other day until the 4th of March, 1909, did anyone receive a majority of the votes cast in joint assembly. On that day (the 4th of March) upon the twenty-fourth ballot of the joint assembly there were 123 votes cast, of which ISAAC STEPHENSON received 63. Whereupon the chairman of the joint assembly announced the election of ISAAC STEPHENSON, and the joint assembly adjourned sine die.

At each session of the joint assembly the question as to whether any vote in the joint assembly was necessary was raised by protest against such proceedings upon the grounds that, Mr. STEPHENSON having received a majority of the votes cast in each house voting separately, no other or further duty remained for the joint assembly than that of reading the journals of the two houses of the proceedings in each relative to the election of a United States Senator on the day previous. These journals were read and the fact disclosed that in each house Mr. STEPHENSON had received a majority of all the votes cast. It remained only that "he shall be declared duly elected Senator." The statute does not prescribe who shall declare the person receiving a majority of the votes in each house elected Senator, nor in what form such declaration shall be made.

From the reading of the law it would seem that when the two houses voting separately each gave Mr. STEPHENSON a clear majority and having met in joint session on the day following the vote in the separate houses, the journal of the proceedings of the two houses voting separately being read in joint convention and the result announced, the election was completed; the mere failure to declare him elected could not in any way defeat the will of the two houses as expressed in their separate votes.

The failure to make a specific declaration of his election was not vital. The action of the governor and secretary of state in deferring the certificate of his election or in misstating the time of his election could not affect that election.

If we are correct in assuming that the election of ISAAC STEPHENSON was accomplished when the record of the two houses was read and announced in the joint assembly, then the failure or delay of the executive officers to perform their duty could in no way defeat his election as of the date of the meeting of the first joint assembly.

ACTS OF BRIBERY CHARGED.

Charges of bribery in the interest of Mr. STEPHENSON'S election had been freely made both before the subcommittee and before the legislative investigating committee. Not one of these charges have been sustained by the testimony.

The word "bribery" has been applied to many acts that do not constitute bribery.

The procurement of advertising space or editorial comment in the newspapers upon the payment of money by or on behalf of a candidate for office can not under any construction of law be held to be bribery.

The procurement of the services of men to speak either publicly or personally on behalf of any candidate, or to canvass the electorate on his behalf, is not bribery under any reasonable construction of the law.

If the testimony were true that money was offered to Assemblyman Leuch to go upon the floor and vote for the purpose of effecting a quorum, it would not constitute bribery. It was the duty of such member to go upon the floor and vote.

The charge of an attempt to bribe H. R. Pestalozzi utterly failed of proof before your committee.

The charge of unlawful dealings with the Milwaukee Free Press utterly failed of proof. It was conceded that Mr. STEPHENSON owned a controlling interest in that paper, and he was certainly entitled to have its support and to sustain his interest in it.

BRIBERY.

[Reference is to "Election Laws of Wisconsin," published by J. A. Frear, secretary of state, 1908.]

The law of Wisconsin relative to bribery is as follows:

"Sec. 39. Bribery of signers to petitions, etc.: 1. Any person who shall offer, or with knowledge of the same permit any person to offer for his benefit, any bribe to a voter to induce him to sign any nomination paper * * * and any person who shall accept any such bribe or promise of gain of any kind in the nature of a bribe as consideration for signing the same, whether such bribe or promise of gain in the nature of a bribe be offered or accepted before or after such signing, or any candidate who shall knowingly cause a nomination paper or papers to be signed in his behalf by more than the maximum number of qualified electors provided for his district by subdivision 5 of section 11-5 of this act, shall be guilty of a misdemeanor and upon trial and conviction thereof be punished by fine of not less than \$25 nor more than \$500 or by imprisonment in the county jail of not less than 10 days or more than 6 months, or by both such fine and imprisonment.

"Penalties: Caucus and general election laws applicable: 2. Any act declared an offense by the general laws of this State concerning caucuses and elections shall also, in like case, be an offense in primaries and shall be punished in the same form and manner as therein provided, and all the penalties and provisions of the law as to such caucuses and elections, except as herein otherwise provided, shall apply in such case with equal force and to the same extent as though fully set forth in this act.

"Sec. 40. General election laws applicable (secs. 11-25): The provisions of the statutes now in force in relation to the holding of elections, the solicitation of voters at the polls, the challenging of voters, the manner of conducting elections, of counting the ballots and making return thereof, and all other kindred subjects, shall apply to all primaries in so far as they are consistent with this act, the intent of this act being to place the primary under the regulation and protection of the laws now in force as to elections.

"Sec. 263. Bribery at elections (sec. 4478): The following persons shall be deemed guilty of bribery at elections:

"1. Every person who shall, directly or indirectly, by himself or by any other person on his behalf, give, lend, or agree to give, or lend, or offer, promise, or promise to procure, or endeavor to procure any money or valuable consideration, to or for any voter, to or for any person on behalf of any voter, or to or for any other person in order to induce any voter to vote or refrain from voting, or do any such act as aforesaid, corruptly, on account of such voter having voted or refrained from voting at any election.

"2. Every person who shall, directly or indirectly, by himself or by any other person on his behalf, give or procure, or agree to give or procure, or offer, promise, or endeavor to procure any office, place of employment, public or private, to or for any voter, or to or for any person on behalf of any voter, or to or for any other person in order to induce such voter to vote or refrain from voting, or do any such act as aforesaid, corruptly, on account of any voter having voted or refrained from voting at any election.

"3. Every person who shall, directly or indirectly, by himself or by any other person on his behalf, make any such gift, loan, offer, promise, procurement, or agreement as aforesaid to or for any person in order to induce such person to procure or endeavor to procure the election of any person to a public office, or the vote of any voter at any election.

"4. Every person who shall, upon or in consequence of any such gift, loan, offer, promise, procurement, or agreement, procure, or engage, promise, or endeavor to procure the election of any person to a public office, or the vote of any voter at any election.

"5. Every person who shall advance or pay or cause to be paid any money to or for the use of any other person with the intent that such money or any part thereof shall be expended in bribery at any election, or who shall knowingly pay or cause to be paid any money, wholly or in part, expended in bribery at any election.

"Penalty: And any person so offending shall be punished by imprisonment in the State prison for a term of not less than six months nor more than two years: *Provided*, That the foregoing shall not be construed to extend to any money paid or agreed to be paid for or on account of any legal expenses authorized by law and bona fide incurred at or concerning any election.

"Sec. 264 (sec. 4478a). The following persons shall also be deemed guilty of bribery at elections:

"1. Every voter who shall, before or during any election, directly or indirectly, by himself or by any other person on his behalf, receive, agree, or contract for any money, gift, loan, or valuable consideration, office, place of employment, public or private, for himself, or for any other person for voting or agreeing to vote or for refraining or agreeing to refrain from voting at any election.

"2. Every person who shall, after any election, directly or indirectly, by himself or by any other person in his behalf, receive any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting at any election; and any voter or other person so offending shall be punished by imprisonment in the county jail not less than one month nor more than one year.

"Sec. 266. Office obtained by bribery, vacant (sec. 4481). Any person who shall obtain any office or shall have been elected to any office at any election, at which election he shall have induced or procured any elector to vote for him for such office by bribery, shall be disqualified from holding said office, and he shall be ousted therefrom, and said office shall be deemed and held vacant, to be filled by election or appointment as other vacancies, according to law.

"Sec. 294. Bribery at caucus or convention (sec. 4479). Any person being, or seeking to be, a candidate for any office at any election authorized by law who shall give, or promise to give, to any elector or other person any money or thing of value or any pecuniary advantage or benefit for the purpose of inducing or influencing such elector or other person to vote for him in any convention or meeting of the people

held for the purpose of nominating any person or persons to be voted for at any such election to make him the nominee of any such convention or meeting and the candidate to be voted for for any office at such election, or who shall so give or promise any such thing to any such person for the purpose of inducing or influencing any person to sign any nomination paper which seeks to have him nominated as a candidate for any office to be so voted for; and any such elector or other person who shall ask, solicit, or receive any money or thing of value or any pecuniary advantage or benefit from such candidate as a consideration or inducement for his vote at any such convention or meeting of the people, or his signature to any such paper, shall be punished by imprisonment in the county jail not more than one year or by fine not exceeding \$500.

"Sec. 296. Bribery in connection with caucus (sec. 4542b). Every person who, by bribery or corrupt or unlawful means, prevents or attempts to prevent any voter from attending or voting at any preliminary meeting or caucus mentioned in sections 11a to 11l, or who shall give or offer to give any valuable thing or bribe to any officer, inspector, or delegate whose office is therein created, or who shall give or offer to give any valuable thing or bribe to an elector as a consideration for some act to be done in relation to such preliminary meeting, caucus, or convention, or who shall interfere with or in any manner disturb any preliminary meeting, caucus, or convention held under said provisions, shall be punished as provided in section 4542a.

"Sec. 298. Bribery of voter; disturbance at caucus or convention: Every person who, by bribery or corrupt or unlawful means, prevents or attempts to prevent any voter from attending or voting at any caucus mentioned in this act, or who shall give or offer to give any valuable thing or bribe to any officer, inspector, or delegate whose office is created by this act, or who shall give or offer to give any valuable thing or bribe to any elector as a consideration for some act to be done in relation to such caucus or convention, or who shall interfere with or in any manner disturb any caucus or convention held under the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished in the manner hereinafter provided." (Ch. 341, 1899.)

CHARGES OF CORRUPTION IN THE LEGISLATURE.

On page 2271 of the report of the State senate investigating committee an attempt is made to summarize the corruption alleged to exist in connection with the election by the legislature, and the first objection is that Mr. STEPHENSON was elected by the legislature by a majority of 3 votes while the charges of corruption against him were being investigated by the legislature. This charge seems hardly worthy of serious consideration. It was admitted that he was elected by the legislature, and there is no law or rule that would invalidate the election because of the pendency of these charges. That was a matter for the members of the legislature to consider in determining whether or not they would vote for him.

ABSENT MEMBERS ON MARCH 4.

The next charge is that the election of Mr. STEPHENSON was made possible by three members, who, it is claimed, at the instigation of Mr. STEPHENSON'S managers and agents, absented themselves from the joint assembly when it became known that their presence would prevent the election of Mr. STEPHENSON, and it was charged that the absence of these three members had been procured by fraudulent or wrongful means by or on behalf of Mr. STEPHENSON. It was the only charge of corruption in connection with the election of Mr. STEPHENSON by the legislature worthy of consideration.

The result of the vote on March 4 consequent upon the absence of these three members is made plain in the testimony of Richard J. White (p. 1324) and by an examination of the journal of the joint assembly on March 4. On that day the total number of votes cast was 123, of which ISAAC STEPHENSON received 63.

The members of the legislature whose absence from the chamber on March 4 was questioned were Messrs. Farrell, Ramsey, and Towne.

On March 3 Farrell voted for Neal Brown, Ramsey voted for George W. Peck, and Towne did not vote at all.

On March 2 Farrell and Ramsey voted for Neal Brown, and Towne voted for Lucknow.

On March 1 neither Farrell, Ramsey, nor Towne voted at all. On February 27 Ramsey voted for Wall, Farrell voted for Neal Brown, and Towne did not vote at all.

On February 26 Towne voted for Thomas A. Stewart; neither Farrell nor Ramsey seem to have voted.

These instances are cited to show that on the face of the transaction there was nothing unusual in the absence of either of the three absentees on March 4, and nothing in their absence to raise the presumption of corruption therein.

It is true that had these three members been present and voted the total vote would have been 126, and the 63 votes received by Mr. STEPHENSON would not have elected, but the evidence clearly establishes the fact that Mr. Ramsey, one of the three absentees, was paired with Mr. Fenelon, and that such pairs had been universally recognized, so that Mr. Ramsey can not be said to have been absent for any corrupt purpose, nor would his absence from the joint assembly affect the result of the vote. Being paired, he could not have voted. In that event, had Farrell and Towne been present the total vote would have been 125, of which Mr. STEPHENSON received 63. Sixty-three would have been a majority and would have elected Mr. STEPHENSON, so that the absence of Farrell and Towne did not affect the result of the election, and it can not, therefore, be said that the election was brought about through corrupt practices so far as the absence of Farrell and Towne was concerned.

It is not charged that any other member who voted for Mr. STEPHENSON did so either from corrupt motives or actions on his part or that he was procured to do so by any corrupt action on the part of any person in the interest of Mr. STEPHENSON.

The votes cast for Mr. STEPHENSON were those that had been consistently supporting him throughout the contest. There was no change in his favor upon which any presumption of corruption could be based.

Does the evidence show or tend to show that there were corrupt measures or unlawful methods adopted to secure the absence of either Farrell or Towne?

There has been much sensational testimony introduced before the subcommittee, which was heard largely because such testimony had been received by the legislative investigating committee for the purpose of showing bribery or corrupt methods in connection with the absence of Ramsey, Farrell, and Towne. It was not shown that any money had been traced to either of these men from any source in connection with the matter; but it was claimed that a fund had been raised to be used for corrupt purposes, and that, on the assumption that such fund had

been raised, it must at least in part have been used to bring about the absence of these three members of the legislature.

It was claimed that Senator STEPHENSON had entered into an arrangement with Edward Hines and R. J. Shields for using money for corrupt purposes, to be furnished by Mr. STEPHENSON, and much hearsay testimony was introduced for the purpose of establishing such fact. There can be no question but what the effort to establish any such charge utterly failed. There was no evidence upon which any reasonable conclusion that such corruption fund had been either raised or used could be based.

The charge as to a meeting between the three absentees or some of them and Mr. Regan and Mr. Puelicher at the Plankington House in Milwaukee centered about the testimony taken before the legislative investigating committee of a witness, Frank T. Wagner, who was utterly discredited both at the legislative investigation and by testimony introduced before the subcommittee. It was shown that he is now under sentence in the penitentiary for perjury for having testified to seeing these men in the Plankington Hotel and hearing a conversation upon which the charge that they had entered into a corrupt bargain at that time rested. All the testimony in regard to such a transaction fell to the ground, and was so manifestly without foundation as to call for no consideration except its dismissal.

CHARGE OF BRIBERY OF OTHER MEMBERS.

There seems to have been some remark on the part of Mr. Damochowski and Mr. Lyons as to the tender of money being made them in connection with this election, but on the witness stand they both stated that whatever statements they made in that regard were made in jest and that there was no foundation in truth for them.

Some sensational testimony was introduced in regard to statements made by Mr. R. J. Shields as to having received money or handled money in the interest of Mr. STEPHENSON in a corrupt manner in dealing with members of the legislature, and members of the senate legislative investigating committee had gone to the office of a certain attorney in Chicago and there met Mr. Wirt Cook, of Duluth, Minn., who recited to them some hearsay statements as to conversations and acts, which were fully investigated by the subcommittee and found to be entirely without foundation.

We may therefore safely dismiss the charges of corruption in connection with the action of the legislature in electing Mr. STEPHENSON, whether such election is held to have been on January 26 or on March 4, 1909.

GENERAL CAMPAIGN AND ELECTION.

It appears that Mr. STEPHENSON contributed \$2,000 to the Republican State central committee. Against this contribution no legitimate objection can be urged. It was not in violation of any law nor for other than general election purposes.

It was also shown by testimony that Mr. STEPHENSON before the primary gave money to C. C. Wellensgard, Levi H. Bancroft, and Thomas Reynolds, who were candidates for the legislature. These men testified that they used the money in the interest of Mr. STEPHENSON at the direct primaries. If we eliminate Mr. STEPHENSON from the direct primaries, the contributions which he made to these candidates for nomination and election to the legislature would be in violation of no law. It appears from the testimony that they were at the time voluntary and ardent supporters of Mr. STEPHENSON regardless of any money which they may have received or which may have been placed in their hands by him for any purpose.

There is not sufficient evidence upon which to base a charge of bribery or any other charge that would affect the validity of the election of Mr. STEPHENSON in either of these cases.

DIRECT PRIMARY.

The subcommittee, in determining the scope of the investigation, was confronted with the question as to how far, if at all, the charges affecting the candidacy of ISAAC STEPHENSON before the direct primary should be considered.

The State legislative committee had directed its attention principally to the direct primary and the conduct of the candidates therein.

It was doubtless competent for the legislature to provide for direct primaries for the nomination of candidates for the legislature and to place legal restrictions about them to secure the integrity of their elections, but, as herein elsewhere more fully stated, it is not competent for the legislature to provide for the nomination of candidates for the United States Senate at direct primaries.

The status of Mr. STEPHENSON at such primaries is not comparable to that of candidates for the legislature or for any State office.

The language of the resolution under which the subcommittee acted directs it to report whether "in the election of ISAAC STEPHENSON there were used or employed corrupt methods or practices," and the language of the last paragraph of section 1 of the resolution, bringing the matter to the attention of the United States Senate, strictly construed, refers only to the election.

When we speak of the election of a United States Senator under existing constitutional and legislative provisions we contemplate only the election by the legislature of the State. There is as yet no recognition to be given extra-legislative proceedings in the nature of what is termed "direct primaries," no such method of selection being recognized by any law of the United States.

The subcommittee has, however, brought to the attention of the Senate in the record of its proceedings all the facts obtainable relating to the conduct of the primary. Should it be the judgment of the Senate that such facts are irrelevant, then the consideration would be limited to matters concerning the election of members of the legislature, and the acts and conduct of members of the legislature and candidates in relation to the election of a Senator by the legislature.

The direct primary, legally speaking, is no part of an election of a United States Senator. The duty of an election of a Senator does not under any law rest with the electorate, but is vested by the Constitution solely in the legislature. The legislature electing had no existence until after the general election. The nomination of such members at the primary vested in the nominees not even an inchoate status. A State may give force and effect to a direct primary law providing for the nomination of candidates for State or minor offices to be elected under the laws of the State, but the legislature has no power to regulate in any manner or to any extent the election of a United States Senator, and there is no such proceeding known under any law of the United States as the nomination of a candidate for the United States Senate.

The question arises, Can any act in contravention of a law that is absolutely void work a forfeiture of any right to an office vested through the compliance with the Constitution and laws of the United States? Did the proceedings preceding and at the direct primary relative to a choice for United States Senator amount to more than a "straw vote"?

The mere fact that the Legislature of Wisconsin had undertaken to include a senatorial selection within the provisions of its direct-primary

law, in the absence of power to so legislate, could not affect the validity of an election by the legislature made pursuant to national law; this must be obvious from the fact that the legislature was not in duty bound to elect anyone or consider anyone a candidate for election because of the action of the direct primary. It might have ignored such action altogether, and its having done so would not in any way affect the validity of its action.

There is no law of the United States recognizing such a thing as "candidacy" for the United States Senate, and no legal status is given to the frame of mind constituting an intention on the part of a man or his friends that he become a candidate before the legislature.

The question also arises as to the period when a man can be charged with responsibility for his acts so as to affect the validity of his subsequent election by the legislature.

It frequently occurs that none of the men who are avowed candidates are chosen. The matter rests solely with the legislature, and under existing laws one legislature can not dictate the rule governing a subsequent legislature in the manner of its procedure relative to matters resting entirely within its discretion.

It would be entirely within the power of a legislature, charged with the responsibility of electing a United States Senator, before proceeding to elect a Senator, to repeal any legislation enacted by a previous legislature which placed a limit upon or directed its action.

It seems from this consideration of the question we must conclude that the direct-primary proceedings can not be held to affect the validity of an election by the legislature.

FAILURE TO FILE PROPER EXPENSE ACCOUNT.

The fifteenth specific charge is based upon the failure or neglect of ISAAC STEPHENSON to make and file an expense account under the laws of Wisconsin. This requirement is under section 270 of the election laws, which provides that every person who shall be a candidate before any convention or at any primary or election to fill an office for which a nomination paper or certificate of nomination may be filed, shall, within 30 days after the election held to fill such office, make out and file with the officer empowered by law to issue the certificate of election to such office or place a statement in writing, etc., and that any person failing to comply with this section shall be punished by fine of not less than \$25 or more than \$500. This being a penal statute, the validity of an election could not be affected by the failure to comply with it.

GENERAL COMMENT.

The rule adopted by the several candidates for said office seems to have been unanimous in regard to filing expense accounts.

Senator STEPHENSON'S expense account was \$107,793.05.

S. A. Cook's expense account was \$42,293.29.

William H. Hatton's expense account was \$26,413.

Francis E. McGovern's expenditure was \$11,063.88.

Neal Brown's expense account was \$1,075.87.

The total expenditures of all candidates for the office of United States Senator before the primary election was about \$225,000.

Less than one-half of the voters at the general election voted at the primary. The total vote cast in the Republican primaries for the nomination of United States Senator was 182,915, being 81 per cent of the total primary vote cast by all political parties for Senator.

The total vote cast in the Democratic Party for United States Senator was 37,479, or about 17 per cent of the total primary vote of all parties cast for Senator; and about 23 per cent of the total Democratic vote cast for governor at the general election.

Mr. STEPHENSON, a Republican candidate, received 56,909 votes.

Mr. Cook, a Republican candidate, received 47,825 votes.

Mr. McGovern, a Republican candidate, received 42,631 votes.

Mr. Hatton, a Republican candidate, received 35,552 votes.

Mr. Brown, a Democratic candidate, received 24,937 votes.

Mr. Hoyt, a Democratic candidate, received 12,227 votes.

Mr. Rummel, Socialist Democratic candidate, received 4,047 votes.

On the basis of the total vote received by each senatorial candidate and the total cost of each candidate's campaign:

Mr. STEPHENSON spent \$1.89 for every vote cast for him.

Mr. Cook spent \$0.88 for every vote cast for him.

Mr. Hatton spent \$0.85 for every vote cast for him.

Mr. McGovern spent \$0.26 for every vote cast for him.

Mr. Brown spent \$0.42 for every vote cast for him.

Mr. Hoyt spent \$0.16 for every vote cast for him.

And there was spent in behalf of Mr. Rummel, the Socialist Democratic candidate, about \$1 per vote.

Were it possible to hold that Mr. STEPHENSON was subject to the same restrictions under the laws of Wisconsin as a candidate for a State office, we would feel compelled to enter more fully upon the nature and character of the expenditures made by him and on his behalf during the primary campaign.

The amount of money expended by Mr. STEPHENSON, Mr. Cook, Mr. Hatton, and Mr. McGovern in the primary campaign was so extravagant and the expenditures made by and on behalf of these gentlemen were made with such reckless disregard of propriety as to justify the sharpest criticism. Such expenditures were in violation of the fundamental principles underlying our system of Government, which contemplated the selection of candidates by the electors and not the selection of the electors by the candidate.

Regardless of any statute requiring that strict accounts be kept of money expended by and on behalf of candidates, a candidate and every man representing him should know that public opinion would expect the parties to place and maintain themselves in a position so that if any of their acts were questioned they could justify such acts to the extent of giving every detail in regard thereto.

While I do not believe that the law of Wisconsin could constitute any man a candidate or place him in the position of and under the responsibilities of a candidate for an office over which the State had no control and which was not to be filled under any law of the State, yet I feel impelled to criticize the acts of those in charge of the expenditure of the money of men who are called candidates for the Senate, and especially of Mr. STEPHENSON, in the irresponsible and reckless manner in which they disbursed the money furnished them by Mr. STEPHENSON during the period of the primary campaign.

The failure to keep detailed accounts, the destruction of memoranda, the shifting of records and papers concerning the campaign from one place to another, the adoption of mysterious methods and roundabout ways in regard to matters that might just as well have been performed in open daylight in the presence of the people, would go far toward creating the impression that there was some occasion for Mr. STEPHENSON'S representatives to avoid candor and to obscure conditions.

The subcommittee has gone carefully through all of the letters and correspondence which had been in the hands of Mr. STEPHENSON and his managers and which had been shifted from Milwaukee to Marinette and from Marinette to points in Michigan, and back again, under most

unusual and mysterious circumstances. These letters are not out of the ordinary political correspondence of campaign managers and citizens whose votes, influence, or services are solicited in behalf of a candidate.

The letters transmitting and acknowledging the receipt of money have been considered separately from those giving information in regard to political conditions and instructions in regard to how political work shall be done. There is nothing in the letters transmitting or acknowledging the receipt of money that would seem to add anything to the information given by witnesses in explaining these expenditures so far as they could explain them. The subcommittee has not thought it necessary to print this correspondence, which is in evidence and might be held to constitute a part of the record of the investigation. In our judgment, it would add nothing in the way of assistance to the committee in ascertaining the facts necessary and proper to be considered in connection with the investigation.

Were a candidate for a State office in Wisconsin to conduct a campaign in the manner in which the campaign of Mr. STEPHENSON, and of other men who sought election to the United States Senate, were conducted, it would be very difficult to justify such conduct under the laws of the State.

The joint senatorial primary investigating committee in its report (submitted Mar. 18, 1910, but never acted upon), after reviewing the testimony, says:

"Your committee believes that the Republican senatorial candidates and their managers did not deliberately plan to violate the law, but in their desire to win these candidates, particularly STEPHENSON, Cook, and Hatton, conducted their campaigns with the idea of getting results, and men were hired and money spent, and State officials and employees and members of the legislature were used without much regard to propriety. All of the Republican candidates probably spent all they could afford and the amount spent by the different candidates was probably limited more by their ability to spend than their appreciation of the moral effect of the expenditure of such large sums of money to secure the nomination."

This committee evidently looked upon the result of the direct primary as shown by the vote cast therein for each of the men who sought election to the United States Senate as constituting a legal nomination. I entertain a different view of that matter and look upon the primary nomination as a mere expression of a choice without legal effect, and do not recognize such expressions as binding upon the legislature.

CONCLUSION.

The testimony clearly shows that the candidates felt compelled to spend more money than they wanted to spend. The pressure upon them from those who were undertaking to manage their campaigns seems to have been very great and persistent, but I can find nothing in the testimony nor in the circumstances or conditions surrounding the senatorial contest which resulted in the election of Mr. STEPHENSON that in my judgment would justify the committee in recommending that the seat be vacated, or that he be declared not legally elected to the United States Senate; and therefore I recommend that the Senate find that the charges preferred by the Legislature of Wisconsin against ISAAC STEPHENSON, a Senator of the United States from the State of Wisconsin, are not true, and that ISAAC STEPHENSON be acquitted of such charges.

W. B. HEYBURN.

VIEWS OF MR. POMERENE AND MR. SUTHERLAND.

The Senate Committee on Privileges and Elections authorized and directed its subcommittee "to investigate certain charges preferred by the Legislature of Wisconsin against ISAAC STEPHENSON, a Senator of the United States from the State of Wisconsin, and to report whether 'there was used or employed corrupt methods or practices' in his election."

Without intending to specifically enumerate the charges made or to review in extenso the evidence in support or in refutation thereof, it will be sufficient for our purpose to classify the charges and evidence pertaining thereto, as follows:

First, those connected with the proceedings of the legislature affecting the election; and

Second, those growing out of the primary election.

PROCEEDINGS OF THE LEGISLATURE.

Each house, pursuant to the Federal statute, convened for the election of the United States Senator on January 26, 1909. The senate consisted of 33 members and the assembly of 100 members. Thirty-three members of the senate were present, and, before balloting, passed a resolution providing that "any senator who does not wish to vote for a candidate may vote by answering 'present.'" The roll was called, and 17 senators voted for candidates, 12 of whom voted for ISAAC STEPHENSON. The 16 other senators simply voted "present." In other words, a quorum, in the language of the statute, voted for "one person for Senator in Congress," and of this quorum ISAAC STEPHENSON received a majority. While the vote "present" of the 16 senators was in accordance with the resolution passed, we do not believe it could either add to or detract from the requirements of the statute. All members, no doubt, should have voted for "some person," but 16 voted "present," which was equivalent to a blank vote.

In the language of the majority of the committee in *Ransom v. Abbott*, "Senate Election Cases," page 400. "The vote must be for a person, not a blank—in fact, not for a myth, but for a person."

Without intending to review the authorities it is clearly established that "votes knowingly cast for a candidate who can not possibly exercise the function of the office if elected are thrown away." (*State ex rel. Bancroft v. Frear*, 144 Wis., 87.) And, if this be true, it must follow that a mere vote of "present" is nothing more than a vote for "no person," or, in other words, a "blank," and should not, therefore, be counted in determining whether Senator STEPHENSON received a majority of the quorum of those who voted for "one person for Senator," and thereby complied with the letter and spirit of the statute.

For other authorities bearing upon this proposition see *Sawyer v. Makie* (149 Mass., 269), "*Cooley on Constitution Limitations*" (932, Note 1), *Rushville Gas Co. v. Rushville* (6 L. R. A., 315), *Hopkins v. Duluth* (81 Minn., 189), and *Commonwealth v. Cluley* (56 Pa. St., 270).

On the same day in the assembly 82 votes out of the 100 assemblymen were cast, and ISAAC STEPHENSON received 60 out of the 82 votes. He therefore received, in our judgment, "a majority of the whole number of votes cast in each house." The vote thus cast was entered upon the journal of the senate and of the house. In conformity with the provisions of the Federal statute, the members of the two houses convened at 12 o'clock noon on the day following in joint assembly. The journal of each house was read and showed the result of the balloting on the previous day in each house separately, as hereinbefore stated. Having received a majority of all of the votes cast in each house, it was

the duty of the presiding officer to declare Senator STEPHENSON duly elected. This was purely a ministerial duty, and the mere fact that he failed to perform that duty could not, under any legal principle, undo that which was legally done in the separate and joint sessions, and, except for this failure of the presiding officer, was completely done.

Instead of declaring the result, over the protest of Senator Huddell, a ballot was ordered and taken on that day and on each succeeding day until and including the 4th day of March, 1909. Prior to March 4 no one in any of the sessions received a majority of the votes cast. On March 4 there were 123 votes cast, of which ISAAC STEPHENSON received 63, and he was then declared duly elected.

CHARGES OF CORRUPTION IN ACTION OF GENERAL ASSEMBLY.

Charges of corruption were made to the effect that—

(a) Assemblyman Leuch was offered money to go upon the floor and vote for the purpose of effecting a quorum;

(b) That Assemblyman Joseph Damochowski had been offered \$1,500 for his vote; and

(c) That Assemblymen Farrel, Ramsey, and Towne absented themselves from the joint session of the joint assembly on March 4 through corrupt influences.

CHARGE AS TO ASSEMBLYMAN LEUCH.

He testified that David H. Davies, on March 1, 1909, said: "I have authority to tell you that you can have anything you want if you will stay in the joint convention to-day and vote." Mr. Davies denied having any such conversation and swore that he neither authorized nor was in a position to pay or promise Mr. Leuch anything whatsoever. Whether this conversation occurred or not, there is no evidence connecting it directly with Senator STEPHENSON, or even indirectly through any authorized agent.

CHARGE AS TO ASSEMBLYMAN DAMOCHOWSKI.

There was testimony to the effect that Joseph A. Damochowski had said to several parties that he had been offered \$1,500 for his vote in the assembly. He admitted that he had so stated upon several occasions, but in explanation thereof said that any statements he made to that effect were in jest, and that no such offer was in fact made. Outside of these admitted statements, there was no evidence either that any bribe had been offered to or received by him, and no evidence tending to connect Senator STEPHENSON or his managers with this alleged attempt to bribe.

MEMBERS ABSENTING THEMSELVES ON MARCH 4.

On March 4, 123 members of the joint assembly were present and voting. Sixty-three members, being a majority of those voting, cast their ballots for Mr. STEPHENSON, and, having for the first time received a majority of those voting in the joint session, he was duly declared elected.

We think it is fair to say that the record shows that an effort was made by some of the friends of Mr. STEPHENSON either to pair some of those who were opposed to STEPHENSON'S election with those who were absent and favorable to his election, or to secure the absence of those who were opposed to his election, for the purpose of reducing the number who might be in the joint session and voting, and thereby enable those who were favorable to his election to have a majority of the votes cast.

Richard J. White, a friend of Mr. STEPHENSON, succeeded in pairing Ramsey, a Democrat who was opposed to STEPHENSON'S election, with Mr. Fenelon, who was a supporter of Mr. STEPHENSON and because of sickness was not able to attend the session.

Towne, a Democrat, left the chamber just before the voting began and was taken into a cloakroom by C. C. Wayland, one of Mr. STEPHENSON'S lieutenants, and there held in conversation while the balloting was going on, and we have no doubt that Wayland purposely detained him, and Towne, to say the least, was indifferent about the situation.

Farrell left the assembly room before the roll was called and went to a café for luncheon, and did not return until some time after the result of the election had been declared. The absence of Towne and Farrell while the joint assembly was in session is not consistent with their duties as assemblymen, nor is their explanation satisfactory. But whatever the facts may be, there is no evidence in the record, nor any obtainable, so far as the committee knows, which would justify the conclusion that the absence of any of these three men was secured by corrupt means. It was necessary for Ramsey, Farrell, and Towne all to have been present and voting in order to prevent STEPHENSON from having a majority vote in the session. The other seven absentees were satisfactorily accounted for, and no suspicion, so far as we know, attaches to them.

We therefore conclude:

First, that the election in fact occurred on January 26, 1909; and

Second, that there is no evidence justifying the conclusion that corrupt "methods or practices" were employed in securing the vote on March 4, 1909, even if it should be held that the election took place on March 4.

PRIMARY ELECTION IRREGULARITIES.

Senator STEPHENSON'S account filed with the secretary of state shows that there was expended by him and through his committee in connection with the primary election \$107,793.05. He received 56,909 votes, which cost him \$1.89 for every vote cast.

These expenditures, for the purpose of this report, may be divided into the following classes:

First, moneys paid out to persons employed by him or in his behalf to circulate nomination papers in order to get the number of signatures required by the Wisconsin statutes before his name could be placed upon the ticket.

Second, money, paid out as follows:

(a) To newspapers for political advertising;

(b) For editorial support;

(c) For lithographs, campaign material, postage, telephone, telegraph, and express charges; and

(d) Office expenses, including rent, clerk hire, and assistants.

Third, payment for services of speakers, hall rent, music, and for men devoting their time and efforts in cultivating STEPHENSON sentiment throughout the State:

Fourth, moneys expended for workers at the polls, and for conveyances and services in getting out the voters;

Fifth, for drinks and cigars;

Sixth, money given to C. C. Wellensgard, L. L. Bancroft, and Thomas Reynolds, who were candidates for the legislature, to be used by them in the interest of Senator STEPHENSON;

Seventh, money paid to the game warden, John W. Stone, for use in the Senator's campaign;

Eighth, \$2,000 contributed by Senator STEPHENSON to the State campaign committee for general election purposes; and

Ninth, expenses incurred during the session of the general assembly in opening and maintaining headquarters at Madison from the beginning of the session until after March 4, 1909, and for hotel bills and traveling expenses.

No part of the contribution to the general campaign committee or the expenses incident to the headquarters during the session of the general assembly were ever reported to the secretary of state.

The above we believe to fairly represent the different classes of expenditure, which were disclosed by the evidence.

There was no evidence before the committee from which it could be fairly concluded that any of this money was expended for "corrupt methods or practices," unless those recited are to be construed as corrupt under the provisions of the Wisconsin statutes.

MANAGEMENT OF THE CAMPAIGN.

The testimony showed that Senator STEPHENSON had on deposit in the Marshall & Hilsley Bank \$50,000, which was used in the campaign, with other added as required. His campaign was in charge of E. A. Edmonds, J. H. Puelicher, and Rodney Sackett.

There are 71 counties in the State and 2,200 election precincts. The method of the managers was to employ a lieutenant or campaign manager in each of the counties. In several instances one man had charge of a number of counties. Arrangements were made with these managers by which sums of money would be placed in their hands varying from \$100 or several hundred dollars to several thousand dollars. In some instances the manager was not given, and would not accept, compensation for his services. In others definite arrangements were made for the amount of compensation the manager was to receive, and in many cases the manager would determine and retain for himself such sum or sums as he deemed proper. It is quite clear that a very substantial part of the money expended in the organization of the several counties never went beyond the pockets of those who received it. The money expended by these managers, so far as the testimony discloses, was for one or more or all of the purposes above described.

WISCONSIN ELECTION STATUTES.

The Wisconsin statutes defining election offenses are fully set forth on pages 10, 11, and 12 of the views submitted by Senator HEYBURN, chairman of the subcommittee, and it will not be necessary, therefore, to insert them here.

APPLICATION OF THE LAW TO THE FACTS—NOMINATION PAPERS.

Before a candidate for office is entitled to have his name placed upon the ticket at a primary, the Wisconsin statute requires that petitions or nomination papers shall be filed, signed by at least 1 per cent of the voters of his party in at least each of six counties in the State, and in the aggregate not less than 1 per cent nor more than 10 per cent of the total vote of his party in the State.

The testimony shows that Senator STEPHENSON hired and paid men to circulate his nomination papers in order to get the required number of signatures, but there was no evidence showing that any money was paid, in the language of the statute, to induce anyone to sign his nomination papers, and we do not think it was seriously claimed by those who were interested in the instigation of these proceedings that any money was unlawfully expended for this purpose.

EXPENDITURE OF MONEY DURING THE PRIMARY CAMPAIGN.

Was it a violation of the statute to pay out money for political advertising in the newspapers, or for editorial support, or for lithographs, campaign material, or for telegraph, telephone, or express charges, or for office expenses, including rent and hire of assistants, or for the hiring of speakers, halls, rent, music, and for men devoting their time and efforts in cultivating Stephenson sentiment throughout the State, or to pay workers at the polls, or for conveyances and services in getting out the voters, or for money for drinks and cigars given in a social way during the campaign?

A careful examination of the bribery statutes of Wisconsin will indicate clearly that the expenditures of money of the character recited only comes within the inhibition thereof when they are made corruptly, unless section 298 forbids it. This section reads:

"Every person who, by bribery or corrupt or unlawful means, prevents or attempts to prevent any voter from attending or voting at any caucus mentioned in this act, or who shall give or offer to give any valuable thing or bribe to any officer, inspector, or delegate whose office is created by this act, or who shall give or offer to give any valuable thing or bribe to any elector as a consideration for some act to be done in relation to such caucus or convention * * * shall be deemed guilty of a misdemeanor," etc.

None of these expenditures can come within any of the provisions of this section, unless it be a violation of this language: "or who shall give or offer to give any valuable thing or bribe to any elector as a consideration for some act to be done in relation to such caucus or convention."

It should be stated that by sections 39 and 40 of the election laws of Wisconsin the criminal penalties applying to a caucus and elections are made applicable to primary elections.

If the words "to give any valuable thing" are to be given a comprehensive and literal interpretation, and to prohibit the giving or offering of "any valuable thing" "as a consideration for some act" to be done, it would not have been necessary to write into the statute the words "or bribe," because the former expression would include the latter. The purpose of the statute is evidently to prohibit corrupt giving.

Words of a general import in the statute are limited by words of restricted import immediately following and relating to the same subject." (36 Cyc., 1119, *Nance v. Southern R. R. Co.*, 149 N. C., 366.)

"In interpreting a statute, where the language is of doubtful meaning, the court will reject an interpretation which would make the statute harsh, oppressive, inequitable, or unduly restrictive of primary private rights." (*Nance v. Southern R. R. Co.*, 149 N. C., 366.) To the same effect, *State ex rel. v. Jackson*, 168 Indiana, 389.

Again, section 4543-C requires the filing of accounts of expenditures of a candidate. This must contemplate that there are expenditures which can not in any wise be regarded as a violation of the Wisconsin laws. If a literal interpretation is to be given to the words "any valuable thing * * * as a consideration for some act to be done," and some expenditures be prohibited, whether morally corrupt or incorrupt, would the legislature require the candidate to convict himself by filing an account? This is a criminal statute, and it must be strictly construed against the State and in favor of the defendant when charged with its violation.

Applying these rules, therefore, it would seem that the statute prohibited the giving of any valuable thing corruptly or in the nature of a bribe.

We have no sympathy whatever with the expenditure of money in excessive amounts, whether in a senatorial or any other political cam-

paign. That an expenditure of \$107,793.05 is an excessive amount to be spent in the candidacy for the office of United States Senator, which pays a salary for six years' service amounting to \$45,000, goes without question; that it is demoralizing and should be prevented can not be denied; that some of this money might have been spent corruptly may, for the sake of the argument, be conceded, but it is not sufficient that possible or even probable corruption or bribery exists. The evidence must show it, and this case, like all other cases, must be determined from the facts as they are disclosed in the trial and under the law as it then existed. The committee, proceeding upon the assumption that the expenditure of so large a sum of money required the fullest investigation and explanation, probed every rumor and followed every clue which was brought to its attention, with the result that no evidence was discovered which would justify the conclusion that any of this sum of money was corruptly or illegally spent.

At the time of this primary there was no statute, either State or National, limiting the amount of expenditures. There is no judicial or legislative decision, so far as we are advised, limiting the amount which may be legally expended. Can we, in the face of the fact that the Congress of the United States and the General Assembly of the State of Wisconsin prior to this election failed to limit election expenditures, now arbitrarily determine that because this sum was spent it was illegally and fraudulently expended, and therefore vacate the Senator's seat? Can it be said that the expenditure of such a sum is in contravention of a public policy which must be given the force and effect of a statute? If so, where does public policy draw the line between what shall be a legal and an illegal amount? The situation is unfortunate, but the Congress and the State legislature are to blame for not having limited the expenses by statute. Laws can not be enforced retroactively, and surely this case must be decided in accordance with what the law then was and not in accordance with what the law ought to be. Since that election the State of Wisconsin has limited the amount of expenditure in a senatorial campaign to \$7,500 and the Federal Government has limited it to \$10,000.

EFFECT OF THE PRIMARY LAW.

It is strenuously argued on behalf of Senator STEPHENSON that even if the primary law of Wisconsin was violated its provisions are unconstitutional, because section 3 of Article I of the Federal Constitution provides that Senators shall be chosen by the legislature and because section 4 gives Congress the right to prescribe the time and manner of holding elections for Senators and that this power has been exercised by the Congress in the manner prescribed by sections 14 and 15 of the Revised Statutes of the United States.

The Wisconsin primary law, in substance, provides (chap. 451, Laws of 1903) as follows:

"Party candidates for the office of United States Senator shall be nominated as other State officers. (Subdivision 3 of sec. 2.) Nomination papers for candidates for the office of United States Senator shall be filed in the office of the secretary of state. (Subdivision 1 of sec. 6.) The person receiving the greatest number of votes at the primary as the candidate of the party for the office voted for shall be the candidate of that party for such office (subdivision 1, sec. 18), and the secretary of state is required to publish in the official State paper a statement of the result of the canvass of the primary as soon as the same is certified to him."

These are all of the requirements found in the Wisconsin law pertaining to the nomination of party candidates for the office of United States Senators.

May the people of a sovereign State not provide for a method of expressing their sentiment in the selection of a Senator who shall represent that State in the United States Senate? May they not petition in such form and manner as to them may seem proper? And if it is their desire to so petition, may they not prescribe the method of petitioning so as to make the result of this petition, whether it be in the form of a letter to the members of the general assembly or in the form of a primary, an honest expression of their views?

The constitutionality of the above provisions of the Wisconsin law was passed upon by the supreme court of that State in the case of *State ex rel. Van Alstine v. Frear* (142 Wis., 320). On page 349 Barnes, J., in delivering the opinion of the majority of the court, says:

"Our constitutions, State and National, guarantee the right of petition. Every citizen of the State has the right to petition the legislature asking that the candidate of his choice be elected United States Senator. Every citizen of a senatorial or assembly district has the right to petition his local representative to the same effect. The lawmaker is thus advised of public sentiment, a potent factor for him to consider in connection with other matters in arriving at a conclusion. Wherein does the primary nomination for United States Senator differ from the exercise of the right of petition? The legislative candidate is thereby informed of something that he has the right to know and of something that it is his duty to heed. He may not regard the verdict at the polls as obligatory, but should treat it as advisory. Moral suasion may be a perfectly legitimate agency to employ even in the election of a United States Senator. That the electors in the exercise of their guaranteed right of petition might do in substance and effect what they now do at the primaries hardly admits of controversy. The framers of the Constitution could not have supposed that there was any impropriety in the people advising their representatives of how they desired them to vote on the senatorship, else an exception would have been incorporated in the clause guaranteeing the right of petition, restricting its application to matters other than the election of United States Senators."

It will be conceded that while the result of a primary election, under the present constitutional provisions, could not control the State senators and representatives in their choice of a United States Senator, would not an expression of the will of the people at a primary election have great weight with their representatives in casting their votes? And, if this be so, ought not the primary election held to declare this choice be carefully guarded by suitable penalties? We have no hesitancy in saying that if the evidence disclosed the use of corrupt methods at the primaries, it would affect the result of the election by the general assembly, and the Senate would be justified in taking cognizance of that fact and unseating any Senator who was thus delinquent.

MONEY GIVEN TO CANDIDATES FOR THE LEGISLATURE.

The testimony disclosed that Senator STEPHENSON, before the primary, gave money to C. C. Wellensgard, L. H. Bancroft, and Thomas Reynolds, who were then candidates for the legislature. They did not live in the same district or county with Mr. STEPHENSON. They were his personal friends. The money was given them to be used in behalf of Senator STEPHENSON for the nomination as the Republican candidate for Senator.

It may be said that this money was probably used by these men to further their own interests, as well as to further the interests of Mr.

STEPHENSON. But, whether it was so used or not, there is no evidence that it was so used, or that it was given to them for that purpose.

On the contrary, the affirmative and uncontradicted testimony is all to the effect that this money was used strictly in the interest of Mr. STEPHENSON and none of it to further the interest of any of the legislative candidates.

MONEY PAID TO GAME WARDEN JOHN W. STONE.

Mr. STEPHENSON'S campaign managers gave to John W. Stone, the game warden of the State, \$2,849.50 for campaign purposes. This was distributed among a number of the deputy game wardens; he retained some portion of it himself, and in testifying before the legislative committee, falsely stated the amount he had paid out.

Section 990-28 (sec. 28, ch. 363, 1905) provides:

"No officer, agent, clerk, or employee under the government of the State shall directly or indirectly solicit or receive or be in any manner concerned in soliciting or receiving any assessment, subscription, or contribution, or political service, whether voluntary or involuntary for any political purpose whatever from any officer, agent, clerk, or employee of the State."

This statute makes it an offense for any officer, agent, clerk, or employee under the government of the State to solicit or receive any assessment, subscription, or contribution or political service from any officer, agent, clerk, or employee of the State. It is clear that this statute was not violated by Senator STEPHENSON, since he was not an officer, agent, clerk, or employee of the State. Moreover, the statute makes it an offense on the part of the recipient of the fund only. No offense is committed by the donor. It is true, the money should not have been paid to the game warden, and the giving of it does not show that fine discrimination which ought to be characteristic of men who are engaged in a campaign of this character. No law was violated by the donor, and this election can not be declared illegal because this expenditure was made.

FILING OF ACCOUNTS.

Section 4543-C of the Revised Statutes of Wisconsin requires the making out and filing with the secretary of state a statement in writing, subscribed and sworn to by the candidate "setting forth in detail each item in excess of \$5 in money or property contributed, disbursed, expended, or promised by him, and to the best of his knowledge and belief by any other person or persons for him, or in his behalf, wholly or in part in endeavoring to secure or in any way in connection with his nomination or election to such office or place, or in connection with the election of any other person at said election, the dates when, and the persons to whom, and the purpose for which all said sums were paid, expended, or promised by such candidate in any sum or sums whatever."

No account whatever was filed of the amount contributed by Mr. STEPHENSON to the State campaign committee nor of the amount expended during the session of the general assembly. The account which was filed of the expenses incurred in connection with the primary did not comply with the law in that it lumped the expenses; gave the names of but very few of the persons to whom money was paid; did not give the dates when expended, nor as fully as contemplated by the statutes the purposes for which expended. The account as filed was approved by the general counsel of Mr. STEPHENSON without any examination of the statute, and simply because it conformed with certain accounts which had been filed by prominent candidates for other offices. A careful examination of this account justifies the belief that it was purposely drawn so as to give to the public as little information as possible.

The penalty for failing to comply with this statute is a fine only, and it does not provide for the forfeiture of the office. If it did, the statute to that extent would be unconstitutional; but Mr. STEPHENSON, because of his failure to file a proper account, has violated the statute and is subject to a fine. However, he must be absolved from any moral delinquency, because in the preparation and filing of his account he consulted with counsel and followed their advice, and if it was not properly done they were to blame rather than he.

In addition to this, the validity of the election which had already taken place could not be affected by the failure to thereafter perform some act enjoined by the State statute. The election was already an accomplished fact and its validity must be determined by the facts theretofore or then existing. Anything done thereafter can not be regarded as a substantive ground for invalidating the election. Its only evidential value would be in reflecting light upon or as giving color to the preexisting facts.

After a careful consideration of all the evidence and the law, we had no hesitancy in joining in the report presented by the subcommittee.

We heartily approve these words of Senator HEYBURN:

"The amount of money spent by Mr. STEPHENSON, Mr. Cook, Mr. Hatton, and Mr. McGovern in the primary campaign was so extravagant, and the expenditures made by and on behalf of these gentlemen were made with such reckless disregard of propriety, as to justify the sharpest criticism. Such expenditures were in violation of the fundamental principles underlying our system of Government, which contemplated the selection of candidates by the electors and not the selection of the electors by the candidate.

"Regardless of any statute requiring that strict accounts be kept of money expended by and on behalf of candidates, a candidate and every man representing him should know that public opinion would expect the parties to place and maintain themselves in a position so that if any of their acts were questioned they could justify such acts to the extent of giving every detail in regard thereto.

"While I do not believe that the law of Wisconsin could constitute any man a candidate or place him in the position of and under the responsibilities of a candidate for an office over which the State had no control and which was not to be filled under any law of the State, yet I feel impelled to criticize the acts of those in charge of the expenditure of money of men who are called candidates for the Senate, and especially of Mr. STEPHENSON, in the irresponsible and reckless manner in which they disbursed the money furnished them by Mr. STEPHENSON during the period of the primary campaign.

"The failure to keep detailed accounts, the destruction of memoranda, the shifting of records and papers concerning the campaign from one place to another, the adoption of mysterious methods and round-about ways in regard to matters that might just as well have been performed in open daylight in the presence of people, would go far toward creating the impression that there was some occasion for Mr. STEPHENSON'S representatives to avoid candor and to obscure conditions."

While we have no doubt as to the correctness of the subcommittee's finding, we do not want it to be understood that we question the propriety of filing charges challenging the validity of the election or of the making demand for an investigation either by the General Assembly of Wisconsin or by the United States Senate.

An enormous sum of money had been expended. Messrs. Edmunds and Sacket, who were in charge of the campaign as Mr. STEPHENSON'S managers, knew of the statute requiring the filing of an account of their

expenditures. They destroyed all original records of accounts, though they kept what purported to be copies. They grouped these items and amounts in such a way that they gave no knowledge whatever to the public except the totals of each class of expenditures. The account was not filed until the last moment permitted by the statute.

Mr. Puellcher, a banker, acted as treasurer. He did not open an account as depositors usually do. He received remittances, kept private memoranda, paid out cash, and made disbursements of these funds, but kept no record thereof upon the bank's books. No other customer's funds, either before or since, were received or disbursed in a similar way. There was an air of mystery about the entire affair.

After the investigation by the committee of the general assembly was started Mr. STEPHENSON'S local counsel had such records and correspondence as had not already been destroyed moved out of the State for the purpose of keeping them beyond the jurisdiction of the general assembly.

It may be said in passing, however, that the accounts were kept on card indexes, and Mr. Sacket gives as a reason for destroying them that they were made with lead pencil in many cases, and the writing was practically obliterated, so that he made copies and then destroyed the originals (Record, p. 161) because they were cumbersome and inconvenient (p. 523). And it may be further said that there seems to have been no substantial reason for moving the correspondence out of the State. It was all before the committee, and an examination failed to disclose anything of an inculpatory or improper character which would render any concealment necessary.

Can there be any wonder that the public became suspicious and the members of the general assembly, out of a decent sense of self-respect, should demand a thorough investigation?

If Mr. STEPHENSON has been put to great expense and trouble it is due, first, to the reckless expenditure of this large sum of money, and, second, to the studied and mysterious efforts of his managers and local attorneys to conceal the facts up to and during the investigation before the joint committee of the general assembly and the separate committee of the State senate.

But out of all this scandal and trouble much good has come. Public sentiment was aroused. The unlimited use of money has been condemned, and stringent corrupt-practices laws have been adopted, both by the General Assembly of the State of Wisconsin and by the Congress of the United States.

ATLEE POMERENE,
GEO. SUTHERLAND.

Mr. HEYBURN. Mr. President, I offer the following resolution and ask for its present consideration.

The Secretary read the resolution (S. Res. 215), and it was considered by unanimous consent and agreed to, as follows:

Resolved, That 1,000 additional copies of the report and accompanying papers presented by the Committee on Privileges and Elections, who were directed to investigate whether corrupt methods and practices were used or employed in the election of ISAAC STEPHENSON as a Senator of the United States from the State of Wisconsin, be printed for the use of the Senate, and that 450 additional copies of the report, together with the hearings held before the committee, be printed for the use of the Senate.

Mr. KENYON. Mr. President, I desire to say that the minority report from the committee is not yet signed, owing to the absence from the city of some of the Senators. But it will be signed and presented later in the week.

Mr. REED. When signed, will the minority report be printed under the resolution just reported?

Mr. HEYBURN. Certainly; the minority report will be printed.

The PRESIDENT pro tempore. It is customary to print the views of the minority as part 2 of a report.

Mr. HEYBURN. I desire to say that at an early day after the incoming of the minority report I shall ask the Senate to take up this matter for consideration and final disposition. Of course, it is a matter of the highest privilege and takes precedence over any other business.

The PRESIDENT pro tempore. The matter will go to the calendar.

LIGHTHOUSE DEPOT AT SAN JUAN, P. R.

Mr. REED. On the 8th instant I reported favorably from the Committee on Commerce the bill (S. 4364) to provide for the use as a lighthouse depot of such part of the naval reservation at San Juan, P. R., as may be useful for such purpose, being Order of Business 237. On behalf of the committee, I ask that the bill be taken from the calendar and recommitted to the Committee on Commerce.

The PRESIDENT pro tempore. Without objection, it is so ordered.

PROPOSED PENSION LEGISLATION.

Mr. KENYON. Mr. President, I desire to occupy a few moments of the time of the Senate in some observations upon a subject which, it seems to me, should receive the serious consideration of this body.

On this day when the thought and heart of the Nation is turned toward a humble grave at Springfield, Ill., I deem it not inappropriate to submit some suggestions as to the manner of treatment by the Nation of the men Lincoln called in the days of '61 to '65.

Last December the House of Representatives, in a spirit not of politics but of patriotism, passed what is known as the Sherwood pension bill. That measure came to the Senate and has been in committee ever since. Other general pension bills are before that committee, one of which I introduced on the second day of the session. All of these bills provide in more

liberal way for the Union soldier of the Civil War. It had been hoped that before this time the Senate, in the same spirit of patriotism that actuated the House of Representatives, might have passed the Sherwood bill—not as a present to these men, not as a charity, but as a mere act of justice. I am well aware that any man who stands on this floor and advocates more liberal pensions for the survivors of the Civil War is accused of "playing politics," but I do not propose to be deterred by any such charge.

After the passage of the Sherwood bill some of the great metropolitan journals published articles from editors who, sitting in easy leather chairs, surrounded by all the comforts of modern life, wrote, without much thought, that this bill was a "pension graft"; that it was enacted for the purpose of "playing politics"; and I fully realize that anyone who champions that measure must subject himself to the criticism of these great metropolitan papers. It is very easy in the comfortable surroundings of one of these editorial sanctums to denounce this measure. It is easy to talk about "pension grabs." These men who so talk have never known what it was to stand and face an oncoming bayonet charge, to pace on lonely picket duty, or to engage in any conflict of battle. Their battles have been of the pen, not of the sword. Five minutes of war would effectually change their minds as to the method of treatment the Government should accord the Union soldier. Some of the opposition now manifested to this bill comes from those who remained at home and fattened on the prosperity won by national arms. John McCutcheon, the great cartoonist, a short time ago pictured a Memorial Day parade—broken veterans in blue marching along, feeble and bent and gray; and near the line of march gentlemen in high hats and long-tailed coats, fat, slick, prosperous, pompous, and contented, well fed, well groomed, well satisfied with themselves and with the world. The argument there portrayed is as powerful as it is pathetic. On the one side those who went to war; the other, those who remained at home.

In my boyhood days and every year since then I have watched on Memorial Day the old veteran in the somewhat faded uniform as under the flag he marched down the street to the music of fife and drum. There was a flash in the eye, a pride in the step, that made the heart of the watcher beat a little faster. I have observed, year by year, that these ranks were growing less, and the old veteran as he marches now steps with a stride ever less alert and with shoulders stooping more and more under the weight of advancing years. As I have observed that little bronze button of the Grand Army of the Republic it has often flashed through my mind that I would rather be able to wear it and know that the right to wear it had been won in honorable sacrifice for my country than to wear the most royal diadem of any earthly power.

Are we, as a Congress, to do anything for these men? The hour has now struck for action. Either we should pass a liberal pension law or say to these men that we will not do so. To further delay is to deny them justice. Let us do something or else stop talking about it. They are passing away at the rate of a hundred a day, and since this bill was enacted by the House 5,000 of them have gone to their reward. We spend plenty of time over child-labor laws; a whole session over Canadian reciprocity; but we do not seem to be able to find time to deliberate upon and carry through to a successful conclusion a righteous pension enactment, and all the while time is flitting by. Physical forms fade quickly as the fleeting clouds.

These men with broken constitutions are standing in the twilight hour waiting the last summons. When 10 years shall have passed away no more will the old soldier be seen upon our streets, and, except in rare instances, he will be a memory. It is commendable to raise monuments to them when they are gone and to place flowers upon their graves; but food upon their tables in life is far preferable to flowers upon their graves in death. It is far better to give them the necessities of life, to make easy their few remaining years, than later to erect great monuments to their memory. May the time never be that upon those monument should be inscribed, "They were neglected by the Republic they saved."

The Commissioner of Pensions, I understand, estimates the cost of the Sherwood bill at \$75,000,000 a year above the present payments. This estimate has been analyzed by that gallant old soldier, Gen. SHERWOOD. This analysis appears in one of his speeches in the House, in which he shows the cost to be about \$43,000,000 more than expenditures under existing laws. I prefer to accept his estimate. The cost of this bill, then, would be about \$43,000,000 in addition to present pension expenditures. Suppose it does cost as much as is estimated by the Commissioner of Pensions. Even then we should not hesitate. While there may be men who will receive pensions which, possibly, they do not need, it is far better that some receive pensions to which they may not be entitled than that deserving soldiers fail to receive that to which they are entitled. The

pension roll is not one of charity but one of honor. Pensions are given in part payment of that debt of endless gratitude—still paying, still to owe. No liberality of the Nation could ever pay that obligation.

In my humble judgment the Sherwood bill does not go far enough, in that it makes no provision for the widows of soldiers. They had the harder life. How tender and gentle they were. With smiling face that hid a breaking heart she urged him on, and when he was gone—after he had proudly marched down the street to the music of fife and drum, with the old flag floating over him, supported by the benediction of her smile—back to the little home she ran, broke down, and wept the tears of bitter anguish. Then came the struggle with poverty. She could only work and hope and pray. Breathless she awaits the news of every battle, sending up her supplication for her soldier's safety; and yet she hopes he was at the front. Spartan-like she widows herself for her country's salvation. "It is the type of an eternal truth that the soul's armor is never well set unless a woman's hand has braced it, and it is only when she braces it loosely that the honor of our manhood falls." How full of struggle, hardship, sacrifice, and sorrow the fateful years of the war were for her only her own heart knows.

The wife who girds her husband's sword,
Mid little ones who weep and wonder,
And bravely speaks the parting word,
Although her heart be rent asunder;
Doomed, nightly, in her dreams to hear
The bolts of war around him rattle,
Has shed as sacred blood as e'er
Was poured upon the plain of battle.

Every advance toward human liberty, every great movement which has marked an epoch in the history of the world has been made possible by the courage and sympathy of woman. That courage and sympathy put inspiration and iron into the men at the front and was not the least of all the factors contributing to the success of the Union arms.

Why do we not pass the Sherwood bill? But one answer. "We must practice economy." We have increased in material wealth in this country until our national resources stagger mankind—an industrial prosperity the like of which the world has never known. If we must practice economy let us practice it in some other direction. Let us not raise the cry of "economy" only when the soldier is involved. It must be remembered that the purchasing power of the soldier's pension under the Sherwood bill would probably not be greater than the purchasing power of the present pension at the time when the various laws were enacted. Expense of living has grown as much for the soldier as it has for anyone else. Congress has raised the salary of its Members. It has raised the salary of the President. It has entered into an expense running into the hundreds of millions for constructing the Panama Canal. It has even retired Admiral Peary on rear admiral's pay for discovering something known as the North Pole, which no one cares anything about.

We might economize in the House and Senate in the matter of mileage. There could be a saving in this item of \$125,000 a year and yet leave 10 cents per mile for traveling expenses. We could economize by getting rid of some of the commissions that surround us on every hand with enormous expense. Possibly a few expeditions like that to Lake Champlain, recently exposed in the House, might be dispensed with in the interest of economy. We have river and harbor bills running into the millions for the purpose of creating harbors where the Almighty forbade them and rivers where nature prohibited them. Perhaps these might be dispensed with on the same ground. Public buildings might wait a few years, even though it might injure the chances of a few men to go back to Congress because they could not secure a public building at an enormous expense where none is needed. Many more millions go for the maintenance of navy yards so absolutely chaste that their waters have never yet embraced the form of a seagoing battleship; dry docks that are a constant challenge to the word of God, because they are so dry that the only possible chance for them to ever be used for docking ships is confined to the remote prospect that we will see a repetition of the flood described in the Scripture. So glaring is the abuse in this direction that the Secretary of the Navy, in his last annual report, is constrained to remind us that "navy yards exist for the fleet and that the fleet is not for the support of the yards." Then there are the free barber shop and the free bath rooms. They might, possibly, be abolished, although I realize that I am treading on sacred and dangerous ground in making this revolutionary recommendation.

A Republican Senator, a few months ago, said one thing that is absolutely true when he said that this Government can be conducted for \$300,000,000 less per year than it is now. When he said this he spoke an absolute truism. Every man here knows it to be correct. One-seventh of this sum would carry the pensions provided by the Sherwood bill.

I have no patience with the assertion that pension legislation is charity legislation. There was an implied contract with this Government when these men marched away, and that contract was that when they needed help from the Government they should have it. They did not go to war for the \$13 per month in depreciated currency—worth, in gold, but \$9. They did not place blood against gold. They would have gone had there been no compensation. Life was precious to these men. They could look ahead through the open door of opportunity and see a future where possibly they as well as those who stayed at home might surround themselves and their families with the luxuries and splendors of life. But they closed the door of opportunity just at a time when the tenderest and most sacred associations of life were forming. They gave up ambition gladly to serve their country. They were not victims of greed for territory, and in those red years of our national calendar they never thought of reward. They never thought of themselves; they thought only of their country. And now their country ought to be thinking of them. Pension legislation, it seems to me, should be based somewhat upon the advantages which accrued to the Nation and the ability of the Nation to compensate therefor.

Think of what these men did! Their patriotism will inspire the manhood of the Republic to duty and deeds of valor if danger in the future shall ever threaten the Nation. Some were with Grant at Vicksburg and Donelson; some in the hornets' nest of Shiloh; some with "Old" Farragut, damming the torpedoes in the Mississippi; some in the bloody battle of Franklin; some on the field of Nashville. Others were with "Pap" Thomas in the gloomy woods of Chickamauga, others following "Old" Joe Hooker up Lookout Mountain above the clouds until the stars of the flag twinkled side by side with the stars in the heavens. Some were with Hancock and Sickles at Gettysburg; some stood against that most magnificent charge of all history across Seminary Plain of the valor of Virginia chivalry; some followed Sherman to the sea; others stood at Appomattox with the great commander, who sleeps to-day by the banks of the Hudson and who proclaimed, "Let us have peace."

They met likewise disease and pestilence. They had to combat not only the force of arms but the fever demon springing from the swamps of the South; and they met it all with the same spirit of heroism with which they have met the problems since the war. It should not require any request or urging upon us to take care of them now.

It is to be hoped that in this body there may be help from the South in passing this bill or some liberal pension bill. All the strife and clamor of that period has ceased. We are now one people, preaching the gospel of peace and good will to men from the westward slope of the Pacific on to where the Southern Cross blazes above the southern seas. No more inspiring period will ever come to this country than we experienced during the Spanish-American War. Then we observed Gen. Wheeler, who wore the gray, and Gen. Wilson, who wore the blue; Fitzhugh Lee, than whom no more gallant ever marched under the Stars and Bars, and William McKinley, than whom no braver ever fought under the Stars and Stripes, and the sons of the men who fought with Sherman and the sons of the men who fought with Lee, standing shoulder to shoulder in a common cause—one flag, one country, one glorious and triumphant destiny.

The great struggle of 1861-1865 is sanctified to both North and South in the blood and valor of a common heritage. The green grass, nature's forgiveness, covers many a ruined fort. The blue and gray are sleeping side by side on every battle field of the Civil War. Throughout the Southland the wheels of machinery are singing the songs of a prosperity and commercial activity little dreamed of in the dark days of the war. The march of trade and commerce has produced a great South—great in its industrial achievements, great in its prosperity, and splendid in all that makes for good citizenship.

No better token of the united spirit which characterizes the Nation to-day could be given than for the Southland to reach over and help, by its vote, the passage of this measure. The complete reunion of the sections of this country was beautifully expressed by a soldier at Chickamauga a few years ago at a reunion of the Blue and the Gray, when he wrote:

We met at Chickamauga; I hadn't seen him since;
We looked across the trenches and his bullets made me wince;
We both shook hands in friendship as hearty as could be,
Though he had marched with Sherman and I had marched with Lee.

We walked across the battle field where once the bullets flew,
And the green and waving blades of grass felt the fall of crimson dew.
We talked the whole thing over where the flag was waving free,
How he had marched with Sherman and I had marched with Lee.

The drums have ceased their beating; I see no sabers shine;
The hair falls on his forehead as snowy white as mine,
And voices seem to call us across the far, eternal sea,
Where the boys who marched with Sherman are in camp with those of Lee.

We are living to-day in a busy, rushing, commercial age, in which we seem to have but little time for the sentiments of life, but in all of our prosperity and progress let us not forget the work of these men. Let us not forget their need in these later years. The greatest crime of a republic is to forget its defenders in their hour of need. It has been said—and I think possibly on this floor—that patriotism is its own reward, and some people, who are surrounded by all the luxuries of life, seem to think that that is the only reward necessary. Patriotism does not buy bread and clothes or pay the rent. Its inspiration is, of course, in itself a great reward, and around the firesides of the future the story of that struggle will incite to deeds of valor our children and our children's children.

Dickens, in his Tale of Two Cities, portrays Sidney Carton meditating in the prison cell on the night before the morn when he is to give up his life for his friend, and there he pictures the reward of such sacrifice; that his friend some day will lead to his grave a little child who bears his name, and he will tell this little child the story of the love and devotion of the man who lies sleeping there. That is, indeed, a great reward for valor and virtue. But we are in position to see patriotism rewarded and not merely to assume that the memories of that contest, the deeds of valor and heroism, are sufficient. We will have these as the heritage of life years to come, because it is true—

"they never die who fall in a great cause. The block may soak their gore, their heads may sadden in the sun, their limbs be strung to city walls and castle gates, and yet their spirit walks abroad."

The veterans of both armies are rapidly passing to the shoreless sea. Immortal honors will soon be theirs. Their heads are crowned with the snows that never melt. Their steps are faltering with increasing age. No more for them the bugle call; no more the tattoo shall beat; no more the flame, and death, and hell of battle. They shall all soon pitch their tents on the plains of peace and be welcomed in the home of the Prince of Peace. The future, indeed, of our dead is safe. Let us make safe the present and future of our living.

In that splendid novel of Justin McCarthy, "If I Were King," Old Villon is made to exclaim, "Where are the snows of yesterday; the winds have blown them all away." No winds of commercial activity should be permitted to blow these memories away. They are as pure as the spotless snow. No emergency of the hour, no false pretense of economy, should deny them justice. The spirit that sent them forth, mere boys, willing to give up their lives, let us not forget. Amid the prosperity, the achievement, and the grandeur of the morning hours of this splendid century, let their glory not be dimmed or the cause for which they fought be minimized. Let us not forget.

Mr. HEYBURN. Mr. President, I think it appropriate on this day and at this particular time to call attention to a fact in addition to those facts referred to by the distinguished Senator from Iowa [Mr. KENYON]. It seems not to be generally known that in July, 1864, when Early's army was within the limits of the District of Columbia, overlooking the Capitol—and perhaps all Senators have gone to view that spot—at that hour when the Government had tried to raise, first, \$80,000,000 of the money lenders, and had been refused, on a 7 per cent basis, and then had tried to raise \$50,000,000 of the money lenders and had been again refused because of the darkness of that hour, the soldiers in the field loaned the Government of the United States \$20,000,000 out of their pay at the paymaster's wagon. That money came into the Treasury of the United States and tided the Government over that dark hour. These men are those referred to by the Senator from Iowa. They did that at the expense of the comfort of their families and homes. The great mass of the American people to-day have forgotten, if they ever knew it, that the fighting soldier on the battle field at the paymaster's wagon contributed out of his pittance \$20,000,000 that came into the Treasury of the United States as a rebuke to those who stayed at home and hoarded their wealth and refused to buy Government bonds or to loan the Government money upon even better terms. Let that not be forgotten, regardless of what pension bill is under consideration. Remember that those men were ready not only to sacrifice their lives that this country might live, but that they were more ready to contribute to the expense of maintaining the Government than were these mock heroes at home, many of whom were preaching doctrines against the principles for which those men contended.

I only felt impelled in this hour and upon this patriotic day to record here in the RECORD of this body the recollection of real patriotism, this monument to soldiers who are forgotten to-day because they are out of sight, suffering perhaps in the hospitals and with the ills of old age. I merely recall this as an additional tribute to those men. Of course we should see to it that their lives are made as comfortable as they can be and that

the pledge which the greatest of all commanders made at Gettysburg shall be kept.

Abraham Lincoln, the anniversary of whose birth we celebrate to-day, was a soldier. All the great deeds of his life were those during war and pertaining to war. He knew no great civil career separated from the conduct of the war. Washington, the prototype, made the great name that has lived after him in war. Freedom, liberty, were never born in any other cradle than that of war. Nobody ever obtained freedom, unless it be a slave by manumission, except at the end of a struggle; no nation ever liberated itself from the bonds that cramped it and its people except at the end of a war. This is the anniversary of the birth of a man whose greatness was wholly that of war and of the things pertaining to it.

I have only added this word because of the sacred anniversary of his birth, and I have only referred to these heroic acts of the soldiers whose commander he was and to whom he made the appeal in order that they may not be forgotten and that they may not be counted among the worthless of mankind.

THE CALENDAR.

The PRESIDENT pro tempore. The calendar under Rule VIII is in order.

The bill (S. 2518) to provide for raising the volunteer forces of the United States in time of actual or threatened war was announced as first in order.

Mr. SMOOT. Let that bill go over.

The PRESIDENT pro tempore. The bill goes over.

The bill (S. 2925) providing for a Confederate naval monument in the Vicksburg National Military Park was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDENT pro tempore. The bill goes over.

The concurrent resolution (S. Con. Res. 4) instructing the Attorney General of the United States to prosecute the Standard Oil Co. and the American Tobacco Co. was announced as next in order.

The PRESIDENT pro tempore. There is a motion pending to refer the resolution to the Committee on the Judiciary.

Mr. POMERENE. I ask that it be passed over.

The PRESIDENT pro tempore. The concurrent resolution will be passed over.

The bill (S. 290) to authorize the appointment of dental surgeons in the United States Navy was announced as next in order.

Mr. BRISTOW. I should like to have the bill go over, Mr. President.

The PRESIDENT pro tempore. The bill goes over.

The bill (S. 4314) 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 announced as next in order.

Mr. SMOOT. Mr. President, that goes over with the other pension bill on the calendar.

The PRESIDENT pro tempore. Under a previous arrangement all pension bills on the calendar will, as they are reached, be passed over.

The bill (S. 2493) authorizing the Secretary of the Treasury to make an examination of certain claims of the State of Missouri was announced as next in order.

Mr. SMOOT. I ask that that bill go over.

The PRESIDENT pro tempore. The bill goes over.

The resolution (S. Res. 176) requesting the President to make certain inquiries of the Governments of Great Britain and France, touching the arbitration of justiciable controversies or disputes, was announced as next in order.

Mr. BURTON. I think that that should go over, as the Senator from Iowa, who introduced it, is not now present.

The bill (S. 3175) to regulate the immigration of aliens to and the residence of aliens in the United States was announced as next in order.

Mr. NELSON. Let that go over until the chairman of the committee who reported the bill is present.

The PRESIDENT pro tempore. The bill goes over.

The bill (S. 2243) to correct the military record of John L. O'Mara and grant him an honorable discharge was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The PRESIDENT pro tempore. The bill goes over.

The bill (S. 3045) to provide for agricultural entries on oil lands was announced as next in order.

Mr. SMOOT. I ask that that go over, as the Senator from West Virginia desired to be present when it was considered.

The PRESIDENT pro tempore. The bill goes over.

THOMAS HARRISON.

The bill (S. 548) retiring Thomas Harrison, a clerk in the Naval Observatory, and for other purposes, was considered as

in Committee of the Whole. It proposes to retire Thomas Harrison, a clerk in class 4 at the United States Naval Observatory, now over 80 years of age, who has served in the Naval Observatory for 60 consecutive years, and that in consideration of his long and faithful service he be paid \$100 per month during the remainder of his natural life.

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

BILLS PASSED OVER.

The bill (S. 1505) for the relief of certain officers on the retired list of the United States Navy was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The PRESIDENT pro tempore. The bill goes over.

The bill (S. 3812) to regulate public utilities in the District of Columbia and to confer upon the Commissioners of the District of Columbia the duties and powers of a public-utilities commission was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The PRESIDENT pro tempore. The bill will go over.

EQUIPMENT OF LIGHT VESSELS.

The bill (S. 4362) to provide for the construction and equipment of additional light vessels for general service was considered as in Committee of the Whole. It authorizes the Secretary of Commerce and Labor to construct and equip additional light vessels for general service, at a cost not to exceed \$250,000.

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

FOG-SIGNAL STATION AT THIMBLE SHOAL, VA.

The bill (S. 4518) to provide for completing the reestablishment of the light and fog-signal station marking Thimble Shoal, Chesapeake Bay, Va., was considered as in Committee of the Whole. It authorizes the Secretary of Commerce and Labor to complete the reestablishment of the light and fog-signal station marking Thimble Shoal, Chesapeake Bay, Va., at an additional cost not to exceed \$39,000.

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

CARL KRUEGER.

The bill (S. 104) for the relief of Karl Krueger was considered as in Committee of the Whole. It proposes to pay \$500 to Carl Krueger, of Denver, Colo., on account of injuries received in the United States mint in Denver, Colo., on February 27, 1906.

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

SARAH A. WAITE.

The bill (S. 547) for the relief of Sarah A. Waite was considered as in Committee of the Whole. It proposes to pay \$1,050 to Sarah A. Waite, widow of George B. Waite, who at the time of his death was a first sergeant on the retired list of the United States Army and a civilian employee in the Quartermaster's Department, as full compensation for his death, resulting from injuries received while in the discharge of his duty as a teamster in the employ of the post quartermaster at Vancouver Barracks, State of Washington, on the 3d of December, 1907.

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

ANNIVERSARY OF EMANCIPATION ACT.

The bill (S. 180) providing for the celebration of the semi-centennial anniversary of the act of emancipation, and for other purposes, was announced as next in order.

Mr. ROOT. That bill was introduced by the Senator from Kentucky [Mr. BRADLEY], and I understand that he would like to be present when it is taken up. I therefore ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

NAVIGATION AIDS IN PUGET SOUND.

The bill (S. 4471) to provide for the establishment of aids to navigation and for the improvement of existing aids in Puget Sound, Wash., was considered as in Committee of the Whole. It authorizes the Secretary of Commerce and Labor to establish aids to navigation and improve existing aids in Puget Sound, Wash., at a cost not to exceed \$45,000.

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

POINT PINOS LIGHT STATION, CAL.

The bill (S. 4415) to provide for making necessary improvements at Point Pinos Light Station, Cal., was considered as in Committee of the Whole. It directs the Secretary of Commerce and Labor to make necessary improvements at Point Pinos Light Station, Cal., at a cost not to exceed \$30,000.

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

AGRICULTURAL ENTRIES ON COAL LANDS.

The bill (S. 3116) to amend section 1 of the act of Congress of June 22, 1910, entitled "An act to provide for agricultural entries on coal lands," so as to include State land selections, indemnity school and educational lands, was announced as next in order, and the Secretary proceeded to read the bill.

Mr. HEYBURN. I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

CLAIMS UNDER NAVY DEPARTMENT.

The bill (S. 4860) to satisfy certain claims against the Government arising under the Navy Department was considered as in Committee of the Whole. It proposes to appropriate the sums hereinafter stated as a full and final release and discharge of the following claims arising under the Navy Department:

To pay the owner of the barge *Elle* for damages suffered by his barge while discharging coal alongside the U. S. S. Birmingham at the navy yard, Philadelphia, Pa., on June 23, 1910, \$112.93.

To pay the New England Navigation Co., Newport, R. I., on account of certain timbers belonging to said company used and destroyed by a party of enlisted men from the Navy while unloading an anchor from a railroad car on the company's wharf at Newport, on August 20, 1910, \$9.84.

To pay the Delaware, Lackawanna & Western Railroad Co., New York, N. Y., damages on account of the collision between their steam lighter *Bloomburg* and the U. S. S. Pawnee in the East River, N. Y., on April 9, 1910, \$2,028.39.

To pay the Southern Pacific Co. on account of damage to their dock at San Pedro, Cal., as a result of being struck by the U. S. S. Lawrence on September 13, 1909, \$148.40.

To pay damages in each instance arising out of the collisions between the U. S. S. Samar and the fort gas-lighted buoy in the Woosung River, China, and with a Chinese junk anchored near this point on April 10, 1910, \$562.33.

To reimburse Carl F. Deichman, who in December, 1909, was United States consul at Nagasaki, Japan, for the payment by him of the cost of repairs to a Japanese postal launch as the result of a collision with a Navy launch from the U. S. S. Maryland in the harbor at Nagasaki on December 28, 1909, \$7.97.

To pay the owners of the Norwegian steamship *Jethou* for damages on account of the collision between their vessel and a Navy coal barge in tow of the U. S. S. Active at the navy yard, Mare Island, Cal., on June 14, 1910, \$7,290.31.

To reimburse Paymaster William B. Rogers, United States Navy, on account of the payment by him of the cost of repairs to the wharf of the Seaboard Wharf & Warehouse Co. at Portsmouth, Va., damaged by the U. S. S. Brutus on June 7, 1909, \$201.76.

To pay, upon the presentation of satisfactory evidence as to the amount of damage suffered, to the Commercial Pacific Cable Co. for certain injury to said company's cable located in Manila Bay, caused by the anchorage of the United States Atlantic Fleet in the bay during the first week of October, 1908, not more than \$12,373.30.

To pay the owner of the steamer *J. M. Linder* for damages suffered to his steamer as the result of a collision with the U. S. S. Amphitrite in the Mississippi River off Memphis, Tenn., on December 7, 1910, \$1,135.83.

To pay the cost of repairs to Norfolk & Western Railroad Co. freight car No. 53259, on account of damages suffered at the navy yard, Charleston, S. C., on May 22, 1911, \$12.24.

To pay the owners of the schooner *Dorothy B. Barrett* for damages to their schooner on account of the collision with the U. S. S. Mayrant off Cape Cod, Mass., on August 30, 1911, \$838.40.

To pay the owners of the British steamship *Harpallion* for damages to their steamer suffered while discharging coal at the navy yard, Puget Sound, Wash., in September, 1911, \$23.70.

To pay the owners of the British steamship *Hampton* for damages suffered by their steamer while discharging coal at the naval coal depot, Tiburon, Cal., in May, 1911, \$750.

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

NAVIGATION AIDS, ST. MARYS RIVER, MICH.

The bill (S. 4459) to provide for repairs and improvements to aids to navigation in the St. Marys River, Mich., was considered as in Committee of the Whole. It authorizes the Secretary of Commerce and Labor to make repairs and improvements to aids to navigation in the St. Marys River, Mich., at a cost not to exceed \$60,000.

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

ZION'S COOPERATIVE MERCANTILE INSTITUTION.

The bill (S. 412) to provide for the refunding of certain moneys illegally assessed and collected in the district of Utah was considered as in Committee of the Whole. It proposes to appropriate to the corporations hereinafter named the amounts respectively placed opposite their names, the amounts having been illegally assessed by the Commissioner of Internal Revenue and collected by the collector of internal revenue for the district

of Utah in 1879 as a tax on notes used for circulation and paid out, such tax having been held illegal by the Supreme Court of the United States: Zion's Cooperative Mercantile Institution, of Bountiful, Utah, \$123.30; Logan Branch of Zion's Cooperative Mercantile Institution, of Logan, Utah, \$4,852.42.

Mr. BACON. Mr. President, I should like to inquire of the Senator when the decision that is spoken of in the bill was rendered?

Mr. SMOOT. The Secretary of the Treasury, Hon. Franklin MacVeagh, writes to the chairman of the Finance Committee, in a letter dated December 16, 1911, as follows:

THE CHAIRMAN COMMITTEE ON FINANCE,
OFFICE OF THE SECRETARY,
Washington, December 16, 1911.

The CHAIRMAN COMMITTEE ON FINANCE,
United States Senate.

SIR: In reply to your letter of the 12th instant, inclosing copy of a bill (S. 412) to provide for the refunding of certain moneys illegally assessed and collected in the district of Utah, by appropriating to Zion's Cooperative Mercantile Institution \$123.30 and to the Logan Branch of Zion's Cooperative Mercantile Institution \$4,852.42 as amounts collected in 1879 as tax on notes used for circulation by said companies, the tax subsequently having been held illegal by the Supreme Court of the United States, and asking that your committee be supplied with an opinion regarding the merits of the bill, I have the honor to advise you that a similar bill (S. 9070) was introduced in the last Congress, referred to this department, and a full report made thereon.

It appears from the records in the office of the Commissioner of Internal Revenue that in March, 1879, an assessment was made against Zion's Cooperative Mercantile Institution, of Bountiful, Utah, on account of notes used for circulation for the three months ended August 31, 1877, amounting to \$123.30. On the same list also appears an assessment against the Logan Branch of Zion's Cooperative Mercantile Institution, based upon the same subject matter, for the sum of \$4,852.42, both of which assessments were paid on August 20, 1879.

By virtue of an act approved February 28, 1901, there were refunded to other corporations or associations in the State of Utah certain taxes collected upon notes circulated under apparently the same conditions. It appears from an examination of the records in the commissioner's office that the amounts sought to be recovered by the pending bill were not included in the terms of said act and have not been otherwise refunded, and therefore that claims for said sums are equally meritorious with those included in said refunding act.

Respectfully,

FRANKLIN MACVEAGH, Secretary.

I will say to the Senator that I do not remember the date of the decision of the Supreme Court, but I do know that the Supreme Court decided that the tax was illegal.

Mr. BACON. I suppose it is admitted that there was this issue; but what are the facts which it is claimed relieve the institutions from liability?

Mr. SMOOT. The amount was illegally collected. I can explain the matter to the Senator in this way: These stores were issuing circulating notes. The Commissioner of Internal Revenue held that there should be a 10 per cent assessment on the circulation of the notes issued by these particular stores. The matter was taken up through the inferior courts to the Supreme Court. The Supreme Court held that the assessment was illegal and that it was illegally collected. Congress, in years past, has refunded over \$80,000 of such assessments, but the two items covered by this bill were not included in the refund that has been made. The claimants, therefore, are simply asking that there be a refund to them the same as in the case of the other institutions which paid the tax that was illegally collected.

Mr. BROWN. Mr. President, I observe that the letter from the department does not say that these bills or claims have any merit at all. The letter says that, on their face, they are equally meritorious with the others. The Secretary evidently has, with some intention and deliberation, failed to answer "yes" as to the merits of this bill.

I apprehend the Secretary is unable to answer one way or the other, because, I suppose, the facts were not before him as to whether this tax was on the same credit as that which was held to be illegal in the Zion's Cooperative Mercantile Institution case, reported in One hundred and eleventh United States.

I should like to ask the Senator himself if he or the committee has any information on the nature and character of the tax now said to be illegal. If the tax was on currency notes, at 10 per cent, it was legal. If it was on circulating orders between merchants for merchandise, the court said it would be illegal.

What I want to ascertain is, What are the facts on which the committee bases its report that this tax was identical with those that were refunded by the act of 1901?

Mr. SMOOT. Mr. President, the Senator asked me if I knew personally whether or not the claims are the same. I will state to him that I do know positively that they are the same. I will call the attention of the Senator from Georgia to the report. It refers to "the decision of the Supreme Court of the United States in the case of O. J. Hollister, collector, v. Zion's Cooperative Mercantile Institution, One hundred and eleventh United States, page 62." I am positive that they are exactly the same.

Mr. BACON. Mr. President, I will concede that; but I want to know, being the same, what they are. There is no doubt about the fact that the law imposes a tax of 10 per cent upon all bills issued to be circulated as money by institutions other than the national banks. In this particular case I presume there is no dispute as to the fact that these bills were issued. But what were the facts which relieved them from liability under the act? The statement that they were the same as in another case does not give us any information unless we knew what that other case was.

Mr. SMOOT. These are the facts, Mr. President: The stores, in exchange for produce, issued what was called scrip. If a man brought to a store a bushel of wheat that was worth \$1, they would issue a dollar's worth of scrip. O. J. Hollister, then collector of internal revenue, decided that that was a circulating note, and came under the law requiring a 10 per cent tax. But when the matter was brought to the Supreme Court it held that that scrip was not taxable, and that the amount of money which had been collected by the Bureau of Internal Revenue was illegally collected. This bill simply provides for refunding to the stores that paid this tax, without any interest whatever, the amount that was illegally collected from them. That is all there is in it.

Mr. BACON. Has the Senator examined the case in 111 United States, to see whether the Supreme Court has decided that?

Mr. SMOOT. I will say I know that they did, because I was manager of the Provo Woolen Mills at the time, and a similar claim was made on the part of the Provo Woolen Mills, and a refund was made by the Government to the Provo Woolen Mills in the same way. But these two items were not included in the original claim made against the Government. It was an oversight.

Mr. BACON. I remember the fact that there have been decisions on the subject, but they were rendered so long ago that I can not recall what the precise ruling was. Of course if this bill falls within the ruling, and the facts justify the refund, I have nothing more to say. But I think the report ought to have set out a little more in detail, and with greater minuteness, the facts upon which this proposed action is to be based.

Mr. OVERMAN. When was the claim made? In 1879?

Mr. SMOOT. The tax was illegally collected in 1879.

Mr. OVERMAN. But when was the claim presented to Congress?

Mr. SMOOT. The claim was not presented until three or four years ago, I think.

Mr. OVERMAN. I do not believe in waiving the statute of limitations. Is not the claim barred by that statute?

Mr. SMOOT. I do not think there is any question about that, Mr. President; but it could not have been paid without a special act of Congress, even if it had not been barred.

Mr. OVERMAN. I understand; but the statute provides that all claims not presented within a certain time shall be barred.

Mr. SMOOT. I do not think it applies to this class of claims, Mr. President. This is a claim against the Government.

Mr. OVERMAN. I simply wanted to know whether a precedent is going to be made, and whether the statute of limitations is going to be waived. If it is going to be waived in this case, it ought to be waived in others.

Mr. SMOOT. The Secretary of the Treasury says this claim should be paid if the others were paid; and they were paid.

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

Mr. BACON. Mr. President, before this matter passes from the Senate I simply want to say that I have not endeavored to obstruct the bill, but I do think that where a claim has been allowed to slumber as long as this one has very definite information should be given in regard to it. As the matter has to have consideration elsewhere, I presume the attention which has been called to it will be sufficient.

REDEMPTION OF GOVERNMENT OBLIGATIONS.

The bill (S. 2151) to authorize the Secretary of the Treasury to use, at his discretion, surplus moneys in the Treasury in the purchase or redemption of the outstanding interest-bearing obligations of the United States was announced as next in order.

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

The PRESIDENT pro tempore. The bill will be passed over.

CHARLES A. DAVIDSON AND CHARLES M. CAMPBELL.

The bill (S. 2199) to carry into effect findings of the Court of Claims in the cases of Charles A. Davidson and Charles M. Campbell was considered as in Committee of the Whole. It proposes to pay \$750 each to Charles A. Davidson and Charles

M. Campbell, late clerks of United States courts in Indian Territory, in pursuance of the findings of fact reported to the United States Senate by the Court of Claims.

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

ESTATE OF JOHANNA S. STOECKLE.

The bill (S. 4189) for the relief of the estate of Johanna S. Stoeckle was considered as in Committee of the Whole. It proposes to pay the estate of Johanna S. Stoeckle, late of Wilmington, Del., \$1,753.99, taxes erroneously collected from said estate under the war-revenue act of June 13, 1898, on legacies passing by the last will and testament of Joseph Stoeckle, he having deceased prior to the passage of said act.

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

ADMINISTRATION OF OATHS.

The bill (S. 3579) to amend section 1 of the Revised Statutes of the United States in relation to oaths, was announced as next in order.

Mr. SMOOT. There seems to be an adverse report. I ask that the bill go over.

Mr. BURTON. Let it go over.

The PRESIDENT pro tempore. The bill will go over.

SALE OF PUBLIC OR INDIAN LANDS IN TOWN SITES.

The bill (S. 256) affecting the sale and disposal of public or Indian lands in town sites, and for other purposes, was announced as next in order.

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

The PRESIDENT pro tempore. The bill will be passed over.

CHOCTAW AND CHICKASAW LANDS.

The bill (S. 3686) authorizing the Secretary of the Interior to permit the Missouri, Kansas & Texas Coal Co. and the Eastern Coal & Mining Co. to exchange certain lands embraced within their existing coal leases in the Choctaw and Chickasaw Nations for other lands within said nation, was considered as in Committee of the Whole.

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

PUBLIC UTILITIES COMMISSION.

The PRESIDENT pro tempore. Without objection, the unfinished business will be temporarily laid aside, the hour of 4 o'clock having arrived.

Mr. BACON. What is the unfinished business?

The PRESIDENT pro tempore. It is Senate bill 3812 to regulate public utilities in the District of Columbia.

HOMEOPATHIC PHARMACOPEIA.

The bill (S. 4856) to amend sections 6 and 7 of the pure-food act of June 30, 1906, and for other purposes, was considered as in Committee of the Whole.

Mr. BURTON. I should like to hear some explanation of the scope of the bill.

Mr. HEYBURN. It merely adds the homeopathic formulary to those enumerated in the present pure food and drugs act, and puts it on the same footing, recognizing the homeopathic publication of standards. We have the pharmacopœia and the standards of the different schools, and the homeopathic school was not recognized. This puts homeopaths in with the others. That is all it does.

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

HURON PLACE CEMETERY, KANSAS CITY, KANS.

The bill (S. 3952) for the purpose of repealing so much of an act making appropriations for the current and contingent expenses of the Indian department for fulfilling treaty stipulations with various Indians located in Kansas City, Kans., providing for the sale of a tract of land located in Kansas City, Kans., reserved for a public burial ground under a treaty made and concluded with the Wyandotte Tribe of Indians on the 31st day of January, 1855, said section of said act relating to the sale of said land be, and the same is hereby, repealed, was considered as in Committee of the Whole.

Mr. POINDEXTER. I should like to understand something of the purpose of the bill from the Senator in charge of it.

Mr. CURTIS. I would ask that the report, which is a very short one, be read. It fully explains the bill, and I think after

it is read the Senator from Washington will have no objection to its passage.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. CURTIS on the 8th instant, as follows:

The Committee on Indian Affairs, to which was referred the bill (S. 3952) in regard to the Huron Place Cemetery, in Kansas City, Kans., after having given the same careful consideration submit the following report:

By the terms of the treaty made and concluded with the Wyandotte Tribe of Indians on the 31st day of January, 1855, the Wyandotte Nation ceded certain lands situated in the forks of the Missouri and Kansas Rivers, but by the terms of the treaty the portion then inclosed and used as a public burying ground should be permanently reserved and appropriated for that purpose. The tract referred to contains 2 acres of land.

In the act of June 21, 1906, Congress authorized the Secretary of the Interior to sell the above tract of land under such rules and regulations as he might prescribe, and authority was given said Secretary to provide for the removal of the remains of the persons interred in said burial grounds and their reinterment in the Wyandotte Cemetery at Quindaro, Kans., and to purchase and put in place appropriate monuments, and the bill further provided that after paying certain claims the residue of the money derived from said sale should be paid per capita to the members of the Wyandotte Tribe of Indians. It is estimated that the lands have a value of \$75,000.

At the time of the provision providing for the sale of the above tract of land it was understood that the members of the tribe favored such action, but it has since been ascertained that a number of members of the tribe who had relatives buried in said cemetery objected to the removal of the remains, and under the circumstances your committee believe a mistake was made and a great injustice was done by the act of June 21, 1906, and your committee believe that the feelings of the relatives should be respected, and therefore recommend the passage of the bill (S. 3952) without amendment.

It is believed that it would be better to retain the cemetery as a national monument to the Wyandotte Tribe of Indians than to sell it.

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

INDIAN LANDS IN OKLAHOMA.

The bill (S. 4754) to dispose of certain lands for town-site purposes was considered as in Committee of the Whole. It authorizes the Secretary of the Interior to set aside for town-site purposes the northwest quarter of section 30, township 2 north, range 11 west, Indian meridian, Comanche County, adjoining the city of Lawton, Okla., and to survey, lay out, and plat the said land into town lots, streets, alleys, and parks; and said lots shall be surveyed, appraised, and disposed of as provided in section 2381, United States Revised Statutes. The proceeds derived from the sale of the lots shall be deposited in the Treasury of the United States to the credit of the Kiowa, Comanche, and Apache Tribes of Indians, and may thereafter be used for the benefit of the said tribes of Indians for such purposes and in such manner as the Secretary of the Interior may direct. The expenses incident to the survey, appraisal, and sale, and any other expenses in connection therewith, shall be paid by the Secretary of the Interior out of any moneys in the United States Treasury belonging to said Indians.

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

PANAMA-PACIFIC INTERNATIONAL EXPOSITION.

The joint resolution (H. J. Res. 194) granting the temporary use of certain lands in the Presidio of San Francisco and Fort Mason (Cal.) Military Reservations to the Panama-Pacific International Exposition Co. was considered as in Committee of the Whole.

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

The preamble was agreed to.

AMERICAN NATIONAL RED CROSS.

The bill (S. 4238) to provide for the use of the American National Red Cross in aid of the land and naval forces in time of actual or threatened war was considered as in Committee of the Whole.

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

The bill was reported from the Committee on Military Affairs with an amendment to the preamble, to insert after "1864" the words "now replaced and superseded by the Geneva Convention of July 6, 1906," so as to make the preamble read:

Whereas the American National Red Cross was incorporated by act of Congress, approved January 5, 1905, "to furnish volunteer aid to the sick and wounded of armies in time of war, in accordance with the spirit and conditions of * * * the treaty of Geneva of August 22, 1864," now replaced and superseded by the Geneva convention of July 6, 1906: Therefore

The amendment was agreed to.

The preamble as amended was agreed to.

LANDS IN IMPERIAL COUNTY, CAL.

The bill (S. 4786) to amend an act entitled "An act to provide for the sale of isolated tracts of public lands in Imperial County, Cal.," approved March 3, 1909, was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with amendments.

The first amendment was, on page 1, line 7, after the word "those," to insert "vacant and unappropriated," and on page 2, line 4, after the word "lands," to strike out "shall" and insert "may," so as to read:

That an act to provide for the sale of isolated public lands in Imperial County, Cal., approved March 3, 1909, be, and the same is hereby, amended to read as follows:

"That all of those vacant and unappropriated portions of townships 13, 14, 15, and 16, south of ranges 11, 12, 13, 14, 15, and 16, and of fractional township 17, south of ranges 15 and 16, all east of San Bernardino meridian, which are 10 chains or less in width and lie between entered or patented lands, may be sold at private sale for cash at such price and under such regulations as the Secretary of the Interior shall prescribe, but not at less than \$2.50 per acre."

The amendment was agreed to.

The next amendment was, on page 2, line 15, after the word "months," to insert the following additional proviso:

And provided further, That any entryman or owner of such entered or patented lands shall have the preference right for such period of six months to purchase, under the terms of this act, any portions of the above townships which would be subject to sale under the provisions of this act but for the occupation or claim of such entryman or owner, and thereafter such portions shall be subject to sale under the provisions of this act as if vacant and unappropriated.

The amendment was agreed to.

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

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

HEIRS OF DECEASED INDIANS.

The bill (S. 3570) to amend an act entitled "An act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes," approved June 25, 1910 (36 Stat. L., p. 855), was considered as in Committee of the Whole.

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

LIGHTHOUSE DEPOT AT SAN JUAN, P. R.

The bill (S. 4364) to provide for the use as a lighthouse depot of such part of the naval reservation at San Juan, P. R., as may be useful for such purpose was next in order on the calendar.

Mr. SHIVELY. I think the Senator from Missouri [Mr. REED] some time ago made a motion to have Senate bill 4364 recommitted.

The PRESIDENT pro tempore. The bill has been recommitted to the Committee on Commerce.

Mr. NELSON subsequently said: I move to have Senate bill 4364 referred back to the Committee on Commerce. It is a bill reported by that committee, but since the report was made a letter has been sent in stating that the ground for the lighthouse depot will be acquired through the Navy Department. So the bill is not necessary.

The PRESIDENT pro tempore. The Chair will suggest that the Senator from Missouri [Mr. REED] at an early hour to-day make a motion that the bill be recommitted to the Committee on Commerce.

Mr. NELSON. The bill has been recommitted?

The PRESIDENT pro tempore. The bill has been recommitted.

Mr. NELSON. Very well.

CALUMET RIVER BRIDGES.

The bill (H. R. 16675) to authorize the city of Chicago to construct a bascule bridge across the Calumet River at Ninety-second Street, in said city, was considered as in Committee of the Whole.

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

The bill (H. R. 16676) to authorize the Lake Shore & Michigan Southern Railway Co. to construct a bascule bridge across the Calumet River at South Chicago, Ill., was considered as in Committee of the Whole.

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

JAMES RIVER DAM, MO.

The bill (H. R. 14484) to amend an act approved February 24, 1911, authorizing J. W. Vance and others to construct and maintain a dam and tunnel on the Big Bend of the James River, in Stone County, Mo., to create electric power, was considered as in Committee of the Whole.

The PRESIDENT pro tempore. The bill has been heretofore read.

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

The PRESIDENT pro tempore. This completes the Calendar of General Orders under Rule VIII.

EXECUTIVE SESSION.

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

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 13, 1912, at 2 o'clock p. m.

NOMINATIONS.

Executive nominations received by the Senate February 12, 1912.

SECRETARY OF EMBASSY.

H. F. Arthur Schoenfeld, of the District of Columbia, now confidential clerk to the Assistant Secretary of State, to be third secretary of the embassy of the United States of America at Constantinople, Turkey, vice William Walker Smith, appointed secretary of the legation at Berne.

SECRETARY OF LEGATION.

Edward Bell, of New York, now secretary of the legation at Teheran, to be second secretary of the legation of the United States of America at Habana, Cuba, vice William K. Wallace.

RECEIVER OF PUBLIC MONEYS.

Victor A. Corbett, of Kenmare, N. Dak., to be receiver of public moneys at Minot, N. Dak., vice Robert Gorman, term expired.

APPOINTMENT IN THE ARMY.

MEDICAL RESERVE CORPS.

Paul Stanislaus Wagner, of Minnesota, to be first lieutenant in the Medical Reserve Corps, with rank from February 9, 1912.

PROMOTION IN THE NAVY.

Lieut. (Junior Grade) Fred M. Perkins to be a lieutenant in the Navy from the 22d day of December, 1911, to fill a vacancy.

POSTMASTERS.

ALABAMA.

Carter R. Bibb to be postmaster at Warrior, Ala. Office became presidential January 1, 1912.

Samuel E. Clark to be postmaster at Florala, Ala., in place of Daniel E. Ewing, resigned.

Joe S. Franklin to be postmaster at Alabama City, Ala., in place of Joe S. Franklin. Incumbent's commission expired December 11, 1911.

CALIFORNIA.

Thomas J. Thorp to be postmaster at Soldiers Home, Cal., in place of George A. Dillis, resigned.

IOWA.

John Moe to be postmaster at Ossian, Iowa, in place of Cornell Riveland, resigned.

John W. Reed to be postmaster at Waucoma, Iowa, in place of John W. Reed. Incumbent's commission expired February 10, 1912.

KANSAS.

Eugene S. Talcott to be postmaster at Valley Center, Kans. Office became presidential October 1, 1911.

KENTUCKY.

Eugene C. Stockwell to be postmaster at Trenton, Ky. Office became presidential January 1, 1912.

MASSACHUSETTS.

Frank H. Fales to be postmaster at Framingham (late South Framingham), Mass., in place of Frank H. Fales, to change name of office.

MICHIGAN.

Ernest J. Chart to be postmaster at Plainwell, Mich., in place of Frank P. Heath. Incumbent's commission expired December 11, 1911.

Hiram E. Hardy to be postmaster at Big Rapids, Mich., in place of Hiram E. Hardy. Incumbent's commission expired February 10, 1912.

Margaret C. Harry to be postmaster at Hubbell, Mich., in place of Joseph Wise. Incumbent's commission expired December 11, 1911.

John N. McCall to be postmaster at Ithaca, Mich., in place of John N. McCall. Incumbent's commission expired February 10, 1912.

MINNESOTA.

Philip E. Schoeneman to be postmaster at Buffalo Lake, Minn. Office became presidential January 1, 1912.

MISSOURI.

Richard Collier to be postmaster at Shelbyville, Mo., in place of Richard Collier. Incumbent's commission expired February 6, 1912.

NEBRASKA.

John C. Wharton to be postmaster at Omaha, Nebr., in place of Benjamin F. Thomas. Incumbent's commission expired February 4, 1912.

NEW YORK.

Robert G. Anderson to be postmaster at Freeport, N. Y., in place of Robert G. Anderson. Incumbent's commission expired February 10, 1912.

William Mattson to be postmaster at Croghan, N. Y. Office became presidential January 1, 1912.

William J. Steele to be postmaster at Baldwin, N. Y., in place of William J. Steele. Incumbent's commission expires February 19, 1912.

OHIO.

Cary A. Watts to be postmaster at Peebles, Ohio, in place of Cary A. Watts. Incumbent's commission expired December 16, 1911.

VERMONT.

William E. Denison to be postmaster at Pittsford, Vt., in place of William T. Denison, resigned.

WASHINGTON.

Thomas J. Atwood to be postmaster at Sultan, Wash. Office became presidential January 1, 1912.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 12, 1912.

CONSUL.

Walter C. Hamm to be consul at Newcastle-on-Tyne, England.

COLLECTORS OF CUSTOMS.

George F. Roth to be collector of customs for the district of Genesee, N. Y.

Chester W. Hill to be collector of customs for the district of Philadelphia, Pa.

PROMOTION IN THE PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Nelson Duval Brecht to be assistant surgeon in the Public Health and Marine-Hospital Service.

APPOINTMENTS IN THE ARMY.

PAY DEPARTMENT.

Col. George R. Smith to be Paymaster General, with the rank of brigadier general.

COAST ARTILLERY CORPS.

Philip Guilloff Blackmore to be second lieutenant.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Maj. Henry C. Cabell to be lieutenant colonel.
Capt. Joseph Frazier to be major.
First Lieut. Frank B. Davis to be captain.
Second Lieut. Charles H. Rice to be first lieutenant.

POSTMASTERS.

MONTANA.

Thomas Nicholson, Hobson.

NEBRASKA.

John C. Wharton, Omaha.

PENNSYLVANIA.

Harry C. Valentine, Bellefonte.

HOUSE OF REPRESENTATIVES.

MONDAY, February 12, 1912.

The House met at 12 o'clock noon.

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

O God, our Father, how great are Thy mysteries, how inscrutable are Thy ways, yet Thy holy influence touches the hearts of men and inspires to deeds of heroism and glory. The day of miracles will never end. Abraham Lincoln, born as lowly as the Savior of men, with little or no opportunity for an education and few books to guide him, increased in wisdom and knowledge and became the exponent of all that is purest and best. Surely he was the man of God, chosen to guide our ship of state through the terrible storm which broke upon it to a safe harbor, "with malice toward none and charity for all." He has builded for himself a monument more grand and imposing than the mind of man has yet conceived, which reaches from the earth beneath to the heavens above. Grant as the years come and go it may grow more stately, shine more brightly, a beacon light to guide us and future generations till the genius of our Republic shall be fulfilled in a union of brain and brawn and heart, to the glory and honor of Thy holy name. Amen.

The Journal of the proceedings of Saturday, February 10, 1912, was read and approved.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bill and resolutions of the following titles:

On February 9, 1912:

H. J. Res. 184. Joint resolution authorizing the Secretary of War to loan certain tents and cots for the use of the Confederate Veterans' Reunion, to be held at Macon, Ga., in May, 1912.

On February 10, 1912:

H. J. Res. 238. Joint resolution making an appropriation to supply a deficiency in the appropriation for support of the workhouse of the District of Columbia for the fiscal year 1912; and H. R. 1618. An act amending paragraph 6 of the act relating to the Metropolitan police force.

REGULATION OF LOANS, ETC.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up as the unfinished business, this being District day, the bill H. R. 8768.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 8768) to regulate the business of loaning money on security of any kind by persons, firms, or corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, pawnbrokers, and real estate brokers in the District of Columbia.

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

Mr. DYER. Mr. Speaker, I ask for a separate vote upon the amendment changing the rate of interest from 2 per cent to 1 per cent.

The SPEAKER. The gentleman from Missouri demands a separate vote on the amendment indicated.

Mr. DYER. It is found on page 6, line 10.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them in gross.

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

The SPEAKER. The Clerk will report the amendment indicated by the gentleman from Missouri.

The Clerk read as follows:

Line 10, page 6, strike out the word "two" and insert in lieu thereof the word "one."

Mr. DYER. Mr. Speaker, this provision to disagree to the amendment offered and adopted in the Committee of the Whole is to put the matter back as it was when the bill was reported to the House by the Committee on the District of Columbia.

The Committee on the District of Columbia believes that 2 per cent is the proper rate to go into this proposed law.

Mr. CAMPBELL. What is the rate now?

Mr. DYER. Not only is the Committee on the District of Columbia of that opinion, but it is the opinion of different organizations of citizens and ladies in patriotic organizations,

also the Central Trades and Labor Union, that the rate shall be 2 per cent, and there are—

Mr. CAMPBELL. Mr. Speaker—

The SPEAKER. Will the gentleman from Missouri [Mr. DYER] yield to the gentleman from Kansas [Mr. CAMPBELL]?

Mr. DYER. Certainly.

Mr. CAMPBELL. You say that there is a general agreement among people in the District interested in this legislation that the rate of interest shall be 2 per cent? Is that 2 per cent per annum?

Mr. DYER. Two per cent per month.

Mr. CAMPBELL. Twenty-four per cent per annum.

Mr. DYER. Yes.

Mr. CAMPBELL. I think the House should understand what you mean by 2 per cent. Does it not occur to the gentleman that 24 per cent per annum is a pretty stiff rate of interest?

Mr. DYER. Mr. Speaker, the gentleman understands, of course, the business that it is desired to regulate. It desires to regulate the loan companies that loan money for a month, or two months, or three months at a time. They do not loan money for a year, and if you borrow it is borrowed in small amounts, say \$25 or \$50, and if you do not permit them to charge at the rate of 2 per cent per month for the one month, or two months, or three months, it would be impossible to regulate this business at all, because no person or no concern could handle the business and carry it along for less.

Mr. CAMPBELL. Is it not a fact that the legal rate of interest is 6 per cent in the District of Columbia?

Mr. DYER. Yes.

Mr. CAMPBELL. And that law is being violated?

Mr. DYER. It is being violated by every one of these companies.

Mr. CAMPBELL. Then what is to prevent the law from being violated which provides for 24 per cent?

Mr. DYER. Mr. Speaker, this bill provides, and if the gentleman has read the bill—

Mr. CAMPBELL. I have read it very carefully.

Mr. DYER (continuing). He will know it provides, in the first place, that these companies shall be licensed, and that they shall keep their books open for inspection and make reports to the Commissioners of the District of Columbia, of persons to whom they have loaned, the amounts, and securities.

Mr. CAMPBELL. What evidence has the committee, which it can submit to the House, that the law fixing the rate at 6 per cent has been violated, and what rates have been charged in violation of the law?

Mr. DYER. The information which we have, Mr. Speaker, I will say to the gentleman, is that about \$2,000,000 are loaned out regularly by these different companies here in the District of Columbia, and that none of the money is loaned at a less rate than 2 per cent per month; that the bigger portion—I will say two-thirds of it—is loaned at 2 per cent, and more than 2 per cent, and as high as 10 per cent, and we want to get this fixed at a reasonable basis so that we can regulate these concerns and protect the people who have to borrow money from them.

Mr. CAMPBELL. Let me ask if this is not a fact, that an average of about 2 per cent has been charged, or 24 per cent per annum, so far, but that a certain line of gentlemanly bankers have refrained from making loans of that kind, and that the object of this law is to make a legal rate of 24 per cent per annum, that will permit gentlemen now engaged in banking to loan money at 24 per cent who do not care to take chances on loaning in violation of law?

Mr. DYER. The gentleman, I am sure, does not seriously believe that. In the first place—

Mr. CAMPBELL. I would like to have information upon the subject.

Mr. DYER. I say, in the first place, the maximum amount that can be loaned under the provisions of this proposed law is \$300, and no one could loan anything under the provisions of this law unless they first take out a license, for which they pay \$500 a year, and submit to all the regulations which are in detail enumerated in the bill, where the person has to put in the various items.

Mr. JACKSON. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Missouri yield to the gentleman from Kansas?

Mr. DYER. Yes; I will yield.

Mr. JACKSON. Referring to the point made by my colleague [Mr. CAMPBELL], would not the effect of section 1 be not only to make a legal rate of 24 per cent, but also to establish a monopoly in the hands of the persons who take out this license, which costs them \$500? In other words, will not the bill pre-

vent a clerk in a department loaning money to another clerk, say, at 7 or 8 per cent? In order to comply with the provisions of this law he would first have to take out a license of \$500.

Mr. DYER. That is the provision in the bill, that they must take out a license and give a bond.

Mr. JACKSON. And the license will cost them \$500?

Mr. DYER. Yes. There are, perhaps, approximately 100 concerns or companies engaged in this business in Washington, and I think it would be a blessing to the people here if that number could be reduced to a much smaller number.

Mr. JACKSON. Does the gentleman think it would be a benefit to limit the privilege of loaning money solely to the people who take out a license of \$500 and permit those people to charge 24 per cent?

Mr. DYER. Oh, the gentleman speaks of 24 per cent. He means 24 per cent a year.

Mr. JACKSON. Certainly.

Mr. DYER. But the gentleman knows, if he knows anything about the lending of money by these concerns in large cities, that they never loan it for a year, but only for two or three months at a time.

Mr. JACKSON. And a bank does not loan always for a year, either. But would you gentlemen advocate the fixing of interest at 2 per cent by banks here in the District of Columbia?

Mr. DYER. Oh, no. The security offered in these cases, Mr. Speaker, is generally of questionable value. Sometimes the security is not really worth anything. These people in loaning money take great risks, and they have to have some kind of remuneration therefor.

Mr. NORRIS. Mr. Speaker, I want to ask the Chair if it is not true that the previous question was ordered on this bill the last time it was before the House?

The SPEAKER. The Chair understands not.

Mr. NORRIS. Then I want to inquire of the gentleman from Missouri, if we are going to debate this question to-day, whether we can not make some arrangement about the division of time?

Mr. DYER. Does the gentleman desire some time?

Mr. NORRIS. I would like to have some; oh, yes. Does the gentleman intend to move the previous question?

Mr. DYER. I do; but I do not want to deprive the gentleman of time if he wants it.

Mr. NORRIS. I think the time ought to be divided between those who are for the bill and those who are opposed to it.

Mr. DYER. We can not do that as a committee. The members of the Committee on the District of Columbia are in favor of it.

Mr. NORRIS. I understand that; but there are some Members in the House who are in favor of the amendment that has been adopted, which reduces this interest charge from 24 per cent to 12 per cent.

Mr. DYER. Mr. Speaker, I ask unanimous consent that the debate upon this bill be limited to 40 minutes—20 minutes to be consumed by those in favor of the amendment and 20 minutes by those who are opposed to it—and that at the end of that time the previous question be considered as ordered.

The SPEAKER. The gentleman from Missouri [Mr. DYER] asks unanimous consent that the debate on this amendment be limited to 40 minutes, one-half to be used by those in favor of the amendment and the other half by those opposed to it.

Mr. MANN. I suggest that one-half be controlled by the gentleman from Missouri [Mr. DYER] and one-half by the gentleman from Nebraska [Mr. NORRIS].

The SPEAKER. One half to be controlled by the gentleman from Missouri [Mr. DYER] and the other half by the gentleman from Nebraska [Mr. NORRIS], and that at the end of the 40 minutes the previous question shall be considered as ordered on the bill and the amendments thereto to its final passage.

Mr. LONGWORTH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if he does not think he had better ask for a little more time? I do not know whether other gentlemen have asked for time, but I myself would like five minutes.

Mr. DYER. Does the gentleman desire to speak in favor of the amendment?

Mr. LONGWORTH. I desire to speak in opposition to the amendment.

Mr. DYER. Then, I would state to the gentleman that I will see to it that he gets some time.

Mr. LONGWORTH. All right, then.

The SPEAKER. Is there objection?

Mr. NORRIS. Mr. Speaker, reserving the right to object, I want to ask the gentleman from Missouri if he will not include in his request that other amendments, in case this amendment is voted down, may be made? It is just possible that this amendment might be voted down, and unless a modification of the request is made it would be impossible to make any other

amendments. It would have to be either 12 per cent per annum or 24 per cent. There are those who favor 1½ per cent. They would be precluded from making an amendment to that effect.

Mr. DYER. I will not agree to that, Mr. Speaker, because we have had that matter up and discussed it fully in the Committee of the Whole when this bill was under consideration before, and it is desirable to decide the question now as to whether the rate shall be 12 per cent or 24 per cent per annum.

Mr. NORRIS. Under those conditions I will not object.

The SPEAKER. Is there objection?

There was no objection.

Mr. DYER. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. PETERS].

The SPEAKER. The gentleman from Massachusetts is recognized for five minutes.

Mr. PETERS. Mr. Speaker, the interest of the poorest class of borrowers demands the immediate passage of this bill. Designed for their protection, the bill seeks to limit the amount which can be secured by unscrupulous money lenders from those unfortunates who are forced, through poverty or sickness, to borrow money from them.

The amendment before us seeks to provide that the rate of not more than 1 per cent shall be charged. The bill itself eliminates the old fee system and seeks to allow but a limited charge at a rate which the borrower will know and understand at the time the loan is made. This bill has the unanimous support of the people of Washington, the approval of its philanthropic institutions, and of a large number of individuals who have studied the question and on whose judgment it is safe to rely.

The result of passing an amendment to forbid an interest rate in excess of 1 per cent must be to render the act absolutely without effect, and, though plausible in sound, the real effect of those supporting this amendment is to prevent rather than aid the protection of the small borrowers. So greatly impressed were the committee of the House that it was necessary to allow the lenders 2 per cent that all its members of both parties agreed on 2 per cent as that rate which would prove most effective in checking evil practices.

The bill, in brief, makes it illegal to engage in the business of loaning money at a rate of interest greater than 6 per cent per annum without procuring a license, and it further provides that no loan shall be made at a rate greater than 2 per cent per month on the actual amount of the loan, "and this charge shall cover all fees, expenses, demands, and services of every character." It is further provided that an inspection should be made of these associations, and that they should be held strictly to the letter of the law.

The opposition to the bill seek now to destroy it, not by being opposed to the bill itself, but by claiming that the rate of 2 per cent per month is too great. At present there is a limit of 3 per cent per month in the District, but the great abuse comes from indiscriminate charges for attorneys' fees, for making out papers, for notarial and other fees, which bring up the poor victim's cost until he pays, in many instances, several hundred per cent on the original loan.

It has been shown by a letter from Bartholomew's Loan Association of New York, which was read by my colleague from Rhode Island [Mr. O'SHAUNESSY] to the House on January 8, that it was their opinion that it was impossible to do a loan business at 1 per cent per month. Those who do not hold this view are anxious to see 1 per cent passed by this House, believing that in that way the purpose of this bill will be thwarted; that associations will give up attempting to do business at 1 per cent per month, and that perhaps eventually the business will be turned over to the loan sharks operating outside of the District or that the law itself with such a provision will fail to pass the other branch of Congress.

Many of the Members who are supporting the rate of 1 per cent per month seem to believe that all Congress has to do is to enact a strict law forbidding a higher rate of interest than, say, 6 per cent, and so end the loan-shark business. This has not been the experience in any of our cities. In New York City, where until recently a higher rate than 6 per cent per annum has been prohibited, investigation revealed that more than 300 loan sharks are charging from 120 to 500 per cent per annum; and in Pennsylvania, where the 6 per cent law is also on the books, the conditions are most unfortunate. In one instance it was found that more than 700 per cent was being collected by one loan-shark man on his loans. These Members who so stoutly oppose this proper provision seem to forget that in the last year in 22 State legislatures similar bills were introduced, all allowing higher rates on small loans than the regular banking rate. In my own State of Massachusetts such a bill was introduced and became a law. This bill provides for a maximum not to exceed 3 per cent per month, and its enactment, provid-

ing for a supervisor of loan agencies, has been received with universal approbation by our people, and is one of the acts to which our Democratic governor, in his contest for reelection, pointed to with pride.

Banking rates of interest can not be imposed by statute on loans made on a security not acceptable to banks and where the return on each loan is but a small amount. The American workman with a small annual wage, whenever he is met by misfortune, sickness, or ill luck in his family, must in some way tide over the necessity. Too proud to receive assistance, the only things he can borrow on are his small personal effects or his salary. Taking full advantage of the urgency of the situation, the loan-shark man gets his poor victim in his clutches and then wrings from him the last dollar. Far greater evils have been reached in the United States by the small-loan system than in any other country. This is not because of the American's lack of thrift, but because our country has been conspicuously lacking in enacting social legislation, and particularly in recognizing the duty of the community toward its laboring portion. In England and the continental countries the evils of this system are fully recognized, and in France, England, and in Germany municipal or semipublic loan associations are in existence which advance money on household effects, jewelry, clothing, or other property at reasonable rates of interest to their people.

The fact that this loan evil has grown so rapidly shows the need that exists for this assistance. This need can not be successfully met by prohibiting loans. It exists as a real need and can only be properly met by provisions that allow the money to be obtained on small loans at reasonable rates of interest and the owner protected from the iniquities of the unregulated small-loan system. Those thoroughly interested in the movement to remedy the loan evil all agree that the unanimous report of the committee placing the rate at 2 per cent should be supported. To render this bill effective and to give to the people of the District of Columbia the best protection against loan sharks your committee urges this bill.

Mr. NORRIS. Mr. Speaker, in order that we may first get an understanding of the parliamentary situation now confronting the House, I want to state that on the last District day, when this bill was up, the amendment upon which we are now to have a separate vote was adopted in the Committee of the Whole. This amendment amended the bill as it came from the committee by changing the rate of interest that these loan people can charge from 24 per cent per annum to 12 per cent per annum. The amendment we are now about to vote upon provides for 12 per cent as the maximum amount of interest that can be charged. The Committee on the District of Columbia are trying to defeat that amendment, so that the bill will remain as it was introduced, and provide for 24 per cent per annum.

So much for the parliamentary situation. Now, I want to call the attention of gentlemen to the fact that when this bill was up before the House the last time this amendment was discussed at great length. We devoted a good share of the afternoon to this identical question, and after a full and fair debate and full consideration of the question, the Committee of the Whole House adopted the amendment fixing the rate at 12 per cent per annum.

Now, this morning the committee ask for a separate vote on this amendment in order to defeat it. I do not care at this time to recapitulate the argument that has been made.

We have been over it, we have considered it and discussed it from all points of view, and after that consideration and disposition by a large majority this particular amendment was put in the bill. Twelve per cent per annum is as much as anybody ought to be allowed to charge, and it is all that any man can afford to pay in any legitimate business or occupation. [Applause.]

It is to my mind, Mr. Speaker, no argument to say that there are men who can not get accommodations, who can not get loans unless the rate is fixed at 24 per cent per annum. There is not a man in this city to-day but that would be better off if he was refused a loan at the rate of 24 per cent than he would if he succeeded in getting it.

Mr. CULLOP. Will the gentleman yield?

Mr. NORRIS. I will.

Mr. CULLOP. If this 24 per cent rate should be adopted, would not it furnish a splendid opportunity for banks to decline to loan their funds under the legal rate of interest and put their capital into the hands of the loan shark, where he could exact 24 per cent?

Mr. NORRIS. I have no doubt that that might often occur. But, without regard to that, on the simple proposition of 12 per cent per annum as a rate of interest, every man who has had any experience in business knows that it is an extremely high

rate, and that no man can afford to pay even that in any legitimate business and keep it up for any length of time. I believe that the House ought to stand by the action which it took two or three weeks ago and vote for the amendment, and unless some sufficient argument is offered by those who are in favor of 24 per cent per annum, I am in favor of retaining the amendment as adopted the other day. Mr. Speaker, I reserve the balance of my time.

Mr. DYER. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Speaker, I was one of those who voted in favor of this amendment the last time the bill was up for consideration. I agree with the gentleman from Nebraska [Mr. NORRIS] on the general proposition that 12 per cent is a high rate of interest. I would still vote for this amendment had I not been convinced that, as a matter of fact, the rate under this provision will not be 24 per cent a year for the reason that the contract under which these loans are made requires the extinguishment of the principal every month. So that if \$100 were borrowed for a year, under this provision as reported by the committee, the final amount to be paid would not be \$24, but would be \$13 or 13 per cent.

Mr. NORRIS. Will the gentleman yield for a question?

Mr. LONGWORTH. Certainly.

Mr. NORRIS. I desire to ask my friend from Ohio if, as a matter of fact, in practice it does not result in the payment of a greater sum than \$24, for he pays that money at the end of the month and that interest will commence to draw interest again for the next month.

Mr. LONGWORTH. I think not, and for the purpose of showing that I will read some figures that I think will make clear to the House the general proposition as it has been made clear to me.

I referred the other day, but I did not speak from accurate knowledge, to a concern in my native city which limits the interest charged to only 8 per cent a year, and yet that concern pays 5 per cent to its stockholders. Now, that is true, but I neglected to say, and I did not remember at that time, that under the law of Ohio 10 per cent of the amount loaned is added to the interest.

It is interesting to observe a comparison of these loans under this bill if it should become a law, with the interest limited to 2 per cent, and those loans under the Ohio law. For instance, the cost of borrowing \$10 for three months, the smallest amount loaned by this company, is \$1.20. That is 10 per cent of the loan plus the interest at 8 per cent. Under this bill, should it pass, the cost of borrowing \$10 for three months would only be 42 cents, whereas the present loan-shark rate now is something over \$3.

Now, coming down to the average sum, \$40, borrowed for 9 months, under the Ohio system would cost \$4.65, and under this bill it would be about the same. When you get to \$100, in Ohio it would cost for 12 months \$11.50, and under this bill it will be \$13. Two hundred dollars under the Ohio system would be \$23 and under this bill only \$22.

So that under this bill, in which no allowance is made for fees or any cost for filing the papers, with a limit of 2 per cent per month, the actual cost of borrowing small sums would be a good deal less than in Ohio, and when you get to the large sums it would be about the same.

The SPEAKER. The time of the gentleman has expired.

Mr. NORRIS. I will yield the gentleman one minute more, and would like to have him answer a question.

Mr. LONGWORTH. Very well.

Mr. NORRIS. When this bill was up before, did not the gentleman from Ohio offer an amendment to reduce the rates?

Mr. LONGWORTH. I did, and have so stated; but since then it has been made clear to me from figures that have been brought to my attention by people interested in this bill from humanitarian standpoint only, and who have been working for years trying to relieve conditions under which the loan sharks have charged such outrageous interest, that the bill would not be effective if the amount is cut to less than 2 per cent. Under the circumstances I think the bill had better be passed as originally reported.

The SPEAKER. The time of the gentleman has again expired.

Mr. SLAYDEN. Mr. Speaker, I would like to ask a question of the gentleman from Nebraska [Mr. NORRIS], if he will yield?

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. DYER. Mr. Speaker, I will ask the gentleman from Nebraska to use some of his time now.

Mr. NORRIS. Mr. Speaker, I will yield one minute to the gentleman from Texas.

Mr. SLAYDEN. I desire to ask the gentleman a question. Is it not true that the people who have been endeavoring to break

up these conditions of excessive interest rates are in favor of the amendment?

Mr. NORRIS. I think some of them are and some of them are not.

Mr. SLAYDEN. I will say to the gentleman from Nebraska that the communications that I have had indicate that the people who are proposing to abolish the loan sharks, so called, are the people who are behind the amendment which will authorize a monthly charge of 2 per cent.

Mr. NORRIS. But the gentleman has not received any communication from the borrower, has he, that is in favor of fixing the rate of 2 per cent?

Mr. SLAYDEN. I have not.

Mr. KAHN. Mr. Chairman, will the gentleman from Texas yield?

Mr. SLAYDEN. Yes.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. KAHN. Will the gentleman from Nebraska yield for a question?

Mr. NORRIS. I will when I get the floor.

Mr. DYER. Mr. Speaker, I will ask the gentleman from Nebraska to use some of his time.

Mr. NORRIS. Mr. Speaker, I yield five minutes to the gentleman from Kansas [Mr. CAMPBELL]. In that connection I will say to the gentleman from California [Mr. KAHN] that when I get the floor again I will be glad to yield to him.

Mr. CAMPBELL. Mr. Speaker, this is very important legislation. It deals with a very serious subject. Twenty-four per cent is a high rate of interest to legalize. The man is most unfortunate who has to go to a pawnbroker's office to borrow money. He is unfortunate even if he has to pay 12 per cent.

Mr. KAHN. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL. He is more unfortunate if he has to pay 18 per cent, but he is hopelessly unfortunate if he has to pay 24 per cent interest. I decline to yield, Mr. Speaker.

Mr. KAHN. But this is not a bill for pawnbrokers.

Mr. CAMPBELL. Oh, no; it is not for pawnbrokers. It is to gentlemanize the pawnbroker. It is to legalize high rates of interest that are now unlawful. The man who charges 24 per cent per annum looks just the same to me whether he has three balls in front of his establishment or a brass plate advertising a company that loans money at 24 per cent per annum.

The fact is, Mr. Speaker, that any rate of interest above 12 per cent is unreasonable and works a greater hardship upon the borrower than if he were permitted to go to a friend and get money at a reasonable rate that might be agreed upon. This bill makes it absolutely impossible for one friend to go to another and get accommodation. The fact is that this bill creates a monopoly in the lending of money to unfortunate people who are hard pressed for money and legalizes that monopoly in charging 24 per cent per annum for the accommodations given. To-day one clerk may go to another and get a loan at 10 per cent or at 12 per cent. He is not violating any law when he makes that loan. If this bill should pass, he violates the law by making a loan at any rate of interest if he has not taken out a license and paid the sum of \$500 therefor.

Mr. PETERS. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL. Yes.

Mr. PETERS. Does the gentleman consider that such a clerk may properly be considered as one engaged in the business of loaning money, the only people who are affected by this bill?

Mr. CAMPBELL. He may do that. There are clerks I will say to the gentleman from Massachusetts who are making more than their salaries in lending money out at reasonable rates of interest to their coemployees. I am told they are lending money at reasonable rates, some at as high a rate as 12 per cent and some at 18, but none as high as 24 per cent.

The SPEAKER. The time of the gentleman has expired.

Mr. NORRIS. Mr. Speaker, I will ask the gentleman from Missouri to use some of his time now.

Mr. DYER. Mr. Speaker, how much time have I used?

The SPEAKER. The gentleman from Missouri has 5 minutes remaining and the gentleman from Nebraska has 12 minutes remaining.

Mr. DYER. I will ask the gentleman from Nebraska to use the balance of his time.

Mr. NORRIS. Is the gentleman going to use all of his time in one speech?

Mr. DYER. I do not know yet.

Mr. NORRIS. I will use some of mine now. I yield four minutes to the gentleman from Illinois [Mr. FOWLER].

Mr. FOWLER. Mr. Speaker, the proposition of this bill is to create by law a money-lending monopoly, a thing unheard of in America among decent people.

Mr. PETERS. Mr. Speaker—

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Massachusetts?

Mr. FOWLER. I yield to nobody but God and my constituency. [Laughter and applause.] I have only four minutes. The proposition to pay into the treasury of the District of Columbia \$500 for each man licensed, thereby creating a money-lending monopoly, is something that every man in this House ought to be ashamed to vote for. Such a scheme would necessarily result in a monopoly, for no one but the big loan shark would be able to pay the license fee; all others would be shut out and the people would be dominated by a money-lending monopoly. It is said that there are people who have been bringing to bear certain pressure in order to license this money-lending business at 2 per cent per month. I have received a number of letters from different parties in this city, but I have received none from the money borrower; it is always from the money lenders and in the interest of money lenders that these letters are written.

Mr. Speaker, I would be ashamed to go back to my district and tell the people of the State of Illinois, even a single man, that I voted for a bill to license the lending of money at the rate of 24 per cent per annum [applause], and I do not intend to do it; that is more. [Applause.] Now, Mr. Speaker, there has always been an effort among what is called the better class of people to secure legislation to better their condition, and every time a law is passed for that purpose it works a hardship upon the poor people, the people who are the producers and the creators of the wealth of this country. On all occasions I intend to register my vote during my short stay here in this Hall against such a proposition. I desire to say to the money sharks of this city, in the language of Holy Writ:

Let him that stole steal no more; but rather let him labor, working with his hands the thing which is good, that he may have to give to him that needeth.

Now, Mr. Speaker, this question was thrashed out when we had this bill under consideration in the Committee of the Whole House, where due consideration was given it, and it was amended by limiting the rate to 1 per cent per month or 12 per cent per annum, and every decent man on earth knows that 12 per cent is twice as much as any man should get for the lending of money.

The SPEAKER. The time of the gentleman has expired.

Mr. NORRIS. Mr. Speaker, I yield four minutes to the gentleman from Ohio [Mr. SHARP].

Mr. SHARP. Mr. Speaker, in the brief time which is allotted to me I do not expect to give anything like a thorough discussion of this amendment. If I was to write an amendment which seems to me would be more in accordance with the justice of the proposition it would be to allow the larger rate for the lending of small sums—say \$50 or under—on account of certain necessary charges which involve as much expense as for amounts 10 times as large.

Mr. KAHN. Will the gentleman yield?

Mr. SHARP. For a brief question.

Mr. KAHN. If the gentleman will investigate the matter he will find that a great number of loans in the District do not aggregate over \$50 at the maximum, and the majority are for sums anywhere from \$10 up to \$35.

Mr. SHARP. I recognize that the chattel mortgage loan institution is just as much a necessity, and, perhaps, more to the people of limited means with small salaries than are banking institutions, because in the larger financial institutions it is almost impossible for the small borrower to get any accommodation whatever; but as between the amendment calling for 1 per cent a month, or 2 per cent a month, I certainly favor the 1 per cent rate. It strikes me that 2 per cent a month, whether the amount is large or small, is altogether excessive. I am glad that this bill, in addition to fixing the rate, throws about it more rigid restrictions protecting the borrower, because, if there has been any one abuse more than any other—and the same is applicable also to the institutions of like character in other cities—it has been in the loaning on chattel mortgages, so much so that only the other day I had the pleasure of reading a news item stating that one of these unconscionable loan sharks, a millionaire, out in the city of Milwaukee had been set to work upon a stone pile for three months in expiation of the sin of charging excessive interest rates to the poor people who unfortunately fell into his clutches. I do not think, as a general rule, we can enact regulations too severe and too drastic to correct a situation which in many instances has been notoriously bad in this city. One has but to read the advertisements of some of these loan companies appearing any day in our city papers to understand the seductive power

which is exerted over the minds of those who are so unfortunate as to need pressing accommodations.

A poor working woman in this city once told me that she had been actually ordered off her sick bed and commanded to yield up her furniture by an agent of one of these loan-shark concerns, who came to collect the loan on which she had been charged an excessive interest; she told me of other cases nearly as bad. I have no doubt there are creditable associations in this city which are doing a legitimate business, and I do not feel like putting any restrictions on that class which are unjust or unreasonable, but if I were to conclude in a word it would be to say, as between the rate of 1 per cent per month, meaning 12 per cent per annum, which is 50 per cent higher than the rate in my own State of Ohio, beyond which it is usury, as against 24 per cent, I am in favor of the smaller rate.

Mr. LONGWORTH. I endeavored to point out that, while it is true that in Ohio the interest is 8 per cent per year, they are allowed to charge 10 per cent on the face value of the amount borrowed in addition. So, that while in Ohio, for instance, the cost of borrowing \$100 for a year would be \$11.50—that is, in the Cincinnati institution I referred to—the rate allowed under this law under this bill would be \$13, or 13 per cent.

The SPEAKER. The time of the gentleman has expired. There was a mistake made as to the time. The gentleman from Nebraska [Mr. NORRIS] has 3 minutes and the gentleman from Missouri [Mr. DYER] had 10. Five minutes were charged against the gentleman from Missouri [Mr. DYER] that should have been charged to the gentleman from Nebraska [Mr. NORRIS].

Mr. DYER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Speaker, no man wants to allow an exorbitant rate of interest at any time, and 2 per cent per month, 24 per cent per annum, does look like an exorbitant rate of interest. But here in the District of Columbia, with hundreds of Government employees in the clutches of the loan sharks, it is a case of regulating the business so that hereafter a man will not be gouged as he is at the present time. Cases have been brought to the attention of the Committee on the District of Columbia to show that unfortunate men and women are held up here for rates of interest varying from 75 to 325 per cent per annum on small loans. It is the effort of the committee to prohibit that sort of thing. The charitably-inclined ladies and gentlemen who have investigated this matter contend positively that the business can not be continued at a less rate than 2 per cent per month. An effort was made here to conduct the business for a less rate and it failed. It is either a case of regulating this at a 2 per cent rate or allowing hundreds of people to borrow this money from the loan sharks and continue at their mercy.

The Central Labor Union here, which represents the working people of this District, many of whom during periods of financial distress have to avail themselves of the opportunity to borrow money from these money lenders, recommend 2 per cent.

The SPEAKER. The time of the gentleman from California has expired.

Mr. DYER. Mr. Speaker, I yield two minutes to the gentleman from Rhode Island [Mr. O'SHAUNESSY].

Mr. O'SHAUNESSY. Mr. Speaker, I have had occasion heretofore to speak in recommendation of the 2 per cent per month feature of this bill, and I trust that the committee will indorse the stand taken by the Committee on the District of Columbia, which has exhaustively investigated this question. As the gentleman from California [Mr. KAHN] says, no one wants to see an exorbitant rate of interest imposed upon the needy borrowers, but when we consider that 22 States in the Union have remedial legislation of this kind and that the rate of interest in those States varies from 1 to 3 per cent per month—and I believe the general run of them is 1½ to 2 per cent per month—it seems to me we are not going beyond a reasonable limit in defining a rate of interest to those compelled to borrow money under these circumstances.

I have had occasion heretofore to say that an institution in the city of New York, charitable in its nature, free from the expense of rent, light, heat, and telephone service, made an effort to conduct a paying business on 1½ per cent per month, and at the end of a month they had amassed the large sum of \$2.50 as profit. In the face of those experiences and those demonstrations, I ask this committee to be reasonable in the consideration of this proposition and not to defeat the purpose which the committee has in view and which these charitable organizations have in view, to lessen the imposition and the hardship of those who are compelled to go to these people for money.

The SPEAKER. The time of the gentleman has expired.

Mr. DYER. Mr. Speaker, I yield three minutes to the gentleman from Wisconsin [Mr. BERGER], a member of the committee.

Mr. BERGER. Mr. Speaker, as long as one lives in a swamp he has to expect mosquitoes, leeches, and other bloodsuckers, and as long as we live under the capitalist system we must expect loan sharks, pawnshops, and other vampires. Twenty-four per cent interest is a hard thing to legalize, I admit, but we are legalizing an average annual wage of \$476, while the value of the average annual product of a wageworker is \$1,151. So long as we have an average wage of \$476 per annum while the value of the average product is \$1,151 per annum, so long the working people will be as poor as they are. They will have no credit in the banks, nor have credit with the landlord, the butcher, the groceryman, or the druggist, and, therefore, they will go to the pawnshop keeper and the loan shark whenever they need money and are in distress. We can not legislate the loan sharks out of the business for that reason.

There is a law limiting the rate of interest to 6 per cent annually in almost every State. We have similar statutes in Wisconsin, New York, and Pennsylvania. And yet the loan sharks in New York get as high as 700 per cent per annum. In Philadelphia they get as high as 500 per cent, and in Milwaukee they used to get 400 and 500 per cent. I remember an instance about 18 years ago where a man paid \$350 in interest money and still owed the original amount of \$60. The loan shark wanted to take his furniture away from him. The poor fellow came to me for help. I told him to say to the agent or collector that VICTOR BERGER had advised the victim to take a shotgun and shoot the loan shark if he should try to take away the furniture. [Laughter and applause.] When the money lender was told of such eminent legal advice he called the thing square and returned the note. [Laughter.] However, the poor man had paid \$350 interest on a loan of \$60.

In 22 cities of our country, Mr. Speaker, they have founded benevolent associations to remedy the loan-shark evil. In Europe they have municipal loan banks for that purpose. I believe the District of Columbia ought to establish an institution to lend money to those who get hard up without any fault of their own, and I can see no good reason why such persons should not get their loan free of charge; that is, without any interest at all. That would help some, but we can not entirely eradicate the evil under the capitalist system. And until you are prepared to establish a Government institution I hope that you are going to vote for this bill. The labor organizations of the District have asked for it, and all the scientific and charitable societies that have studied the question are also in favor of the bill. I am not afraid to go back to Milwaukee after voting for this bill. And my constituency is more radical and more wide-awake on social questions than that of the gentleman from Illinois. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. DYER. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. REDFIELD].

The SPEAKER. The gentleman from New York [Mr. REDFIELD] is recognized for two minutes.

Mr. REDFIELD. Mr. Speaker, this evil of the loan shark is so widely recognized by industrial concerns that many of them make a business of specially loaning money without interest to their employees for the purpose of destroying it. I like to see that done, but I believe it is a fact that business experience has demonstrated that this business can not be done on the short-time loans and the small-volume loans at less than 2 per cent per month and survive.

The borrowers do not look at it as paying high interest. They look at it merely as paying a fee for a small loan which they greatly need. When persons borrow \$20 for four months and pay \$1.60 for the privilege, they think they are mighty well off, for they can get it nowhere else. In my judgment, Mr. Speaker, whoever puts into effect a restriction to 1 per cent per month plays directly into the hands of the loan shark that this bill aims to destroy. [Applause.]

Mr. DYER. Mr. Speaker, I will ask the gentleman to yield back the rest of his time.

Mr. REDFIELD. Mr. Speaker, I yield back the balance of my time.

Mr. NORRIS. Mr. Speaker, it seems to me a remarkable coincidence that those Members who favor the 24 per cent rate do it ostensibly in opposition to the so-called loan shark. The gentleman from California [Mr. KAHN] says these employees of the Government are in the clutches of the loan shark. Well, if they are we are in rather a poor position to take them out by compelling them to pay this exorbitant rate of 24 per cent per annum. If we want to get the people out from the clutches of the loan shark, let us put the rate down where the borrowers will be able to pay the rate and live. [Applause.]

The gentleman says that if the rate is fixed at 1 per cent per month it will not be effective; that the men who are engaged in the loan-shark business will go out of business. That argu-

ment answers the argument of the other gentleman who wants to put the loan sharks out of business. If they can not afford to loan money at 1 per cent per month, there is no way to compel them to, and God knows nobody wants them to. It would be better to put the loan sharks out of business by imposing such a rate that the people who are compelled to borrow will at the same time get out of their clutches. Unless you make it reasonably low, they will never be able to do this.

Mr. KAHN. Mr. Speaker, will the gentleman yield?

Mr. NORRIS. In just a moment. The gentleman from Wisconsin [Mr. BERGER] says that unless we leave the rate at 2 per cent the people who are loaning the money will go out of the business. He says they can not do the business for less than that.

I want to say to my friend from Wisconsin that if when they loan money at 12 per cent per annum they are unable to make enough to stay in the business, it seems to me the best thing this Congress can do is to make it possible for these men to go out of the business. We can get along without loan sharks and pawn shops. The gentleman makes the argument that it will not be as bad at 2 per cent as it is now, when they get 3 per cent. It would be just as reasonable to say that men who have been stealing should in the future be prohibited from stealing unless they confine their thefts to a certain class of property. [Applause.]

The SPEAKER. The gentleman from Missouri [Mr. DYER] has one minute and a half left.

Mr. DYER. Mr. Speaker, there is a law now in force in the District of Columbia, passed by the Congress of the United States, permitting pawnbrokers in the District of Columbia to charge 3 per cent a month, or 36 per cent per annum. This bill, which makes the rate which can be charged by money lenders 2 per cent a month, is less than the rate authorized by Congress for pawnbrokers. If this bill becomes a law, it reduces the amount that pawnbrokers can charge from 3 per cent a month to 2 per cent a month and puts them upon the same class as these money lenders.

In advocating the passage of this bill as originally introduced, providing for 2 per cent a month instead of the 1 per cent proposed in the amendment, I wish to say that the 2 per cent rate has the indorsement in writing and before the committee of the Central Labor Union of the District of Columbia. We have the indorsement of the Woman's Welfare League of the District of Columbia, of the Monday Evening Club, and of the Associated Charities. Every organization is in favor of this rate.

The SPEAKER. The time of the gentleman has expired. All time has expired. The question is on agreeing to the amendment.

Mr. LEVY. Mr. Speaker, I demand the yeas and nays.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and sixty-four Members—not a quorum present. Under the rule the yeas and nays are ordered. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

Mr. DYER. I ask unanimous consent that the Speaker state to the House the amendment which is before the House.

The SPEAKER. If you vote for this amendment you vote for 1 per cent a month. If you vote against it you vote for 2 per cent a month.

The question was taken; and there were—yeas 175, nays 82, answered "present" 9, not voting 126, as follows:

YEAS—175.

Adair	Clark, Fla.	Fergusson	Helgesen
Ainey	Claypool	Ferris	Helm
Akin, N. Y.	Clayton	Finley	Henry, Tex.
Alexander	Cline	Floyd, Ark.	Hensley
Allen	Collier	Focht	Howard
Anderson, Minn.	Connell	Foster, Ill.	Hubbard
Anthony	Cooper	Fowler	Hull
Austin	Cox, Ohio	Francis	Humphreys, Miss.
Barnhart	Cullop	French	Jackson
Bartlett	Curry	Garner	Jacoway
Bathrick	Daugherty	Garrett	Johnson, Ky.
Beall, Tex.	Davenport	Godwin, N. C.	Johnson, S. C.
Boehne	Davis, Minn.	Goodwin, Ark.	Jones
Booher	Denver	Gray	Kendall
Borland	Dickinson	Gregg, Pa.	Kennedy
Broussard	Dickson, Miss.	Gregg, Tex.	Kent
Browning	Difenderfer	Gudger	Kinkaid, Nebr.
Burgess	Dixon, Ind.	Guernsey	Kopp
Burke, S. Dak.	Doughton	Hammond	La Follette
Burke, Wis.	Dupre	Hanna	Langham
Burnett	Edwards	Hardwick	Lee, Ga.
Byrnes, S. C.	Ellerbe	Hardy	Legare
Byrns, Tenn.	Esch	Harrison, Miss.	Lever
Campbell	Estopinal	Haugen	Levy
Candler	Faison	Hay	Lindbergh
Carlin	Farr	Heflin	Linthicum

Littlepage	Neeley	Rucker, Mo.	Stone
Lloyd	Nelson	Russell	Sulzer
McGillcuddy	Norris	Scully	Switzer
McHenry	Padgett	Shackleford	Talbot, Md.
McKellar	Page	Sharp	Thayer
McKenzie	Patton, Pa.	Sherley	Tribble
McKinley	Payne	Sherwood	Vreeland
McKinney	Porter	Simmons	Warburton
Macon	Post	Sims	Watkins
Madden	Pou	Sisson	Webb
Maguire, Nebr.	Raker	Smith, N. Y.	Wickliffe
Martin, Colo.	Randell, Tex.	Smith, Tex.	Wilson, Pa.
Martin, S. Dak.	Ransdell, La.	Speer	Witherspoon
Moon, Tenn.	Rauch	Stedman	Wood, N. J.
Morgan	Reilly	Stephens, Cal.	Woods, Iowa
Morrison	Roberts, Nev.	Stephens, Nebr.	Young, Kans.
Moss, Ind.	Rodenberg	Stephens, Tex.	Young, Tex.
Murray	Rubey	Sterling	

NAYS—82.

Aiken, S. C.	Dent	Humphrey, Wash.	Peters
Ames	Draper	Kahn	Pickett
Anderson, Ohio	Dyer	Knowland	Plumley
Ansberry	Evans	Konig	Prouty
Ashbrook	Flood, Va.	Lamb	Rainey
Ayres	Foster, Vt.	Lee, Pa.	Redfield
Bartholdt	Fuller	Lenroot	Sabath
Berger	Gallagher	Longworth	Saunders
Bingham	Gardner, Mass.	Loud	Steenerson
Blackmon	Gillett	McCoy	Sullivan
Bowman	Green, Iowa	McCreary	Talcott, N. Y.
Bradley	Greene, Mass.	McDermott	Taylor, Ala.
Buchanan	Hamilton, W. Va.	McMorran	Taylor, Ohio
Bulkley	Harris	Moore, Pa.	Towner
Burleson	Harrison, N. Y.	Mott	Turnbull
Butler	Hartman	Needham	Underhill
Carter	Hayes	O'Shaunessy	Volstead
Catlin	Henry, Conn.	Palmer	White
Crumpacker	Higgins	Parran	Young, Mich.
Currier	Hill	Patten, N. Y.	
Danforth	Howell	Pepper	

ANSWERED "PRESENT"—9.

Adamson	Hobson	Lobeck	Moon, Pa.
Glass	James	Mann	Rothermel
Hamlin			

NOT VOTING—126.

Andrus	Fitzgerald	Lewis	Sheppard
Barchfeld	Fordney	Lindsay	Slayden
Bates	Fornes	Littleton	Slemp
Bell, Ga.	Foss	McCall	Sloan
Brantley	Gardner, N. J.	McGuire, Okla.	Small
Brown	George	McLaughlin	Smith, J. M. C.
Burke, Pa.	Goeke	Maher	Smith, Saml. W.
Calder	Goldfogle	Malby	Smith, Cal.
Callaway	Good	Matthews	Sparkman
Cannon	Gould	Mays	Stack
Cantrill	Graham	Miller	Stanley
Cary	Griest	Mondell	Stephens, Miss.
Conry	Hamill	Moore, Tex.	Stevens, Minn.
Copley	Hamilton, Mich.	Morse, Wis.	Sweet
Covington	Hawley	Murdock	Taggart
Cox, Ind.	Heald	Nye	Taylor, Colo.
Crago	Hinds	Oldfield	Thistlewood
Cravens	Holland	Olmsted	Thomas
Curley	Houston	Powers	Tilson
Dalzell	Howland	Pray	Townsend
Davidson	Hughes, Ga.	Prince	Tuttle
Davis, W. Va.	Hughes, N. J.	Pujo	Underwood
De Forest	Hughes, W. Va.	Rees	Utter
Dies	Kindred	Reyburn	Wedemeyer
Dodds	Kinkead, N. J.	Richardson	Weeks
Donohoe	Kitchin	Riordan	Whitacre
Doremus	Konop	Roberts, Mass.	Wildner
Driscoll, D. A.	Korbly	Robinson	Willis
Driscoll, M. E.	Lafean	Roddenbery	Wilson, Ill.
Dwight	Lafferty	Rouse	Wilson, N. Y.
Fairchild	Langley	Rucker, Colo.	
Fields	Lawrence	Sells	

So the amendment was agreed to.

The following pairs were announced:

For the session:

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. RIORDAN with Mr. ANDRUS.

Mr. GLASS with Mr. SLEMP.

Until further notice:

Mr. WILSON of New York with Mr. MORSE of Wisconsin.

Mr. TUTTLE with Mr. WEEKS.

Mr. TOWNSEND with Mr. TILSON.

Mr. THOMAS with Mr. ROBERTS of Massachusetts.

Mr. TAYLOR of Colorado with Mr. REYBURN.

Mr. TAGGART with Mr. REES.

Mr. SWEET with Mr. POWERS.

Mr. STEPHENS of Mississippi with Mr. PRINCE.

Mr. STANLEY with Mr. PRAY.

Mr. SMALL with Mr. OLMSTED.

Mr. RUCKER of Colorado with Mr. NYE.

Mr. ROUSE with Mr. MURDOCK.

Mr. RICHARDSON with Mr. MILLER.

Mr. MOORE of Texas with Mr. MATTHEWS.

Mr. MAHER with Mr. MCGUIRE of Oklahoma.

Mr. SLAYDEN with Mr. LAWRENCE.

Mr. LEWIS with Mr. LAFFERTY.

Mr. KNAPP with Mr. LAFEAN.

Mr. KINKEAD of New Jersey with Mr. HOWLAND.

Mr. KINDRED with Mr. HEALD.
 Mr. HUGHES of New Jersey with Mr. HAWLEY.
 Mr. HAMILL with Mr. HAMILTON of Michigan.
 Mr. GOLDFOGLE with Mr. GRIEST.
 Mr. FITZGERALD with Mr. GOOD.
 Mr. DANIEL A. DRISCOLL with Mr. GARDNER of New Jersey.
 Mr. DONOHUE with Mr. FOSS.
 Mr. DOREMUS with Mr. FORDNEY.
 Mr. DIES with Mr. DODDS.
 Mr. DAVIS of West Virginia with Mr. DE FOREST.
 Mr. CURLEY with Mr. DALZELL.
 Mr. BROWN with Mr. BARCHFELD.
 Mr. CALLAWAY with Mr. BURKE of Pennsylvania.
 Mr. CANTRILL with Mr. CALDER.
 Mr. COVINGTON with Mr. CARY.
 Mr. COX of Indiana with Mr. COPLEY.
 Mr. FORNES with Mr. WILSON of Illinois.
 Mr. SPARKMAN with Mr. DAVIDSON.
 Mr. CONRY with Mr. J. M. C. SMITH.
 Mr. RODDENBERRY with Mr. MONDELL.
 Mr. HOUSTON with Mr. MOON of Pennsylvania.
 Mr. SHEPPARD with Mr. BATES.
 Mr. FIELDS with Mr. LANGLEY.
 Mr. GEORGE with Mr. MALBY.
 Mr. HUGHES of Georgia with Mr. HUGHES of West Virginia.
 Mr. HOBSON with Mr. FAIRCHILD.
 Mr. STACK with Mr. SMITH of California.
 Mr. GOULD with Mr. HINDS.
 Mr. GRAHAM with Mr. WILLIS.
 Mr. HOLLAND with Mr. CRAGO.
 Mr. KORBLY with Mr. HAMILTON of Michigan.
 Mr. WHITACRE with Mr. SELLS.
 Mr. MAYS with Mr. THISTLEWOOD.
 Mr. BRANTLEY with Mr. CANNON.
 Mr. UNDERWOOD with Mr. MANN.
 Mr. LITTLETON with Mr. DWIGHT.
 Mr. CRAVENS with Mr. SAMUEL W. SMITH.
 For one week:
 Mr. GOEKE with Mr. McLAUGHLIN.
 Ending February 17:
 Mr. JAMES with Mr. McCALL.
 Ending February 16:
 Mr. OLDFIELD with Mr. WEDEMEYER.
 Ending Thursday:
 Mr. LOBECK with Mr. SLOAN.
 Ending Wednesday, February 14:
 Mr. HAMLIN with Mr. MICHAEL E. DRISCOLL.
 Mr. ROTHERMEL with Mr. WILDER.
 On this vote:

Mr. BELL of Georgia (for 1 per cent) with Mr. UTTER (for 2 per cent).

Mr. ADAMSON. Mr. Speaker, did the gentleman from Minnesota, Mr. STEVENS, vote?

The SPEAKER pro tempore (Mr. CLAYTON). He did not.
 Mr. ADAMSON. I voted "yea." I desire to withdraw that vote and answer "present."

The Clerk called the name of Mr. ADAMSON, and he answered "Present," as above recorded.

Mr. MANN. Mr. Speaker, I voted "no" on the roll call. I see that I am paired with the gentleman from Alabama, Mr. UNDERWOOD, and I desire to withdraw my vote and be recorded as "present."

The Clerk called the name of Mr. MANN, and he answered "Present," as above recorded.

The result of the vote was then announced, as above recorded.

The SPEAKER pro tempore. A quorum is present; the Doorkeeper will open the doors and further proceedings under the call will be dispensed with. The question is on the engrossment and third reading of the bill.

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

Mr. DYER. Mr. Speaker, I send to the desk the following motion to recommit.

The Clerk read as follows:

Recommit to the Committee on the District of Columbia, with instructions to report forthwith, the bill H. R. 8768, heretofore ordered to be engrossed and read a third time, with the following instructions, to wit: First, on line 10, page 5, section 6, change the word "one," as heretofore amended, to "one and one half."

Mr. NORRIS. Mr. Speaker, I make the point of order that the gentleman from Missouri is not entitled to be recognized for the purpose of making that motion.

Mr. MADDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MADDEN. Is it within the rule to offer an amendment to the instructions?

The SPEAKER pro tempore. It is; at this time.

Mr. MADDEN. Then, I move to amend the instructions to the committee so as to make them read "2 per cent up to \$75 and 1 per cent for all loans above that amount."

The SPEAKER pro tempore. The gentleman from Nebraska makes the point of order against the motion to recommit. The Chair is of opinion that the motion made by the gentleman from Missouri is in order, and therefore overrules the point of order interposed by the gentleman from Nebraska.

Mr. SHERLEY. Mr. Speaker, I move the previous question.

The SPEAKER pro tempore. The gentleman from Kentucky moves the previous question on the motion offered by the gentleman from Missouri.

Mr. MADDEN. There is an amendment pending to that, Mr. Speaker.

Mr. SHERLEY. And upon the amendment offered by the gentleman from Illinois.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MANN. Mr. Speaker, the gentleman from Illinois, my colleague, has offered an amendment to the motion to recommit. Must that not be reported before the previous question can be ordered?

The SPEAKER pro tempore. The Clerk will report the amendment of the gentleman from Illinois.

The Clerk read as follows:

Strike out "one and a half" and insert in lieu thereof the words "2 per cent up to \$75, and 1 per cent on all loans above that amount."

Mr. SHERLEY. Mr. Speaker, I now renew my motion to order the previous question.

The SPEAKER pro tempore. The question now is on ordering the previous question on the motion submitted by the gentleman from Missouri and the amendment thereto offered by the gentleman from Illinois.

The question was taken, and the previous question was ordered.

The SPEAKER pro tempore. The question now is on the amendment offered to the motion.

The question was taken; at the suggestion of the Chair, the House divided, and there were—ayes 41, noes 65.

So the amendment was rejected.

The SPEAKER pro tempore. The question now is on the motion to recommit with instructions.

Mr. MANN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and forty-nine Members present, not a quorum. The Doorkeeper will close the doors; the Sergeant at Arms will notify absentees, and the question will be taken on the motion to recommit with instructions. The Clerk will call the roll.

The question was taken; and there were—yeas 80, nays 106, answered "present" 10, not voting 136, as follows:

YEAS—80.

Aiken, S. C.	Dyer	Kahn	Parran
Ames	Evans	Kent	Patten, N. Y.
Ashbrook	Flood, Va.	Knowland	Peters
Ayres	Foster, Vt.	Konig	Pickett
Bartholdt	Gallagher	Kopp	Pray
Berger	Gardner, Mass.	Lamb	Prouty
Bingham	Gillett	Lawrence	Rainey
Bowman	Green, Iowa	Lee, Pa.	Redfield
Bradley	Greene, Mass.	Lenroot	Sabath
Buchanan	Guernsey	Longworth	Saunders
Bulkley	Hamilton, W. Va.	Loud	Simmons
Burleson	Hanna	McCoy	Smith, N. Y.
Butler	Harris	McCreary	Sulloway
Cannon	Harrison, N. Y.	McDermott	Switzer
Catlin	Hartman	Morgan	Talcott, N. Y.
Covington	Henry, Conn.	Mott	Taylor, Ohio
Crumpacker	Higgins	Needham	Towner
Currier	Hill	Nelson	Tuttle
Danforth	Howell	O'Shaunessy	Underhill
Draper	Humphrey, Wash.	Palmer	Volstead

NAYS—166.

Adair	Byrnes, S. C.	Dickson, Miss.	Godwin, N. C.
Ainey	Byrns, Tenn.	Dies	Good
Akin, N. Y.	Callaway	Difenderfer	Goodwin, Ark.
Alexander	Campbell	Dixon, Ind.	Gray
Allen	Candler	Doremus	Gregg, Pa.
Anderson, Minn.	Carlin	Doughton	Gregg, Tex.
Anderson, Ohio	Clark, Fla.	Dupre	Gudger
Austin	Claypool	Faison	Hammond
Barnhart	Clayton	Farr	Hardwick
Bartlett	Cline	Fergusson	Hardy
Bathrick	Collier	Ferris	Harrison, Miss.
Beall, Tex.	Connell	Finley	Haugen
Blackmon	Cooper	Floyd, Ark.	Hay
Boehne	Cullop	Foster, Ill.	Heffin
Brantley	Curry	Fowler	Helsesen
Broussard	Davenport	Francis	Helm
Brown	Davis, Minn.	French	Henry, Tex.
Burke, S. Dak.	Dent	Fuller	Hensley
Burke, Wis.	Denver	Garner	Hubbard
Burnett	Dickinson	Garrett	Hughes, N. J.

Hull	McKenzie	Pujo	Stephens, Tex.
Humphreys, Miss.	McKinley	Raker	Sterling
Jacoway	McKinney	Randell, Tex.	Stone
Johnson, Ky.	McMorran	Ransdell, La.	Sulzer
Johnson, S. C.	Macon	Rauch	Talbott, Md.
Jones	Madden	Rees	Taylor, Colo.
Kendall	Magnire, Nebr.	Reilly	Thayer
Kennedy	Martin, Colo.	Roberts, Nev.	Thomas
Kindred	Moon, Tenn.	Rodenberg	Townsend
Kinkaid, Nebr.	Moore, Pa.	Rubey	Tribble
La Follette	Moore, Tex.	Rucker, Colo.	Turnbull
Langham	Morrison	Russell	Warburton
Lee, Ga.	Moss, Ind.	Scully	Wickliffe
Legare	Murray	Shackleford	Wilson, Pa.
Lever	Neeley	Sims	Witherspoon
Levy	Norris	Sisson	Wood, N. J.
Lindbergh	Padgett	Smith, Tex.	Woods, Iowa
Linthicum	Page	Speer	Young, Kans.
Littlepage	Patton, Pa.	Steelman	Young, Tex.
Lloyd	Payne	Stephens, Cal.	
McGillicuddy	Pepper	Stephens, Miss.	
McKellar	Post	Stephens, Nebr.	

ANSWERED "PRESENT"—10.

Adamson	Glass	Lobeck	Bothermel
Dwight	Hamlin	Mann	
Esch	James	Moon, Pa.	

NOT VOTING—136.

Andrus	Fairchild	Langley	Sharp
Ansberry	Fields	Lewis	Sheppard
Anthony	Fitzgerald	Lindsay	Sherley
Barchfeld	Focht	Littleton	Sherwood
Bates	Fordney	McCall	Slayden
Bell, Ga.	Fornes	McGuire, Okla.	Slemp
Booher	Foss	McHenry	Sloan
Borland	Gardner, N. J.	McLaughlin	Small
Browning	George	Maher	Smith, J. M. C.
Burgess	Goeke	Malby	Smith, Saml. W.
Burke, Pa.	Goldfogle	Martin, S. Dak.	Smith, Cal.
Caldor	Gould	Matthews	Sparkman
Cantrill	Graham	Mays	Stack
Carter	Griest	Miller	Stanley
Cary	Hamilton, Mich.	Mondell	Steenerson
Conry	Hawley	Morse, Wis.	Stevens, Minn.
Copley	Hayes	Murdock	Sweet
Cox, Ind.	Heald	Nye	Taggart
Cox, Ohio	Heald	Oldfield	Taylor, Ala.
Crago	Hinds	Olmsted	Thistlewood
Cravens	Hobson	Plumley	Tilson
Curley	Holland	Porter	Underwood
Dalzell	Houston	Pou	Utter
Daugherty	Howard	Powers	Vreeland
Davidson	Howland	Prince	Webb
Davis, W. Va.	Hughes, Ga.	Reyburn	Wedemeyer
De Forest	Hughes, W. Va.	Richardson	Weeks
Dodds	Jackson	Riordan	Whitacre
Donohoe	Kinkead, N. J.	Roberts, Mass.	White
Driscoll, D. A.	Kitchin	Robinson	Wildor
Driscoll, M. E.	Konop	Roddenbery	Wilbis
Edwards	Korbly	Rouse	Wilson, Ill.
Ellerbe	Lafean	Rucker, Mo.	Wilson, N. Y.
Estopinal	Lafferty	Sells	Young, Mich.

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

For the balance of the day:

Mr. POU with Mr. PICKETT.

Until further notice:

Mr. ANSBERRY with Mr. UTTER.

Mr. BELL of Georgia with Mr. ANTHONY.

Mr. BOOHER with Mr. BROWNING.

Mr. BURGESS with Mr. HAYES.

Mr. CARTER with Mr. HAWLEY.

Mr. COX of Ohio with Mr. JACKSON.

Mr. WHITE with Mr. HEALD.

Mr. EDWARDS with Mr. MARTIN of South Dakota.

Mr. ELLERBE with Mr. MATTHEWS.

Mr. ESTOPINAL with Mr. DODDS.

Mr. FITZGERALD with Mr. BARCHFELD.

Mr. HOWARD with Mr. CARY.

Mr. LINDSAY with Mr. PRINCE.

Mr. MCHENRY with Mr. REYBURN.

Mr. STANLEY with Mr. TILSON.

Mr. TAGGART with Mr. WEEKS.

Mr. SHERLEY with Mr. PLUMLEY.

Mr. SHERWOOD with Mr. YOUNG of Michigan.

Mr. TAYLOR of Alabama with Mr. VREELAND.

Mr. WEBB with Mr. PORTER.

The result of the vote was announced as above recorded.

The SPEAKER. Proceedings under the call will be suspended and the doors will be opened. The question is, Shall the amended bill pass?

The question was taken, and the bill was passed.

Mr. DYER. Mr. Speaker, I move to amend the title by striking out on the fourth line of the title the word "pawnbrokers." This is to comply with an amendment heretofore passed.

Mr. MANN. That amendment did not pass; "pawnbrokers" remained in the bill. I would ask the Clerk whether, on page 8, line 23, the committee amendment was agreed to or disagreed to; whether the words "or to the business of pawnbrokers" are in the bill or were stricken out?

The SPEAKER. It was stricken out in the Committee of the Whole, so the Clerk says.

Mr. NORRIS. And the amendment has been approved by the House.

The SPEAKER. Of course. The question the gentleman from Illinois raised was whether that particular amendment which concerns the motion of the gentleman from Missouri had been stricken out in the Committee of the Whole. The gentleman from Missouri moves to amend the title. The Clerk will report the amendment.

The Clerk read as follows:

Amend the title by striking out the word "pawnbrokers" in next to the last line of the title.

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

On motion of Mr. JOHNSON of Kentucky, his motion to reconsider the last vote was laid on the table.

Mr. HAMLIN. Mr. Speaker, I voted upon the roll call just preceding the last one, when I was paired with the gentleman from New York, Mr. MICHAEL E. DRISCOLL. I do not usually pair and I had forgotten it at the time. I ask unanimous consent that the RECORD and Journal may be corrected so as to let me withdraw my vote and answer "present."

The SPEAKER. The gentleman from Missouri [Mr. HAMLIN] asks unanimous consent that the roll call preceding this last one shall be corrected so as to show him voting "present" instead of voting—

Mr. HAMLIN. In the affirmative.

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

RESTORING NAME OF OREGON AVENUE.

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to call up the bill S. 4109.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 4109) to restore the name of Oregon Avenue, in the District of Columbia, and for other purposes.

Be it enacted, etc., That the name of Oregon Avenue be restored to the street lying between New Hampshire Avenue and Eighteenth Street NW., in the District of Columbia, and said avenue shall be extended so as to include Cedar Place, and shall hereafter be known and designated as Oregon Avenue: *Provided*, That the name of the highway leading from North Capitol Street to Rock Creek Park, now known as Oregon Avenue, shall hereafter be known and designated as Concord Avenue.

Mr. JOHNSON of Kentucky. Mr. Speaker, I yield the remainder of my time to the gentleman from Rhode Island [Mr. O'SHAUNESSY].

Mr. O'SHAUNESSY. Mr. Speaker, in this bill it is designed to restore the name of Oregon Avenue to the street lying between New Hampshire Avenue and Eighteenth Street NW., in the District of Columbia, and extended so as to include Cedar Place, so that it shall hereafter be known as Oregon Avenue. This is a question where the District Commissioners, under some authority which has been questioned, changed the name of Oregon Avenue to Swann Street, and, as generally occurs in such cases, inconvenience has arisen through confusion in delivery of goods and other annoyances, which, I might say, are generally incidental to changes of this kind. The Senate bill restores the name of the street to Oregon Avenue, and I understand that the residents along the street are in favor of the change restoring the name. In a conversation I had the other day with Senator BACON, of Georgia, who happens to live on Oregon Avenue, he told me of a case where some of this confusion arose. A man had an order to deliver coal on a very bitter day to a resident of the avenue, and the Senator seeing the man was going away with the coal, acting as a good Samaritan, inquired if he was looking for somebody on Oregon Avenue. The man said he was looking for somebody on Swann Street; the confusion of names was going to result in a temporary loss to the tenant of the coal which he had ordered and an unnecessary labor for the driver of the wagon.

I am glad to make mention of this fact, in order to show that there is such a goodly feeling in the breast of the Senators and to show that they are so kindly disposed to do an act of humanity. There has not been any overwhelming demand for this change to Swann Street, and in response to an inquiry by the Senate of the District Commissioners, they have entered into a lengthy dissertation on the reasons and the laws which give them the right to change the names. The Senate committee having charge of the bill made a report, from which I quote:

In this view and because of the fact that the residents on the original Oregon Avenue desire to retain the name that the highway has borne for so long a time, your committee is of opinion that the name ought to be restored. Furthermore, it seems desirable that the avenue should be extended from Eighteenth Street to Nineteenth Street by the elimination of Cedar Place, and with that end in view your committee favor the restoration of the name and the extension of the avenue as provided in the bill introduced by the chairman of this committee.

The reason assigned by the Senate committee seemed sufficient to your Committee on the District of Columbia, and it has taken up that report and made it practically their own.

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

The SPEAKER. Will the gentleman yield?

Mr. O'SHAUNESSY. I will.

Mr. MANN. Will the gentleman state why the name was changed from a name that begins with a letter "O" to a name commencing with a letter "S"?

Mr. O'SHAUNESSY. I do not know.

Mr. MANN. Where streets come in between the lettered streets the commissioners, a few years ago, undertook to carry out the plan of the city of Washington by a giving a street that came north of a lettered street a name commencing with that letter. So anyone could tell where Swann Street is, and it is the first street north of S Street. When you come down to O Street you will find the same thing there, and as to W Street and every street except Corcoran Street and Church Street. They have not all been changed, but in recent years they have been changing them up in that part of the city to conform to that idea. If it was not for the peculiar circumstances in this case, I should say to change the name back was exceedingly bad policy. But as this bill has already passed Senator Bacon, I think we can not help ourselves.

The SPEAKER. The Chair desires to call the attention of the gentleman from Rhode Island [Mr. O'SHAUNESSY] to the fact that the amendment reported by the House is already in the Senate bill.

Mr. O'SHAUNESSY. No amendment was reported by the committee.

The SPEAKER. The question is on the third reading of the bill.

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

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

ARMY APPROPRIATION BILL.

Mr. HAY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 18956) making appropriation for the support of the Army for the fiscal year ending June 30, 1913, with Mr. SAUNDERS in the chair.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the purchase of the necessary instruments, office furniture, stationery, and other authorized articles required for the equipment and use of the officers' schools at the several military posts, \$6,000.

Mr. HAY. Mr. Chairman, I move to strike out the word "six," in line 9, page 27, and insert the word "four," so that it will read:

Four thousand dollars.

I make that motion because the Quartermaster General, on page 80 of the hearing, volume 1, says that item can be cut \$2,000.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 27, line 9, strike out the word "six," and insert in lieu thereof the word "four."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Virginia [Mr. HAY].

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

The Clerk read as follows:

Incidental expenses, Quartermaster's Department: Postage; cost of telegrams on official business received and sent by officers of the Army; extra pay to soldiers employed on extra duty, under the direction of the Quartermaster's Department, in the erection of barracks, quarters, and storehouses, in the construction of roads and other constant labor for periods of not less than 10 days, and as clerks for post quartermasters at military posts, and for prison overseers at posts designated by the War Department for the confinement of general prisoners, and for the United States military prison guard; for expenses of expresses to and from frontier posts and armies in the field, of escorts to paymasters and other disbursing officers and to trains where military escorts can not be furnished; authorized office furniture, hire of laborers in the Quartermaster's Department, including the care of officers' mounts when the same are furnished by the Government, and the hire of interpreters, spies, or guides for the Army; compensation of clerks and other employees to the officers of the Quartermaster's Department, and clerks, foremen, watchmen, and organist for the United States military prison, and incidental expenses of recruiting; for the apprehension, securing, and delivering of deserters, including escaped military prisoners, and the expenses incident to their pursuit, and no greater sum than \$50 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for a donation of \$5 to each dishonorably discharged prisoner upon his release from confinement, under court-martial sentence, involving dishonorable discharge; for the follow-

ing expenditures required for the several regiments of Cavalry, the batteries of Light Artillery, and such companies of Infantry and scouts as may be mounted, the authorized number of officers' horses, and for the trains, to wit: Hire of veterinary surgeons, purchase of medicines for horses and mules, picket ropes, blacksmith's tools and materials, horseshoes and blacksmith's tools for the Cavalry service, and for the shoeing of horses and mules, and such additional expenditures as are necessary and authorized by law in the movements and operations of the Army, and at military posts, and not expressly assigned to any other department, \$1,736,337.

[At the request of Mr. HELM, the foregoing paragraph was again read.]

Mr. HELM. Mr. Chairman, the paragraph which has just been read at the Clerk's desk represents the form in which this appropriation is made. I now send to the Clerk's desk and ask to have read in my time the form in which I think this appropriation could, with more satisfaction to Congress, be made. I ask that the paper I have sent to the Clerk's desk be read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Postage	\$4,400.00
Telegrams	123,760.00
Extra duty, barracks and quarters	4,836.00
Extra duty, roads	67,005.00
Extra duty, clerks	15,860.00
Extra duty, overseers	10,835.00
Extra duty, noncommissioned officers	15,110.00
Office furniture	21,000.00
Laborers	84,000.00
Interpreters	23,394.00
Guides	1,350.00
Clerks, Quartermaster's Department	785,910.00
Other employees	352,000.00
Clerks, United States military prison	9,280.00
Foremen, United States military prison	7,300.00
Watchmen, United States military prison	1,440.00
Organist, United States military prison	104.00
Recruiting	75,000.00
Deserters, apprehension of	71,800.00
Donation of \$5	15,400.00
Veterinary surgeons	26,000.00
Medicines, horses and mules	38,100.00
Picket rope	2,700.00
Blacksmiths' tools	17,500.00
Horseshoes	45,000.00
Tools, cavalry	985.00
Shoeing horses and mules	50,000.00
Additional expenses	130,931.00

The CHAIRMAN. The time of the gentleman has expired.

Mr. HELM. May I have one more minute? I ask unanimous consent, Mr. Chairman.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to proceed for one minute more. Is there objection?

There was no objection.

Mr. HELM. My purpose in having the last paper read is not that I stand for or vouch for the amount of each item, because the items exceed the total amount of the appropriation, but simply in order that it may appear in the Record and illustrate the manner in which I think appropriations of this character should be made.

Mr. KAHN. Mr. Chairman, as I stated last Saturday, when the bill was up before, the purpose of omitting the specific amounts for each item contained in this paragraph and placing them in the bill, as suggested by the gentleman from Kentucky, is this: It frequently happens that in the segregation of the lump sum one of the particular items for which the estimates are made may require an amount largely in excess of the original estimates; in fact, a number of the commodities that have to be provided out of this lump-sum appropriation may require a considerable sum in excess of the original estimates. Now, if the bill provided the specific amount for every one of these estimates, the consequence would be that the department would be coming in here continually with deficiency estimates, and, in my judgment—

Mr. SHERLEY. Will the gentleman permit an inquiry?

Mr. KAHN. Certainly.

Mr. SHERLEY. Why could not that objection be avoided absolutely by a provision allowing 10 per cent of any one item to be used for another item? That is frequently done in the bills that are passed by this House, coming out of the Committee on Appropriations.

Mr. KAHN. Possibly a 10 per cent increase might meet the situation. But it might require a larger percentage. As I pointed out to the gentleman from Kentucky on last Saturday, many of the items that are purchased by the department vary in price from month to month. Take the question of forage, of which I spoke on Saturday. The department makes an estimate upon the prices that have prevailed during the last year or two. If there is a shortage in the production of any one of those articles that go into the forage ration the department has to pay a very large amount in excess of the figure which the department estimated upon, and therefore the department should be allowed to transfer the amount from one item to another.

That is one reason why the department should be allowed to exercise some discretion in the matter.

Now, if the department should not be permitted to exercise that discretion, this is what happens to the tradesman: He furnishes his supplies to the department, and it may be a year or more before he can get his money, and that is not fair to him. That is, he will have to wait until a deficiency appropriation is passed by Congress. No hardship has ever come from the fact that appropriations are made in this way, and so far as the items themselves are concerned, the officers of the War Department who come before the committee state specifically what they want the money for. In my judgment they should have a certain amount of latitude, so as to avoid deficiency.

Mr. SHERLEY. Mr. Chairman, I do not desire to delay the committee by any lengthy discussion of this proposition, but the difference between the contention of the gentleman from California [Mr. KAHN] and that of my colleague [Mr. HELM] lies in this, that one seems to think that a detailed presentation before the committee originally presenting the bill to the House is all that is necessary to prevent undue expenditure by the department, and the other does not think so.

Now, I agree with the gentleman from California that it would be impracticable and unwise to make an arbitrary division of the items that go to make up this total. But it is a thing that is perfectly practicable to do, as is constantly done as to items aggregating large totals, to permit of a transfer of, say, 10 per cent of the amount allowed for any one item to another item. The advantage of presenting the matter to the House in some degree of detail is that the attention of the House—not simply of the Committee on Military Affairs, but of the House itself—may be called to where the money goes, because it often happens—and the gentleman himself is aware of it—that the average Member has neither the time nor the information that would enable him to refer to the hearings and ascertain what a committee dealing with a subject knows. But when it is presented in the bill it will immediately attract the attention of some Member of the House and call forth explanation and defense.

My criticism of all the departments—and it is particularly true of both the War Department and the Navy Department—is not that we maintain too large establishments, but that the methods by which they are maintained are unnecessarily extravagant and expensive. Inasmuch as there seems to be but little disposition to get correction from the administrative end, it follows that Congress must continue to insist, as it has been doing in the recent past, upon having the estimates so itemized and presented here on the floor that we can exercise an individual judgment that might not be necessary if more judgment were exercised somewhere else. And while we realize that it is impracticable to make the change in this bill at this time, I think the suggestion is well worth the attention of the Committee on Military Affairs, and wherever a gross appropriation is made, amounting to \$1,000,000 or more, if it is possible to divide it and present it in segregated parts it ought to be done.

Mr. KAHN. I should like to ask the chairman of the committee a question. The original estimates were for \$2,000,000?

Mr. HAY. Yes.

Mr. KAHN. Can the gentleman inform the committee just why the reductions are made?

Mr. HAY. A reduction of \$20,000 was made upon the recommendation of the Quartermaster General, which you will find on page 89 of the hearings. The other reduction was made by reason of sections in the bill providing for a supply corps and a service corps.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Horses for Cavalry, Artillery, Engineers, etc.: For the purchase of horses of ages, sex, and size as may be prescribed by the Secretary of War, for remounts, for officers entitled to public mounts, for the Cavalry, Artillery, Signal Corps, and Engineers, the United States Military Academy, service schools, and staff colleges, and for the Indian scouts, and for such Infantry and members of the Hospital Corps in field campaigns as may be required to be mounted, and the expenses incident thereto, and for the hire of employees: *Provided*, That the number of horses purchased under this appropriation, added to the number now on hand, shall be limited to the actual needs of the mounted service, including reasonable provisions for remounts, and, unless otherwise ordered by the Secretary of War, no part of this appropriation shall be paid out for horses not purchased by contract after competition duly invited by the Quartermaster's Department and an inspection under the direction and authority of the Secretary of War. When practicable, horses shall be purchased in open market at all military posts or stations, when needed, at a maximum price to be fixed by the Secretary of War: *Provided further*, That no part of this appropriation shall be expended for the purchase of any horses below the standard set by Army Regulations for Cavalry and Artillery horses, except when purchased as remounts, or for instruction of cadets at the United States Military Academy: *Provided further*, That the accounting officers of the Treasury are hereby authorized and directed to re-

move any suspensions or disallowances in the accounts of quartermasters for the fiscal years 1910, 1911, and 1912, for the purchase, care, and foraging of horses, because of age, sex, or size, and for the purchase of seeds, machinery, and for labor and other expenditures in connection with the raising of forage at remount depots, from appropriations of the Quartermaster's Department, \$300,000.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. HAY. I will explain the new language to the gentleman, if that is what he desires.

Mr. MANN. Just a word, and then the gentleman can explain. As I understand from this paragraph, it is now proposed that the Government shall engage in the breeding of horses. I do not know that I have any objection to that.

Mr. HAWLEY. It is already so engaged.

Mr. HAY. I did not understand the gentleman.

Mr. MANN. I understand from this paragraph as presented that the Army proposes to engage in the breeding of horses.

Mr. FOSTER of Illinois. The provision that was contained in last years' bill in reference to that matter is out of this one.

Mr. MANN. Heretofore for some years we have carried a proviso:

That no part of this appropriation shall be used for breeding purposes.

That is left out of this paragraph, and in its stead, not at the same place, is inserted a provision authorizing the Secretary of War to buy horses of ages and sexes as he may desire, I suppose plainly for breeding purposes. I do not wish to say that I am opposed to that proposition, but I should like to inquire in regard to it.

Mr. HAY. The words at the beginning of the paragraph:

For the purchase of horses of ages, sex, and size as may be prescribed by the Secretary of War—

were put in, not with any view of buying horses for breeding purposes, but because the Comptroller of the Treasury has decided that the department could not pay for the young horses. He has also disallowed some vouchers because of the sex and size of the animals. A number of suspended and disallowed accounts against officers who have made such purchases are pending before the comptroller.

The provision which was heretofore carried in the bill providing that no part of this appropriation should be expended for breeding purposes was left out to give the department the opportunity of buying a few stallions for breeding purposes. Now, so far as I am concerned, I have an objection to that proviso going back if anybody is opposed to the proposition. I think myself this is a good idea, but I am not sufficiently interested in it, and I do not think the department is sufficiently interested in it to make a point of it. But the other new language in the paragraph is made necessary for the reason that if the law is not changed the remount stations will have to be done away with and we will have to cease buying young horses.

Mr. MANN. I should like to ask the gentleman if there is anything in the Army regulations in force under the law at this time that prevents the Army from using mares in the Cavalry service?

Mr. HAY. No; I think not.

Mr. MANN. How does the question of sex arise?

Mr. HAY. Perhaps there may be such a regulation, but I do not know how that arises.

Mr. MANN. I am quite confident that if there is such a regulation it has been very frequently violated.

Mr. HAY. I know that the Comptroller has in several cases refused to allow vouchers for the purchase of horses of a certain sex.

Mr. MANN. I do not know but that it would be a good thing for the Government to engage in this work of breeding the young mares that it may have for remounts.

Mr. HAY. I do not agree with the gentleman.

Mr. MANN. It is perfectly plain that that is what is going to happen.

Mr. HAY. That is not the intention.

Mr. MANN. It may not be the intention of the committee.

Mr. HAY. It is not the intention of the department as disclosed to the committee.

Mr. MANN. I have frequently observed that where you confer power on a department and there is some one in that department that is anxious to have that power exercised, it is quite likely to be exercised. This certainly gives that power to the department.

Mr. HAY. It gives power to the department to buy mares for the purpose of using them as remounts or Cavalry horses.

Mr. MANN. And stallions?

Mr. HAY. Yes.

Mr. MANN. Well, you do not need anything more for the purposes of breeding.

Mr. HAY. It is not intended to breed horses for cavalry remounts. The stallions would be bred to farmers' mares. That is the purpose.

Mr. MANN. On the other hand, there are a large number of mares at the remount station, and it is very easy to breed them there with stallions purchased under this appropriation, and it undoubtedly will be done. If the committee or Congress wants to do it, I do not object.

Mr. HAY. I do not want it and I should object to it.

Mr. KAHN. If the gentleman will yield, I want to say that in the hearings, volume 1, page 124, Gen. Aleshire said:

Gen. ALESHIRE. Mr. Chairman, in the bill, page 34, at the bottom of the page, the last line, you will find the words, "for the purchase of horses of ages, sex, and size as may be prescribed by the Secretary of War for remounts," and those words are all new language, but are not printed in italics.

The CHAIRMAN. Why do you change that?

Gen. ALESHIRE. The Comptroller of the Treasury has decided we could not pay for the young horses. He also disallowed some vouchers because of the sex and of the size of the animals. We have a number of suspended and disallowed accounts against officers who have purchased them.

I understood from what was said that the original intention was to buy geldings, but some of the officers bought these animals when quite young, expecting they would attain the proper size according to the regulations within a reasonable time, but that the horses had not grown to the full size and allowances have been stopped accordingly. That is my recollection of it.

Mr. MANN. Mr. Chairman, I will withdraw the point of order.

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

The Clerk read as follows:

On page 30, line 11, strike out the word "three" and insert the word "two." After the word "hundred" insert the word "seventy-five," so that it will read "\$275,000."

Mr. MANN. Mr. Chairman, I suppose that the offering of this amendment is the logical and consistent result of the course of the gentleman from Virginia heretofore in the bill. But I am not in favor of striking down the Army of the United States. We have now a proposition to cripple the Navy, but here is a proposition to cut off one-third of the Cavalry at a time when we may need it. I think it is a wrong policy, detrimental to the interests of the Government and of the country, and ought not to be pursued. Just what fine distinction has been offered by somebody to say that we could dispense with 5 Cavalry regiments out of 15, instead of 4 or 6 out of 15, has not been explained. It is pure guesswork, and, in my judgment, without a sufficient knowledge of the appreciation of the needs of the country. I hope the amendment will not be agreed to.

Mr. HAY. Mr. Chairman, I may say for this side of the House, that it has no more intention or purpose of striking down the Army of the United States than has the gentleman from Illinois, and the abolition of five regiments of Cavalry is dictated solely for the purpose of trying to get some decrease in the expenditures without impairing the efficiency of the Army.

It has always seemed to me that when the Army or Navy bill was under discussion somebody somewhere discovered a war scare, which seems to be thrown at us for the purpose of trying to get us to maintain the expenditures at the height which they are now.

Now, we do not propose to impair the efficiency of the Army. We do not want to strike it down. If these five regiments of Cavalry are not to be maintained, this amendment ought to be adopted, because the money can be saved, and I hope, therefore, that the amendment will be agreed to.

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

The question was taken; and on a division (demanded by Mr. MANN) there were 37 ayes and 18 noes.

So the amendment was agreed to.

Mr. FOSTER of Illinois. Mr. Chairman, I move to amend by inserting, after the word "war," line 21, page 29, the words: *Provided further*, That no part of this appropriation shall be used for breeding purposes.

Mr. HAY. Mr. Chairman, I have no objection to that amendment.

Mr. SLAYDEN. Mr. Chairman, may I interrupt the gentleman for just a moment?

Mr. FOSTER of Illinois. Certainly.

Mr. SLAYDEN. Mr. Chairman, I want to say to the gentleman that in this country there is a great lack of horses that are suitable for military purposes. That has been recognized throughout the country. Tremendous effort has been made to equip the Army with proper horses, but the Government has not been able to find them. The race track has been abolished nearly everywhere, and its abolition has put a stop to the breeding of suitable horses. A few high-grade horses, horses that

Congress would never consent to purchase, have been presented to the Government, and I hope that no amendment will forbid the use of those horses for the general welfare of the country and of the service. I think that the language of the amendment offered by the gentleman from Illinois would put a stop to the use of horses that are worth, I am told, in one or two instances as much as fifteen or twenty thousand dollars each, which horses have been given to the Government by patriotic gentlemen who are or have been horse breeders.

Mr. HELM. Mr. Chairman, can the gentleman tell the committee where those horses came from?

Mr. SLAYDEN. Mr. Chairman, they probably came from Kentucky.

Mr. FOSTER of Illinois. This is the same provision that was put in the bill last year after quite a spirited discussion on the floor of this House.

Mr. HAY. It has been in the bill a long while.

Mr. FOSTER of Illinois. It was talked about a good deal at any rate. It occurs to me that the Government does not desire to go into business of this kind and that we ought to still carry this provision in the bill; that it is not the intention to buy these remount farms and then go into the business of raising horses.

Mr. HUGHES of New Jersey. Mr. Chairman, it seems to me that there is a great deal in the contention of the gentleman from Texas [Mr. SLAYDEN]. As perhaps all of the members of the committee know, a great change has taken place in the industry of breeding horses. The number of horses bred annually that are suitable for this particular purpose will be reduced a great many thousand each succeeding year, and I know it is true that a number of horses of great reputation, horses which sometimes to my sorrow have not lived up to their high reputation [laughter], have been presented to the Government.

Mr. HELM. The gentleman does not mean that they have not lived up to their reputation, but that they have not performed up to it.

Mr. HUGHES of New Jersey. Mr. Chairman, I have seen some Kentucky horses perform in such a way that I would be ashamed to admit that they came from the State of New Jersey. [Laughter.] I have seen them perform in such a manner as would be calculated to bring the blush of shame to the cheek of any gentleman from Kentucky. However, seriously, the United States Government has been donated a number of these horses. Thousands of them are being sent out of the country to France and Belgium or to England. There is grave danger that the Army, particularly the Cavalry branch, will be affected by this change in the condition of affairs. I do not see any prospect of a reaction against this wave of legislation which has swept across the country and made this tremendous change. I would like to have the members of the committee consider seriously whether it would not be wise to leave this limitation out of the bill.

Mr. SLAYDEN. Mr. Chairman, will the gentleman yield?

Mr. HUGHES of New Jersey. Certainly.

Mr. SLAYDEN. I will say to the gentleman that perhaps he knows that it was not the purpose of the War Department in the use of these horses that have been presented to the Government to go into breeding in competition with farmers; but it is their purpose, where farmers bring mares to these remount stations and other places where these valuable stallions are kept, to breed them. The farmer will own the progeny, but the Government will have an option, with the privilege of purchasing at a certain age, if suitable. Am I not right in that?

Mr. HAY. That is correct.

Mr. SLAYDEN. At least the amendment offered by the gentleman from Illinois ought to be amended to the extent of providing that the provision shall not deprive the Quartermaster's Department, where stallions are owned by the Government, of breeding them to mares belonging to farmers who live in the vicinity and who bring them there for that purpose. That is the suggestion I wish to make to the gentleman, so that the Government would not be deprived of the use of these valuable animals that are now in the actual possession of the Quartermaster General's Department.

Mr. SHERLEY. Mr. Chairman, the gentleman from New Jersey [Mr. HUGHES] is, I think, unfortunate in his experience with Kentucky horses. His misfortune grows out of his inability to distinguish between different kinds of Kentucky horses. We have both the good and the bad there. Addressing myself seriously to this proposition of the gentleman from Illinois, Mr. Chairman, the amendment would be a mistake, in my judgment. There have been some public-spirited men in America who have seen fit to donate to the Government stallions of great value that they might be used for breeding purposes, in order that the standard of horses suitable for Army purposes might be raised.

It does not entail any expense on the Government; it does not put the Government in the business of raising horses in competition with the people outside of the Government; but it does afford an opportunity that would not come by individual initiative and could never be expected to come from Government appropriations, of having sires of very great value for horses that may subsequently be used in the Army; and I can see no reason that will be beneficial in preventing the proper use of those animals which have been generously donated, and I can see very serious harm that will come from it.

Mr. JACKSON. Will the gentleman be kind enough to point out, for I have not paid very close attention, where this amendment of the gentleman from Illinois will prevent the thing of which the gentleman speaks?

Mr. SHERLEY. The very purpose of the amendment is to do that, as I understand it.

Mr. JACKSON. I did not follow the reading very closely—

Mr. SHERLEY. And if that be not its purpose, there is no reason, as I understand it.

Mr. JACKSON. I had this idea: That the purpose of offering the amendment was that it was only to prevent the purchase of horses.

Mr. SHERLEY. It would prevent the breeding, and the gentleman from Illinois confirms my understanding of his purpose. Now, it so happens that stallions have been presented, and I have reason to believe that several others will be, some of them imported stallions of very high value and worth.

Mr. JACKSON. I quite agree with the gentleman about that, but it seems to me this limitation of the gentleman from Illinois would only go to the use of horses purchased by this appropriation, the way it is worded.

Mr. SHERLEY. That is certainly not the intention of the gentleman from Illinois; and I assume, knowing him, that he has properly worded his amendment to bring about what he had desired, which was the prevention of use of those horses for breeding purposes.

Mr. FOSTER of Illinois. Mr. Chairman, I will state to the committee that the intention of this amendment, which is just the same as it has been in the law for some time, was in last year's law, was to prevent the Government from going into the business of breeding horses. Now, by leaving out this provision, and the buying of remount stations which was authorized in last year's bill, there is nothing to hinder the Army from purchasing horses of ages, sex, and size as may be prescribed by the War Department for remounts. Now, I take it, the language in this provision is such that it would enable them to go and buy all kinds of horses that might seem to them necessary to buy and we would have breeding farms wherever we have these remount stations.

Mr. HAY. Will the gentleman yield?

Mr. FOSTER of Illinois. In a moment. Now, we have denied this sort of undertaking for several years. Now the question is whether Congress wants to authorize the War Department to go into that sort of business again. I have not thought it was a proper thing for the War Department to engage in and do not believe that it ought to do it now, and for that reason I believe that this proviso ought to go into this bill. As stated here, this provision is not to prevent them from owning stallions which have been given, as suggested by my friend from New Jersey and by my friend from Kentucky. They have not disposed of them, but with this provision in here it does not change the law from what it was in the past, but it would prevent them from going into this business. Now, I do not believe it is a proper thing for the Government to engage in.

Mr. HAY. I want to call the attention of the gentleman to the fact that this provision about the purchase of horses of ages, sex, and size, as may be prescribed by the Secretary of War, are for remounts, which means horses to be used in the Cavalry and Artillery and by officers for mounts, not for breeding purposes. They are only allowed to buy them for remounts, that is all. And I may say to the gentleman there is no intention to buy any mares for the purpose of using them for breeding purposes.

Mr. FOSTER of Illinois. The gentleman from Virginia, as I understand it, is perfectly willing for this provision to go in the bill.

Mr. HAY. As far as I am personally concerned, but I think it is much wiser to leave it out.

Mr. FOSTER of Illinois. What was the object in leaving it out?

Mr. HAY. The object in leaving it out, as I told the gentleman before, was to permit the department to buy stallions of such character that would enable them to breed them to farmers' mares to raise horses for future use in the Army.

Mr. FOSTER of Illinois. Is there anything in this bill to prevent them under these conditions from raising horses at these remount stations?

Mr. HAY. Why, yes; there is no—

Mr. FOSTER of Illinois. Breeding mares—

Mr. HAY. No; there is no provision in the bill to use them for any such purpose. You can not use the remount station for a breeding station. As I say, I have been told repeatedly by the Quartermaster General and other officers who were in charge of these remount stations, that they are going to use them, not for the purpose of breeding, but as remounts, and that is what the bill prescribes.

Mr. FOSTER of Illinois. I think that is what they ought to do.

Mr. MOORE of Pennsylvania. The gentleman from Illinois [Mr. FOSTER] suggests that he does not think it good business for the Government of the United States to go into the breeding of horses?

Mr. FOSTER of Illinois. Yes, sir.

Mr. MOORE of Pennsylvania. Suppose the price of horses should be so high that it might be advisable for the Government to enter into the business?

Mr. FOSTER of Illinois. That is a question I can not tell anything about, but I do not believe the Government could go into the raising of them any cheaper than they can get them as private property. Then, I want to say this to the gentleman from Pennsylvania: The gentleman is opposed to the Government ownership of those things where they come in competition with private parties, is he not?

Mr. MOORE of Pennsylvania. Generally speaking; yes.

Mr. FOSTER of Illinois. Now, you want to advocate going into a business where you come in competition with private parties.

Mr. MOORE of Pennsylvania. I am very glad the gentleman has turned the question upon me, but he has not quite permitted me to get through with him. I would like to ask whether the gentleman would hold to that same policy of not going into the question of the breeding of horses by the Government if it applied to the business of making ammunition or arms in competition with private manufacturers?

Mr. FOSTER of Illinois. We do that on account of trusts and corporations which try to gouge the Government. The farmer is not doing that. There is no combination among farmers to try to gouge the Government as to the price of horses, as there is with the Powder Trust of the country. The gentleman does not compare the selling of horses with the Powder Trust, does he?

Mr. MOORE of Pennsylvania. The gentleman is growing quite eloquent in answer to my question. The difference that I see, so far as the gentleman's position has been stated, is this, that he is entirely in favor of protecting those who raise horses in the farming districts, but he is entirely against those who manufacture commodities in the manufacturing districts.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. FOSTER] has expired.

Mr. MOORE of Pennsylvania. The question is put squarely; that is all.

Mr. FOSTER of Illinois. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. I am satisfied not to be answered.

Mr. FOSTER of Illinois. I want to say this to the gentleman from Pennsylvania, that there is no combination between the farmers and the selling of horses, but the Government goes out and has competition in buying these horses of the farmer.

Mr. MOORE of Pennsylvania. Is not there an understanding—

Mr. FOSTER of Illinois. Just one minute, please.

Mr. MOORE of Pennsylvania. Is not there an understanding between those who raise potatoes and those who raise tobacco—

Mr. FOSTER of Illinois. I want to say this—

Mr. MOORE of Pennsylvania (continuing). About this matter?

Mr. FOSTER of Illinois. I want to say this, that when the Government goes out to purchase horses they do not purchase them from a great trust or combination—

Mr. MOORE of Pennsylvania. I may agree with the gentleman—

Mr. FOSTER of Illinois (continuing). But they go where there is competition among the farmers and try to get them as cheaply as they can, and get them from the farmers and not from the head of a great trust.

Mr. SHERLEY. I would like to suggest that while there is no combination in horses there is a difficulty in getting the right

kind of horses, and the whole purpose in this is to raise the standard of horses that are required by the Army. Now, let me ask the gentleman this question: Does he think it unwise for the Government, through the breeding of these stallions, to so raise the standard of horses sold by farmers to the Army as to provide the Army with suitable equipment for Army purposes?

Mr. FOSTER of Illinois. I will say to the gentleman from Kentucky that if we are going to engage in this new enterprise I suggest that we establish these stations in Illinois, Indiana, Iowa, Kentucky, Mississippi, and all of the other States. Why should we go into only two or three places in the United States and engage in that kind of business? That is the proposition exactly.

Mr. SHERLEY. We are not going into any place.

Mr. FOSTER of Illinois. That is the proposition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move that the time of the gentleman be extended one minute.

Mr. HAY. Mr. Chairman, I move that all debate be closed on this paragraph in one minute.

The CHAIRMAN. The gentleman from Virginia [Mr. HAY] moves that all debate be closed on this paragraph and amendments thereto in one minute. The question is on agreeing to that motion.

Mr. HAY. Mr. Chairman, I will amend my motion, and move now that all debate on this paragraph and all amendments thereto close in seven minutes, four minutes to be occupied by the gentleman from Mississippi [Mr. Sisson] and three minutes by the gentleman from Texas [Mr. Slayden].

The CHAIRMAN. By unanimous consent, the gentleman's first motion is withdrawn, and the question now is on agreeing to the modified motion.

Mr. MOORE of Pennsylvania. Mr. Chairman, I want one minute.

Mr. HAY. I move, then, Mr. Chairman, that all debate on this paragraph close in eight minutes, one minute to be occupied by the gentleman from Pennsylvania [Mr. Moore], four minutes by the gentleman from Mississippi [Mr. Sisson], and three minutes by the gentleman from Texas [Mr. Slayden].

The CHAIRMAN. The gentleman from Virginia moves that all debate on this paragraph and amendments thereto be closed at the expiration of eight minutes.

Mr. MANN. I understood that the gentleman asked unanimous consent to divide the time.

The CHAIRMAN. The time to be divided as indicated. The question is on agreeing to that motion.

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

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. Moore.]

Mr. MOORE of Pennsylvania. Mr. Chairman, the question that was raised a moment ago by the distinguished gentleman from Illinois [Mr. Foster] was a question of very great interest. But it works both ways. It is very clear that the Member who comes from the district made up very largely of agriculturalists, as is that of the gentleman from Illinois, is interested in protecting the industries of that district. So by the same token am I interested in protecting the industries of my district. If it happens that people are raising horses in his district, he stands naturally for the protection of horses on account of the very large private interests which prevail there, with a view to selling them to the best customers that can be obtained, including the Government of the United States. The gentleman from Illinois speaks of the great trusts and monopolies that arise among the manufacturing industries of the country. It is true that a man who erects a mill and produces a line of manufactured goods which others do not produce may have what may be termed a monopoly until competition develops in the production of those articles; but I call the attention of the gentleman to the fact that a man who owns a prize stallion, particularly in the district represented by the gentleman from Illinois, has in fact a monopoly with which there can be no competition. [Laughter.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I am through, Mr. Chairman.

Mr. Sisson. Mr. Chairman, the proposition that is presented here now is that the Government of the United States shall go into a very peculiar character of business. I do not recollect myself just when the proviso first went into the bill; the chairman of the committee said it went into it several years ago; but I do recollect that the last time this bill was up for consideration there was quite a good deal of discussion about the proviso, and the reason the proviso was put into the bill was because the Government had indicated that it would go quite extensively into this business. But as I understand it now the proposition is not to own a stock farm, but to own a certain number of stallions, and to give the farmers the special

privilege of breeding their mares to the stallions that might be in their neighborhood.

Now, I do not think it is wise at all for the Government to embark on this new character of business. The Congresses prior to this time, as soon as their attention was called to the matter, put in the proviso. With that preliminary explanation, my understanding is that some persons have given some good horses to the Government for the purpose of allowing them to be used for breeding purposes. This amendment would not prevent that being done. It simply means that the Government should not go into the business of buying mares and stallions for the purpose of raising and breeding horses.

As suggested by another gentleman, it seems that this thing is getting in by indirection, and the Government then will be permitted to do that which the gentleman now says they do not intend to do. How does he know? I understand that there was no positive authority given to the War Department to go into this business at first, and the proviso was put in for the purpose of preventing the enlargement of this character of business.

I agree fully with the gentleman from Illinois that it is rather unwise for the Government to embark in any particular kind of business to obtain things that the Government ought to have. I do not believe it would be wise to raise corn or wheat, or go into the business of raising forage or producing milk and butter or other food for the soldiers in the Army. I think that ought to be left to private individuals, and the Government ought to stay out of business as much as possible, and not embark in too much business. I think this is a step in the wrong direction.

Mr. KAHN. How does the gentleman feel in regard to ammunition?

Mr. Sisson. As far as I am personally concerned, if the Government can procure the ammunition at a reasonable price, I would not be in favor of the Government establishing large powder factories; but under the present régime we only make just enough powder to try to keep the price down by competition, so that we can obtain powder at a reasonable price.

Mr. Slayden. I hope the amendment offered by the gentleman from Illinois [Mr. Foster] will not prevail. It is to reinsert in the bill this language:

That no part of this appropriation shall be used for breeding purposes.

As I said a while ago, the Government has had presented to it some exceedingly valuable stallions. These horses must be foraged, stabled, kept, and cared for. They are exceedingly valuable property, and some part of this appropriation will be necessary in order to provide for them.

I regret very much that this amendment has been offered, because, as a representative of the farmer, and a man who is jealous of the farmers' interest and wants to protect that interest, I regret the offering of this amendment, because it happens that the farmers in the vicinity of these remount stations where these stallions are are exceedingly anxious to have the privilege of breeding their mares to them, the Government merely retaining the option of buying such horses when they reach the age of two or three years, at which period in the life of the animal the Quartermaster's Department proposes to buy them and train them for the Cavalry service.

Everybody knows that horses have grown to be very scarce in the last few years. Twelve or fifteen years ago the Government was able to supply its Cavalry and Artillery horses at prices ranging from \$90 up to \$125. Now, I think the last figures indicated that the average price paid was about \$175. Something must be done, or in a short time the horses necessary for the Army will not be available in this country.

We have authorized the Government to construct a powder plant. I myself introduced a bill to provide for that. Not that I believe the Government ought to supply all of its own powder, but that I believe it ought to be in a position to exercise some influence in the manufacturing and in the fixing of the price, and in such a way that the people will not be robbed by combinations or excessive prices. I am not afraid that the farmers are going to form any combination. They are not going to. They are not in a position to do it. As a matter of fact, they have not a supply of horses sufficient to furnish the Government with what it needs in that line. But we must have these horses. They are a military necessity, and if the farmers will not breed them we must. They want the use of these stallions at these remount stations, and I think, as a friend of the farmers, it would be very cruel of the gentleman from Illinois [Mr. Foster] to insist on his amendment and deprive them of that privilege. The Government is not going into breeding on a large scale.

Mr. Foster of Illinois. Do you know that the Government has raised these race horses and that they have been put into

aces? Does the gentleman know they have been put into running races? Are we to engage in that sort of business?

Mr. SLAYDEN. I do not feel so outraged at that.

Mr. FOSTER of Illinois. They have been entered in races where money has been bet on them and where the bookmakers have been at work.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The Clerk will report the amendment.

The Clerk read as follows:

Page 29, line 21, add after the word "war" the following: "Provided, That no part of this appropriation shall be used for breeding purposes."

The question being taken on the amendment, on a division (demanded by Mr. FOSTER of Illinois) there were—ayes 9, noes 31.

Accordingly the amendment was rejected.

The Clerk read as follows:

Barracks and quarters: For barracks, quarters, stables, storehouses, magazines, administration and office buildings, sheds, shops, and other buildings necessary for the shelter of troops, public animals, and stores, and for administration purposes, except those pertaining to the Seacoast Artillery; for repairing public buildings at military posts; for extra-duty pay to enlisted men and hire of employees; for rental of the authorized allowance of quarters for officers on duty with the troops at posts and stations where no public quarters are available; of barracks or authorized allowance of quarters for noncommissioned officers and enlisted men on duty where public quarters are not available; of grounds for cantonments, camp sites, and other military purposes, and of buildings or portions of buildings for occupation by troops, for use as stables, storehouses, and offices, and for other military purposes; for the hire of recruiting stations and lodgings for recruits; for such furniture for the public rooms of officers' messes and for officers' quarters at military posts as may be approved by the Secretary of War; for wall lockers in permanent barracks and refrigerators in barracks and quarters; for screen doors, window screens, storm doors and sash, and window shades for barracks, offices, and quarters, and for flooring and framing for tents: *Provided*, That no part of the moneys so appropriated shall be paid for commutation of fuel or quarters to officers or enlisted men: *Provided further*, That the number of and total sum paid for civilian employees in the Quartermaster General's Department, including those paid from the fund appropriated for regular supplies, incidental expenses, barracks and quarters, Army transportation, clothing, camp and garrison equipage, shall be limited to the actual requirements of the service, and that no employee paid therefrom shall receive a salary of more than \$150 per month, except upon the approval of the Secretary of War: *Provided further*, That of the amount herein appropriated the sum of \$25,000 shall be immediately available for the construction of barracks and quarters: *Provided further*, That no part of this appropriation shall be expended at any Army post which the Secretary of War has decided or may decide to abandon in the interest of the service, \$1,721,389.

Mr. FITZGERALD. Mr. Chairman, I wish to reserve a point of order to line 20, 21, and 22, on page 31. The language is "that of the amount herein appropriated the sum of \$25,000 shall be immediately available for the construction of barracks and quarters." I would like to ask the gentleman from Virginia, chairman of the committee, why that provision is put in—what is the deficiency?

Mr. HAY. I will say to the gentleman that \$25,000 is supposed to be spent on the barracks and quarters in the Territory of Alaska. They have to have it as soon as possible so they can use it in the spring.

Mr. FITZGERALD. Then it is not a deficiency?

Mr. HAY. Oh, no.

Mr. FITZGERALD. Mr. Chairman, I withdraw the point of order.

Mr. HAY. Mr. Chairman, I offer the following amendment. The Clerk read as follows:

Provided further, That no part of this appropriation shall be expended at any of the following-named Army posts: Fort Apache, Ariz.; Boise Barracks, Idaho; Fort Brady, Mich.; Fort Clark, Tex.; Fort George Wright, Wash.; Fort Jay, N. Y. (mobile garrison only); Fort Lincoln, N. Dak.; Fort Logan H. Roots, Ark.; Fort McIntosh, Tex.; Fort Mackenzie, Wyo.; Madison Barracks, N. Y.; Fort Meade, S. Dak.; Fort Niagara, N. Y.; Fort Ontario, N. Y.; Fort Wayne, Mich.; Whipple Barracks, Ariz.; Fort William Henry Harrison, Mont.; Fort Yellowstone, Wyo.; Fort Ethan Allen, Vt.; Plattsburg Barracks, N. Y.; Fort Robinson, Nebr.; Fort Missoula, Mont.; Fort Logan, Colo.; Fort Douglas, Utah; Fort D. A. Russell, Wyo.

Mr. HAY. Mr. Chairman, I offer that amendment to carry out the views of the Secretary of War, which he transmitted to Congress in answer to House resolution 343. On page 14 of that report the Secretary of War states as follows:

The names and cost of all Army posts which would have to be abandoned in order to put an end to the extravagance and inefficiency resulting from improper distribution of the mobile army:

(a) The following posts should be abandoned as soon as suitable provision can be made elsewhere for their garrisons:

	Total cost to date.
Fort Apache, Ariz. (a possibility of Indian trouble near this post still exists)	\$73, 639. 07
Boise Barracks, Idaho	398, 049. 73
Fort Brady, Mich	445, 104. 17
Fort Clark, Tex	138, 748. 23
Fort George Wright, Wash	694, 854. 32
Fort Jay, N. Y. (mobile garrison only; not suitable for mobile troops, but should be retained as headquarters of the eastern division and the site of the Eastern Military Prison)	213, 592. 84
Fort Lincoln, N. Dak	618, 459. 27

Fort Logan H. Roots, Ark	\$428, 136. 67
Fort McIntosh, Tex	224, 028. 50
Fort Mackenzie, Wyo	1, 218, 966. 00
Madison Barracks, N. Y	652, 934. 30
Fort Meade, S. Dak	1, 225, 787. 93
Fort Niagara, N. Y	428, 547. 85
Fort Ontario, N. Y	337, 637. 50
Fort Wayne, Mich	542, 354. 62
Whipple Barracks, Ariz	602, 015. 69
Fort William Henry Harrison, Mont	478, 882. 58
Fort Yellowstone, Wyo	806, 511. 51

(b) The following posts are not located with a view of securing economy of administration and supply or a full measure of military effectiveness. Their garrisons should not be increased and should ultimately be withdrawn to such concentration centers as Congress may authorize:

Fort Ethan Allen, Vt	\$1, 007, 459. 61
Plattsburg Barracks, N. Y	938, 647. 33
Fort Robinson, Nebr	1, 071, 122. 28
Fort Missoula, Mont	593, 941. 00
Fort Logan, Colo	819, 253. 85
Fort Douglas, Utah	919, 229. 71

(Salt Lake City is a strategic point on account of the railway radiation, but this in itself is not sufficient reason for stationing a regiment at Fort Douglas. Such a regiment must forfeit opportunities of field training in combination with the other arms (Cavalry and Field Artillery), except at heavy expense for rail transportation.)

Fort D. A. Russell, Wyo 4, 025, 486. 15

(This post is not located with a view to maximum economy or strategic effectiveness. Its position in a sparsely settled region involves an increased cost for transportation of manufactured supplies, and its distance from recruiting centers makes the recruitment of its garrison more costly. But there are sufficient quarters at the post for a detachment of all arms, with ample facilities for training. There is an abundant water supply at the post, and climate and sanitary conditions are excellent. There is a large maneuver ground within easy marching distance of the post.)

I find on examination of this appropriation that \$173,000 of the appropriation is allotted to be expended at the posts included in the amendment which I have offered. I do not propose to cut off the appropriation, but my idea is that the money can be expended upon those posts where they propose to concentrate the troops, instead of being wasted and dissipated in posts which they do not propose to occupy.

Mr. SHERLEY. Will the gentleman yield?

Mr. HAY. Certainly.

Mr. SHERLEY. Are there any estimates at these posts for the expenditure of the money that would be saved?

Mr. HAY. No; the estimate is for the whole item; but, as the gentleman knows, the appropriations can be spent upon the posts where they propose to concentrate, and it would be much cheaper for the Government to do that than it would be to come to us in the future for a large appropriation to be expended on those posts where they intend to concentrate.

Mr. SHERLEY. But the gentleman proposes to give it to these posts without any knowledge as to what it is to be expended for.

Mr. HAY. It is proposed that the amount saved at these posts shall be expended at the posts at which they propose to concentrate.

Mr. SHERLEY. I agree with the gentleman as to the saving at these posts mentioned, but why give them a free hand at the other posts? I think the expenditure for barracks and quarters of these amounts is indefensible. Congress ought not to appropriate a dollar for the expenditure in any place without full and detailed estimates by the department and a full and detailed hearing on that appropriation. [Applause.]

Mr. HAY. I will say that the hearings in this case show where every dollar is to be spent, for what building, for what purpose it is to be spent; every dollar of the appropriation is itemized, and it is pointed out where it is to be spent.

Mr. SHERLEY. But the gentleman proposes that these sums that are to be saved at the posts that he is going to prohibit the expenditure upon shall be turned over without knowing where it is to be expended or how much is to be expended.

Mr. HAY. It is only to be used on the posts that they are compelled to build up in order to concentrate the troops.

Mr. SHERLEY. I want to say that the extravagance has been of two kinds, not only at the place where the expenditure has been made but the character of the expenditure itself.

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

Mr. SHERLEY. I ask that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Kentucky asks that the gentleman from Virginia have five minutes more. Is there objection?

There was no objection.

Mr. SHERLEY. While you are eliminating places you are not eliminating the absolute discretion on the part of the department as to the additional sums of money.

Mr. HAY. I do not agree with the gentleman from Kentucky that the department can not be trusted to wisely expend this money at the posts which they are going to occupy in the future. I believe it will be much better to build up these posts out of current appropriations than to come to Congress for a large appropriation, and they will have to have them if they are going to pursue the concentration policy; and if that policy is going to be adopted by Congress, as seems to be the view of Congress to-day, we have got to spend millions of dollars to build up these posts after the abandonment of the old ones.

Mr. KAHN. Will the gentleman yield?

Mr. HAY. Yes.

Mr. KAHN. Is it not a fact that one of the reasons why the posts have not been abandoned heretofore is that there was no place to put the troops that are there in other barracks and quarters?

Mr. HAY. Of course that is one reason, but it is not the main reason. The main reason has been that certain posts have not been abandoned because the political influence—as suggested by the Secretary of War in his report—has been great enough to compel the department to keep the posts whether they wanted to keep them or not. The department is now undertaking to shift its responsibilities on to Congress. The department has the power to abandon any post, but they say they can not do it for the reasons given, and they ask us to do it for them. I am willing to assist, so far as I can, in that direction, because I believe it is well to do it.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. HAY. Certainly.

Mr. BUTLER. I understood the gentleman to say that the department concedes, or rather admits, that it has the power to abandon any post it pleases.

Mr. HAY. It does not have to admit it. That is the law.

Mr. BUTLER. While the appropriations are made for the posts they are disposed to occupy them with the troops. If this amendment prevails, there will be no appropriation for those points enumerated in the amendment.

Mr. HAY. There will be no appropriation for the upkeep or improvement of those posts.

Mr. BUTLER. But it does not follow from this that the posts will be abandoned?

Mr. HAY. Oh, not at all.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment to the amendment:

The Clerk read as follows:

Provided, That the Secretary of War be, and he is hereby, authorized to negotiate with the city of New York for the sale of Governors Island, New York Harbor, for park purposes, and to report to Congress at the beginning of the next regular session as to the terms upon which said property may be sold to the city of New York.

Mr. HAY. Mr. Chairman, on that I reserve a point of order.

Mr. FITZGERALD. Mr. Chairman, the amendment is subject to the point of order, but I trust that the gentleman from Virginia will not insist upon it. This amendment does not do any more than permit the War Department to enter into negotiations with the city and to report to Congress the terms upon which a sale may be made. The Secretary of War has recommended that Fort Jay be abandoned, so far as the maintenance of part of the mobile army is concerned. Fort Jay is the official name of Governors Island. The department desires to retain this island, however, as the headquarters for the Department of the East. Those who are familiar with its location, right in the harbor of New York, within five minutes by ferry from the Battery and an equal length of time from the Borough of Brooklyn, will appreciate the desirability of obtaining for park purposes for the congested districts of the great metropolis of the Western Hemisphere this ideal place.

Mr. MANN. Metropolis!

Mr. FITZGERALD. If it be not utilized for the mobile army, it is indefensible to utilize it simply as a desirable place of residence for high officers of the Army.

Mr. HAY. I understand they are going to use it for a military prison.

Mr. FITZGERALD. Yes; they have a military prison there. Old Fort Columbus, the original fort built during the Revolution, is so used. A few years since the Legislature of the State of New York permitted the Federal Government to enlarge this island by some 110 acres, if I recall correctly, in the belief that it was to be utilized for the mobile army.

Mr. SLAYDEN. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. SLAYDEN. I would like to ask the gentleman if he can express an opinion, capitalizing it practically on the rate of 2

per cent, of about how expensive such headquarters or offices would be?

Mr. FITZGERALD. I have not the slightest idea of the value of the property.

Mr. SLAYDEN. Many millions.

Mr. FITZGERALD. My colleague, Mr. PATTEN, endeavored to obtain an estimate, but was unable to do so in the time at his disposal.

Mr. SLAYDEN. Expensive at least for a prison or headquarters.

Mr. FITZGERALD. A few years since the Legislature of the State of New York authorized the Federal Government to enlarge the island. Three years ago the department submitted to Congress estimates for an appropriation of \$110,000 to pay architects' fees for the preparation of plans of buildings to be erected upon the island in connection with the mobile Army, and now we have this recommendation that it be abandoned for the use of the mobile Army. Some gentlemen are not familiar, perhaps, with that estimate, because it did not go to the Committee on Military Affairs, but properly went to the Committee on Appropriations.

If this property is not to be utilized for the mobile Army, if it is to be retained merely as a delightful headquarters for high officials of the Army for whom accommodations could be found in many of the numerous places about the city of New York essential for the defense of the city, it seems to me this petty excuse for wishing to maintain a military prison is too ridiculous to have the Government retain such valuable property practically in idleness. It ought to be utilized by the city of New York, and it is very greatly needed for the purposes mentioned—

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

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Illinois?

Mr. FITZGERALD. I yield to the gentleman.

Mr. MANN. The city of New York wants the island, I suppose; why should not they make the proposition; why should we make the proposition to the city to see if they will buy it from us?

Mr. FITZGERALD. I am making this suggestion, Mr. Chairman, because it seems to be the proper way for the Federal Government to proceed. Here is property practically useless, so far as the Federal Government is concerned, that would be highly beneficial to the city and useful to it. The Government has indicated that it only desires to retain it as a residence for high officials in command of the Department of the East. But a short time ago another department of the Government, controlling another piece of property with an institution of the utmost value to the Government and that would be of practically no value whatever to the city of New York, suggested or intimated to the officials of New York that the Federal Government would be pleased to negotiate for the acquisition of that property by the city. Between selling a navy yard, which is the only check which the Government has upon the Shipbuilding Trust of the country, and for which the Government has imperative use, to the city which could not possibly have any use whatever for it, and selling property for which the Government has no use at all and which could be utilized in a most beneficial manner by the city, I prefer to enter into a transaction which will result beneficially to both parties. Those who are familiar with the conditions in the city of New York will appreciate that if the Government does not need this property for military purposes it could best be utilized for park purposes. In no place in the United States is there a more appalling condition during the heated months of the summer than in the great congested districts of the city which are located very close to this island. With adequate ferry service it would be of a very great advantage to the poor people of the city if they could have access to that island during the hot summer months. If desirable, it could be turned over to the city with a provision giving the Federal Government the right to utilize it for military purposes in time of war—

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes.

The CHAIRMAN. The gentleman from Illinois makes the request that the gentleman from New York may proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FITZGERALD. If this were turned over to the city even upon the condition that it should be utilized only for park purposes, and that in time of war or other difficulty of any kind the Federal Government should have the right to reoccupy it and utilize it for purely military purposes, even then all the advantages from the occupation of the property by the Federal

Government would be reserved and at the same time it could be utilized beneficially in the way suggested.

Mr. PEPPER. Will the gentleman yield for a question?

Mr. FITZGERALD. Certainly.

Mr. PEPPER. I am not familiar with the island of which the gentleman speaks—

Mr. FITZGERALD. The gentleman is familiar with its situation, perhaps; it is just south of the Battery.

Mr. PEPPER. How many acres are there, or what is its area?

Mr. FITZGERALD. Several hundred acres; I am not sure of the exact acreage.

Mr. PEPPER. What is the character as to elevation?

Mr. FITZGERALD. It is a few feet above sea level.

Mr. PEPPER. How is it utilized at the present time, what is there on the island?

Mr. FITZGERALD. The headquarters of the Department of the East and some of the mobile army and old Fort Columbus, the original old stone fort which was built in the Revolutionary period, if I recall correctly, and which has been converted into a military prison.

Mr. HUGHES of New Jersey. Fort William?

Mr. FITZGERALD. No, Fort Columbus; certain military prisoners are detained there.

Mr. HUGHES of New Jersey. Do not they call it Castle William?

Mr. FITZGERALD. I believe not. It is located, I suppose, half a mile south of the Battery. There is a ferry to it, and it is very accessible to the congested portions of the city of New York.

If it is not to be utilized for the mobile Army, there are a number of places about the city of New York where the department headquarters could be established. I appreciate, of course, that it is a desirable place for the general commanding the Department of the East and his staff to live. It is quite accessible to the city. It makes it easy to participate in New York social life and it makes it a most congenial assignment for military officers, but if it is not to be utilized except for residences for Government officers it might much better be utilized in a manner where a large number of persons would obtain some benefit.

Mr. ANTHONY and Mr. CULLOP rose.

Mr. FITZGERALD. I yield to the gentleman from Indiana.

Mr. CULLOP. What is the character of the Government buildings there, whether new, old, valuable, or of little value?

Mr. FITZGERALD. I am not able to inform the gentleman.

Mr. CULLOP. I have been informed by the gentleman from New York [Mr. PATTEN] that they are principally old buildings and not of much value.

Mr. FITZGERALD. I think there are some new officers' quarters. My recollection is that there are some modern buildings. What I desire, if possible, would be to have the opinion of the department on this matter as to the necessity for retaining the island as a military institution, if not for the use of the mobile Army, and upon what terms it could be disposed of.

The gentleman from Kentucky [Mr. HELM] has handed me the following memorandum:

The original area of the reservation was 68.76 acres; land reclaimed, 105.24 acres, making a total of the present area within the sea wall 174 acres; submerged land, 30.50 acres, making the complete total 204.50 acres.

Mr. KAHN. Will the gentleman yield for a question?

Mr. FITZGERALD. I yield.

Mr. KAHN. How many prisoners are in the military prison there?

Mr. FITZGERALD. I do not know, but they could easily be disposed of elsewhere.

Mr. KAHN. Where could they be transferred to?

Mr. FITZGERALD. There are a number of military prisons. I happened to have the fortune, or misfortune, to visit that military prison at one time. My belief is that it would be much better from every standpoint, whatever is done with this island, that the men be quartered elsewhere. I have seen a good many prisons, from the outside mostly [laughter], and I do not think that this is quite a desirable one.

Mr. ANTHONY. Will the gentleman permit an interruption?

The CHAIRMAN. Will the gentleman from New York yield to the gentleman from Kansas?

Mr. FITZGERALD. I yield.

Mr. ANTHONY. I want to say that my information is that that place is not used as a permanent military prison. It is used as a place in which to assemble the local prisoners, from which the are transported to other prisons.

Mr. FITZGERALD. Some men are confined there for terms of a year or two.

Mr. ANTHONY. I want to say that I am entirely in accord with the object of the gentleman's talk.

Mr. FITZGERALD. If this island, right in the center of the city, of 204 acres, is not needed for military purposes, except for desirable residences for the officers, and if the city of New York should desire to acquire it and utilize it for park purposes, I believe it would be a proper thing for the Government to turn it over. If there be any special reason in the time of war for the occupation of it, let the right be reserved and the Federal Government take it in time of war.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FITZGERALD. I yield.

Mr. MOORE of Pennsylvania. Has the gentleman confined his thought in the resolution to the consideration of the ground for park purposes only?

Mr. FITZGERALD. That is all.

Mr. MOORE of Pennsylvania. And not for commercial purposes?

Mr. FITZGERALD. Oh, no; I do not think it would be desirable to turn it over for commercial purposes. I think the city of New York would pay as much for it for park purposes as would be paid for it for commercial purposes.

Mr. HELM. Mr. Chairman, I move to strike out the last word. The Committee on Expenditures in the War Department, from which emanated House resolution No. 343, which was offered by a member of that committee, the gentleman from Ohio [Mr. BULKLEY], has been investigating since last summer, and giving close attention to what I believe to be perfectly legitimate lines of investigation, this mobile army post evil. As soon as the letter of the Secretary of War in response to said resolution was sent to the House, or soon after it was sent, my attention was attracted to the statement in the letter which showed, among other things, that Fort Jay, on Governors Island, was one of the mobile army posts which the Secretary of War thought was not necessary for that purpose.

I got in communication with the Judge Advocate General for the purpose of making some inquiries in regard to this particular post. I had ascertained that there was some possible defect in the Government's title to it. I now send to the Clerk's desk a communication from the Judge Advocate General, which I received from him, bearing upon that particular feature of the proposition, and I ask that it be read in my time.

The CHAIRMAN. Without objection, the Clerk will read the document indicated.

The Clerk read as follows:

WAR DEPARTMENT,
OFFICE OF THE JUDGE ADVOCATE GENERAL,
Washington, February 9, 1912.

Hon. HARVEY HELM, M. C.,
House of Representatives.

DEAR SIR: In reply to your letter of the 8th instant, requesting information as to what proportion, if any, of the territory of Governors Island, New York Harbor, would revert to the State of New York in the event of the abandonment of the use of the same for military purposes, I have the honor to state that under date of February 7, 1912, this office, in a report regarding this reservation, said:

"According to the records of this office, Governors Island (Fort Jay), N. Y., along with other islands in the harbor of New York, was donated to the United States by act of the legislature of the State passed February 15, 1800. By act approved May 7, 1880, and patent from the governor thereunder, dated May 26, 1880, title to lands covered by water around this island, inter alia, was granted to the United States; and by acts of February 27, 1901 (ch. 46, Laws of 1901), and March 6, 1903 (ch. 18, Laws of 1903), and patents thereunder, dated March 7, 1901, and June 5, 1903, respectively, title was granted to additional water-covered lands for the enlargement of the reservation. The reservation includes the whole island and submerged lands contiguous thereto within limits containing an area of 204.5 acres. The Quartermaster General's office map of May, 1908, shows the limits of the several conveyances of submerged lands as specified above.

"The area of the island prior to recent filling operations was 68.76 acres, but this office has no information as to the number of acres reclaimed by filling operations or as to the cost of the bulkhead and filling in."

By act of May, 1880, "all the right and title of the State of New York" to certain "lands covered with water" adjacent to this reservation, inter alia, "and jurisdiction over the same, are hereby released and ceded to the United States * * * for the purpose of erecting and maintaining docks, wharves, boathouses, sea walls, batteries, and other needful structures and appurtenances" upon the proviso, inter alia, "that jurisdiction hereby ceded shall continue no longer than the United States shall own said lands." It is not understood that this language provides for any reversion of title in the event of the abandonment of the property for military purposes. The act of February 27, 1901 (ch. 46, laws of 1901), is not before me, but the patent issued thereunder contains the following language:

"By the provisions of section 4 of the above act the lands herein granted are exonerated and discharged from all taxes, assessments, and other charges which may be levied or imposed under the authority of this State, and the jurisdiction hereby ceded and exemption from taxation hereby granted shall continue in respect to said property so long as the same shall remain the property of the United States and no longer."

It will be noted that this provision applies only with respect to the exemption of the property from taxation and the matter of political

jurisdiction, and it is not understood to provide for any reversion of title in the event of the abandonment of the property for military purposes.

The act of March 6, 1903 (ch. 18, laws of 1903), in authorizing the conveyance "to the United States of America for a nominal consideration" of the submerged land described therein, provides, in section 2, that upon the issuing of letters patent thereto "the jurisdiction of the State of New York in and to said lands under water shall be considered as ceded to the United States of America." Section 3 of said act provides for the reservation of the right to serve process, and section 4 for the exemption of the property from taxation, and, further, that "the jurisdiction hereby ceded and exemption from taxation hereby granted shall continue in respect to said property so long as the same shall remain the property of the United States and no longer." It is not understood that there is any reversion of title to the lands acquired under the authority of this statute in the event of the abandonment of their use for military purposes.

Answering your inquiry as a whole, it is not understood that any part of the reservation of Governors Island would revert to the State in event of its abandonment for military purposes.

Very respectfully,

E. H. CROWDER,
Judge Advocate General.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HELM. Mr. Chairman, I ask unanimous consent that my time be extended 10 minutes.

Mr. HAY. Does anybody on the other side desire time?

Mr. MANN. There are several gentlemen here who want time.

Mr. HAY. How much time?

Mr. MANN. There are several gentlemen here who want time, but I do not know how much.

Mr. HAY. I do not want to cut off the time, but I want to ascertain how much time is desired.

Mr. MANN. Several gentlemen are interested in this matter who were not here when it was first taken up, and they have been sent for.

Mr. HAY. I do not want to cut off debate, but I am anxious to proceed.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to proceed for 10 minutes longer. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Kentucky [Mr. HELM] is recognized.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. HELM. Certainly.

Mr. PEPPER. Mr. Chairman, I wanted to ask the chairman of the Committee on Expenditures in the War Department if he has any data at hand with reference to the expenditures upon this post within the last few years?

Mr. HELM. The total cost of the buildings, and so forth, to June 30, 1911, was \$322,000 plus. The total sum expended in the last five years for repairs was \$39,000.

Mr. PEPPER. I wanted to call the gentleman's attention to the hearings, on page 210, where the expenditure is set down as \$56,244.96.

Mr. HELM. That is cost of construction for some year, I suppose. The \$39,000 is for repairs.

Mr. Chairman, I have been very much interested in this subject, and I am heartily in favor of the amendment offered by the gentleman from New York. I believe that it is an incontrovertible fact that this island the title to which the Adjutant General now says there is no doubt about, located as it is within a stone's throw of Wall Street, at the very entrance of New York's harbor, containing two hundred and some odd acres of land, is of almost priceless value. I do not believe there is a man on this floor who can estimate the value of that little spot of ground with any degree of accuracy. I do not believe that the Waldorf-Astoria is to be compared with it in value. I would put it this way, that there is not a spot of equal size on the Western Hemisphere that can compare with it in value.

Some men have undertaken to form some conception or estimate of its value. I have heard that one of the leading papers in New York said its real estate agent had stated it would require 30 days in order to reach any approximate estimate of the value of the land. It can be connected with the city by tunnel or by bridge, so as to throw it into immediate connection with the very heart and pulse of New York City.

As to the absolute folly and absurdity of the Government maintaining an Army post on that island I will not undertake to speak, because I have not the remotest idea of its exact value. I have seen it stated more than once in the papers that the value of Central Park, in New York City, while it is far, far larger than this island, and is for that reason, among others, more valuable than this island, the estimates as to the value of Central Park run into the billions. But here the United States Government is the owner of and in possession of this island, maintaining a little out-of-date Revolutionary prison on it, with some elegant quarters also on it. If there is a Member within

the sound of my voice who can form any estimate of its value I would like to hear an expression from him.

The cost to the Government of maintaining that Army post there is the interest-earning capacity of the proceeds of the sale price of that island. If you were to say it is worth \$100,000,000 at 2 per cent, you would get the cost of the maintenance of the post.

If you go higher or lower you can see what it costs the Government, this joke of a post. As a business proposition, I would say it would be far cheaper to rent an entire floor in the best-equipped hotel in the city of New York as headquarters for these military dignitaries that are located on Governors Island, because the interest on the proceeds of the sale price of this island would pay the rent of that floor and then turn in a handsome profit to the Treasury of the United States.

This, to my conception, is but one of the many instances where the War Department has shown more concern for the comfort and ease of its officers than it has shown for the business side of its administration; and I want to say, with nothing but the kindest feeling toward the War Department, that the time has come when—

The CHAIRMAN. The time of the gentleman has expired.

Mr. AMES rose and was recognized.

Mr. HELM. Mr. Chairman, I should like some more time. I ask unanimous consent for 10 minutes more.

Mr. HAY. I hope the gentleman will not insist on that.

Mr. AMES. Mr. Chairman, I believe I was recognized. I desire to offer an amendment and have it considered as pending.

Mr. BUTLER. I ask unanimous consent that the gentleman from Kentucky [Mr. HELM] may proceed for 10 minutes.

Mr. MANN. Reserving the right to object, I should like to ask whether it is the intention of the gentleman from Virginia to cut off debate soon on this proposition. There are a number of gentlemen on this side who desire to be heard upon it.

Mr. HAY. I am anxious to get along with the bill, and I wanted to fix a time to close the debate, and to include everybody who wanted to speak, if possible. If I can do that, I should like to do so.

Mr. MANN. I do not think it is practicable to close the debate just now.

Mr. HAY. I do not propose to cut off anybody.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the time of the gentleman from Kentucky [Mr. HELM] be extended 10 minutes. Is there objection?

There was no objection.

Mr. HELM. Mr. Chairman, I may be a little bit zealous or enthusiastic on this proposition, but I am earnest and serious in my statements. I do not believe a more vital proposition has been presented to the House for consideration for a very considerable time. Certainly there is no one particular feature connected with this bill of more importance than this question which is now under discussion nor more far-reaching in its effect; this method of quartering the Army is a double evil, it is a wicked waste of money, and it prevents all possibility of an army that is a real fighting machine.

I assert that this Governors Island post is but an exaggerated specimen of one of the unbusinesslike methods of the War Department. Why, that prison is a joke. I may be inexperienced, and may be all wrong, but not living in New York, and far remote from it, I have an opinion that the value of this island runs up into many millions of dollars. Here the Government of the United States is in the ridiculous position of maintaining a fort on a piece of property that I dare say there is not a Member on this floor who would venture to estimate the value of.

There are to-day 49 of these mobile army posts in the United States. Thirteen have been abolished. That makes 62 in all, on which the Government of the United States has expended between \$50,000,000 and \$60,000,000. Now, look at the proposition. There comes in a resolution in which the Secretary of War says that 41 of the remaining 49 posts should be abolished. That is a proposition that ought to address itself to the most serious consideration of the membership of this House. Here, in this letter from the Secretary of War, is a statement that you are carrying in this bill right here the sum of \$5,500,000 that you need not have carried except for these unnecessary, superfluous Army posts. There is a statement by the Chief of Staff in the hearings before the Committee on Expenditures in the War Department in which he says, in substance, that these 49 Army posts are an absolute injury to the Army; that they are working harm and disaster to your Army; that they are, in fact, disorganizing it. That is the statement; that they do not make for efficiency; that if you would abolish them, and save the Government millions of dollars, you would also have a more efficient Army.

I want to say, in all kindness, that the time has come when the people of the United States are going to demand better results for their expenditures for military and naval purposes; and unless the War Department makes up its mind to give the people better results for the millions that they are expending on the military and naval forces, in my opinion, there is going to be a revolt against these heavy expenditures.

I am not a military man, but it is a most serious proposition to me to be expending \$100,000,000 annually and getting no better results than officers who are acquainted with the facts in the case are bound to admit. The best place to begin the operation of cutting down these expenses is on these mobile army posts. The department says it can get along with eight of them, and with eight they can build up efficiency in the Army that it is impossible to do now.

I want to make this statement, and I believe it is the correct one: You can not have an army without money, but you can not build up an army or organize an army with money alone. It takes something more than money to make an army.

You may spend a billion dollars annually, but unless the money is well spent, unless there is an organization and teamwork, some good headwork being used instead of spending money lavishly and extravagantly, you never will have an Army. I do not believe the people are unwilling to spend liberal sums for the Army, but I do believe that if they ever come to realize the fact that we are spending millions upon millions and not getting reasonable results, that the time will come, and come soon and speedily, when they will revolt against such lavish expenditure and waste of money.

Somebody has asked, What are you going to do with the 41 posts? My remedy for that situation is to sell them. I have some figures here. There are 13 posts that have already been abandoned. Some say when you abandon them you have to have quarters in which to put and keep the Army. True, but you do not have to sell the posts to-morrow and give possession the next day. Sell them and retain possession of the posts sold until, with the proceeds of the sale, after having decided upon some strategic, suitable, and proper places, then sufficient quarters in which to house the Army can be constructed with the money derived from the sale of the posts. Get the troops together in much larger bodies. Sell Governors Island; it will pay for all additional construction that will be required and have millions left.

There is Fort Assinboine, that has been abandoned, and in that reserve there are 704,000 acres of land. My information is that this reservation contains very valuable land. I called up the office of the Secretary of the Interior, and I was informed that that land has not been sold. There are some squatters or some people on it claiming rights. But here are 704,000 acres of land at one Army post. Suppose it is worth only \$1 an acre, that would be \$704,000 that can be used where it may be found best to establish a concentration post.

Then here is Fort Dusehene, with 3,480 acres; Fort Niobrara, with 34,560 acres; Fort Wingate, with 83,200 acres.

Mr. KINKAID of Nebraska. Will the gentleman yield?

Mr. HELM. Yes.

Mr. KINKAID of Nebraska. Fort Niobrara has already been abandoned.

Mr. HELM. I understand that; I am only showing the House the amount of land that these abandoned posts have.

Mr. KINKAID of Nebraska. Fort Niobrara has 64,000 acres.

Mr. HELM. The record furnished by Gen. Aleshire shows that there are 34,000.

Mr. KINKAID of Nebraska. But there has been an addition put on since then. Some of it is worth a dollar or two an acre, and some of it not worth more than 50 cents an acre.

Mr. HELM. Now, Mr. Chairman, in the list of posts that the Secretary of War has slated for abandonment here is Fort Apache, with 7,421 acres.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CULLOP. I ask unanimous consent that the gentleman may have 10 minutes more.

Mr. HAY. Mr. Chairman, I am compelled to object. The gentleman has already occupied 25 minutes, and there are other Members desirous of speaking.

Mr. HELM. I will take five minutes.

Mr. HAY. I will not object to five minutes.

The CHAIRMAN. The gentleman asks unanimous consent that he may have five minutes more. Is there objection?

There was no objection.

Mr. HELM. Now, here are Boise Barracks, with 636 acres; Fort Clark, 3,965 acres; Fort Root, 1,022 acres; Fort Logan, 1,072 acres; Fort McKenzie, 6,280 acres; Fort Whipple, 1,730 acres; Fort William Henry Harrison, 1,040 acres; Fort D. A.

Russell, 22,000 acres; Fort Douglas, 8,895 acres; Fort Robinson, 23,400 acres.

I submit to this House that if you can get \$1 an acre or 50 cents an acre for these tracts of land, you can get a sufficient sum of money to construct sufficient quarters at pivotal or strategic points and not take a single additional dollar out of the Treasury. Sell this land; get rid of it. It is costing you to-day \$5,500,000 that it ought not to cost. I have some figures here that show that since May 1, 1908, the War Department has cost the United States Government over \$2,000,000,000. I ask unanimous consent to extend my remarks by inserting these figures in the Record.

Now, I submit to this House if, when the Secretary of War said you have no need for these posts, that they are working injury to your Army, that it is costing you \$5,500,000, the time has not come to sell them. I say it seems to me that this House, with such facts as these before it, should not continue to vote these sums of money that are demoralizing the Army and which, as long as you do vote for them, you can not have the Army. It is an impossibility. The Chief of Staff said that the recent mobilization on the Texas border was a failure as a division proposition. He said there was no division there; and officers have been before the Committee on Expenditures in the War Department and have vouched for the statement that, under the present arrangement and disposition of the Army, efficiency is impossible. The American Army to-day is—I shall not use exactly the term that is in my mind, but will content myself with saying that it is not an army such as the term ought to imply.

The methods you are pursuing here to have an Army are the very things that are going to continually keep you from having an Army, and under the plans you are working, work as long as you will, though millions and hundreds of millions of dollars be expended, you will still have no Army. You have not a division that you can put into the field as a division proposition—not one. The only attempt to have such a thing was in Texas, and I wish I had the license to state what I have heard about that mobilization. The whole thing traces back largely to the way you are housing your Army. You are keeping them scattered out at different places of the country. Officers testify and the records show that you are keeping two or three companies here and there all over the country, and that frequently they can not get more than 20 or 30 men out on drill work. What are you going to do when the time comes when you have got to throw a division together to meet an opposing force in battle? Troops that have never seen each other could do as well; troops that know as little about fighting together as a bunch of college boys, who have not been trained in team work on a football team. You might just as well go around to the different colleges in the country and get a champion football player out of one college, one out of another, and so on, put them into a match game and expect them to win against a team that has had real team work. You can not do it. I do not believe there is a Member on this floor who can successfully deny that as long as you persist in the methods you are now pursuing it is impossible to ever have an Army. [Applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing certain documents which I have in my hand.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the documents indicated by him be printed as a part of his remarks. Is there objection?

Mr. MADDEN. Are they maps?

The CHAIRMAN. Will the gentleman from Kentucky indicate what they are?

Mr. MADDEN. I object to them if they are maps.

The CHAIRMAN. The gentleman from Kentucky can give that information.

Mr. HELM. They are figures.

The CHAIRMAN. The Chair hears no objection, and it is so ordered.

The documents referred to are as follows:

WAR DEPARTMENT,
Washington, February 7, 1912.

SIR: I have the honor to forward herewith statements containing the information called for by paragraphs 1, 2, and 4 of your letter dated November 17, 1911.

Statement A shows the total amounts appropriated by all acts and resolutions passed by Congress for the support of the Army and the maintenance of the War Department from May 1, 1898, to June 30, 1911, inclusive, and statement B shows the expenditures made annually, by fiscal years, from these appropriations during the same period for the support of the Army and the maintenance of the War Department. These two statements contain the information called for in paragraph 1 of your letter, classified as requested in paragraph 4.

Statement C shows the total amounts appropriated annually and the title and date of the acts of appropriation from May 1, 1898, to June 30, 1911, inclusive, and statement D shows the amounts expended

from these appropriations annually during the same period. These two statements contain the information called for in paragraph 2 of your letter, classified as requested in paragraph 4.

The recapitulation on statement B is a summary of the figures contained on all the statements.

This furnishes all the information called for in your letter above referred to except that requested in paragraph 3, viz, the total amount appropriated and expended for and on account of the Spanish-American Volunteer Army for all purposes whatsoever since May 1, 1898.

By department letter of December 27, 1911, you were advised that in the absence of anything in the appropriation acts showing what portion of the funds appropriated by Congress was intended to cover the expenses of volunteers, the records of the department were not kept so as to show the expenditures separately for the Volunteer Army and the Regular Army, and that consequently any statement of appropriations and expenditures on account of the Spanish-American Volunteer Army that could be made would involve a very considerable expense of time and labor, and at best would be only an approximation. Work upon this feature of your request has therefore been suspended pending the receipt of your reply as to whether such a statement is still desired by the committee, in view of the conditions set forth in my letter above mentioned.

Very respectfully,

ROBERT SHAW OLIVER,
Assistant Secretary of War.

Hon. HARVEY HELM,
Chairman Committee on Expenditure in the War Department,
House of Representatives.

STATEMENT A.—Showing the date of, and the total amounts appropriated by all regular, public, private, and deficiency acts and resolutions passed by Congress during the period from May 1, 1898, to June 30, 1911, both dates inclusive, for the support of the Army and the maintenance of the War Department, classified under "military" and "civil" establishments.

Date of act.	Act.	Military establishment.	Civil establishment.	Total.
1898.				
May 4	Deficiency.....	\$35,569,945.41		\$35,569,945.41
7	Fortification.....	9,377,494.00		9,377,494.00
7	Private.....	15,000.00		15,000.00
31	Deficiency.....		\$50,000.00	50,000.00
June 8	Urgent deficiency.....	5,845,000.00		5,845,000.00
15	Private.....	80.00		80.00
27	do.....	113.00		113.00
29	do.....	132.10		132.10
July 1	Sundry civil.....	6,131,298.95	14,999,535.56	21,130,834.51
5	Private.....	212.50		212.50
7	do.....	1,273.09		1,273.09
7	Deficiency.....	181,044,764.43	623,632.32	181,668,396.75
8	Public.....	200,000.00		200,000.00
1899.				
Jan. 5	Urgent deficiency.....	23,354,720.16	426,992.50	23,781,712.66
16	Public resolution.....		500.00	500.00
Feb. 11	Public.....		2,000.00	2,000.00
21	do.....		65,000.00	65,000.00
21	Private.....		1,000.00	1,000.00
24	Legislative, executive, and judicial.....		1,965,906.00	1,965,906.00
Mar. 27	Military Academy.....	575,774.47		575,774.47
3	Army.....	80,430,204.06		80,430,204.06
3	River and harbor.....		15,091,841.94	15,091,841.94
3	Fortification.....	4,909,902.00		4,909,902.00
3	Sundry civil.....	6,132,064.24	9,783,179.00	15,915,243.24
3	Deficiency.....	15,254,984.00	10,480.25	15,265,464.25
3	Bowman and Tucker claims act.....	121,642.34	16,587.49	138,229.83
3	Public.....	3,630.15		3,630.15
1900.				
Jan. 31	Public resolution.....		4,000.00	4,000.00
Feb. 9	Urgent deficiency.....	131,949.63	192,500.00	324,449.63
Mar. 19	Public resolution.....		1,000.00	1,000.00
24	Public.....		2,095,455.88	2,095,455.88
31	Private.....	5,000.00		5,000.00
Apr. 7	Public.....	100,000.00		100,000.00
17	Legislative, executive, and judicial.....		2,110,946.00	2,110,946.00
18	Private.....	22,301.34		22,301.34
May 14	Public.....	6,000.00		6,000.00
16	Private.....		3,700.00	3,700.00
25	Fortification.....	7,383,628.00		7,383,628.00
25	Private.....	2,865.81		2,865.81
26	Army.....	114,220,095.55		114,220,095.55
26	Private.....		3,718.52	3,718.52
29	do.....	32,000.00		32,000.00
June 6	Sundry civil.....	6,869,135.01	16,387,823.75	23,256,958.76
6	Military Academy.....	674,306.67		674,306.67
6	Deficiency.....	133,275.55	17,748.50	151,024.05
6	Public.....	450,000.00		450,000.00
6	Private.....		300.00	300.00
6	do.....	195.00		195.00
6	do.....	5,389.86		5,389.86
6	do.....		100.00	100.00
6	do.....		5,000.00	5,000.00
7	do.....	100.00		100.00
7	do.....	8,000.00		8,000.00
Dec. 19	do.....	5,595.48		5,595.48
1901.				
Jan. 4	Urgent deficiency.....	66,150.00		66,150.00
23	Private.....	2,000.00		2,000.00
26	do.....	265.20		265.20
28	Public.....	250,000.00		250,000.00
Feb. 2	do.....	10,000.00		10,000.00
23	do.....		10,000.00	10,000.00
26	Private.....	241.00		241.00
Mar. 1	Fortification.....	7,364,011.00		7,364,011.00
1	Private.....		10,200.00	10,200.00
1	do.....		240.00	240.00
2	Army.....	115,734,049.10		115,734,049.10

STATEMENT A.—Showing the date of, and the total amounts appropriated by all regular, public, private, and deficiency acts.—Cont'd.

Date of act.	Act.	Military establishment.	Civil establishment.	Total.
1901.				
Mar. 2	Military Academy.....	\$772,653.68		\$772,653.68
2	Private.....		\$542.68	542.68
2	do.....	3,000.00		3,000.00
3	Legislative, executive, and judicial.....		2,118,066.00	2,118,066.00
3	Sundry civil.....	6,802,134.00	7,828,941.00	14,631,075.00
3	Deficiency.....	756,340.09	1,266.67	757,606.76
1902.				
Feb. 14	Urgent deficiency.....	2,465,372.31	22,083.50	2,487,455.81
27	Public.....	50,000.00		50,000.00
28	Private.....	6,000.00		6,000.00
Mar. 15	do.....	417.00		417.00
18	do.....	10,000.00		10,000.00
20	do.....		500.00	500.00
Apr. 7	Additional urgent deficiency.....	10,000.00		10,000.00
28	Legislative, executive, and judicial.....		2,074,216.00	2,074,216.00
29	Public.....		500.00	500.00
May 7	do.....		15,000.00	15,000.00
27	Omnibus claims act.....	1,002,277.31	225,795.95	1,228,073.26
27	Public.....	9,702.00		9,702.00
13	do.....		200,000.00	200,000.00
28	do.....	11,500.00		11,500.00
29	do.....	170,000.00		170,000.00
June 6	Fortification.....	7,298,955.00		7,298,955.00
13	River and harbor.....		26,771,442.00	26,771,442.00
18	Private.....	15,845.41		15,845.41
23	do.....	2,000.00		2,000.00
28	Public.....		25,000.00	25,000.00
28	do.....		3,000.00	3,000.00
28	do.....	57,131.71		57,131.71
28	Military Academy.....	2,627,324.42		2,627,324.42
28	Sundry civil.....	8,479,913.00	7,330,408.50	15,810,321.50
30	Public resolution.....		100,000.00	100,000.00
30	Private.....		50.00	50.00
30	Army.....	91,730,136.41		91,730,136.41
July 1	Public.....	75,000.00		75,000.00
1	do.....	450.00		450.00
1	Deficiency.....	3,685,770.65	81,021.31	3,766,791.96
Dec. 22	Urgent deficiency.....		8,000.00	8,000.00
27	Private.....		2,427.84	2,427.84
1903.				
Jan. 24	do.....	5,683.00		5,683.00
30	Public resolution.....		10,000.00	10,000.00
Feb. 5	Private.....	5,000.00		5,000.00
7	Public.....		3,850.00	3,850.00
7	Private.....	5,500.00		5,500.00
9	do.....	500.00		500.00
9	do.....	200.00		200.00
12	do.....	2,000.00		2,000.00
18	Public.....		61,500.00	61,500.00
18	Private.....	766.64		766.64
25	Legislative, executive, and judicial.....		2,012,986.00	2,012,986.00
Mar. 27	Public.....		100,000.00	100,000.00
27	Army.....	77,888,752.83		77,888,752.83
3	Military Academy.....	652,748.67		652,748.67
3	Fortification.....	7,188,416.22		7,188,416.22
3	Sundry civil.....	10,343,130.50	24,155,960.99	34,499,091.49
3	Deficiency.....	5,309,451.39	101,906.15	5,411,357.54
3	Private.....	1,020.00		1,020.00
3	do.....	135.60		135.60
1904.				
Feb. 18	Urgent deficiency.....	1,281,695.81	24,552.61	1,306,248.42
Mar. 3	Public.....	20,545.70		20,545.70
15	Private.....	241.60		241.60
18	Legislative, executive, and judicial.....		1,925,716.00	1,925,716.00
Apr. 15	Private.....	269.76		269.76
21	Fortification.....	7,518,192.00		7,518,192.00
23	Army.....	77,070,300.88		77,070,300.88
27	Deficiency.....	1,843,508.45		1,843,508.45
28	Military Academy.....	973,947.26		973,947.26
28	Public.....		3,000,000.00	3,000,000.00
28	Sundry civil.....	8,587,557.75	8,840,955.00	17,428,512.75
28	Public.....	2,500.00		2,500.00
28	Private.....		500.00	500.00
1905.				
Jan. 5	Urgent deficiency.....		2,500.00	2,500.00
12	Private.....	1,142.70		1,142.70
18	do.....	7,000.00		7,000.00
18	do.....	99.00		99.00
23	Public.....	4,000.00		4,000.00
Feb. 3	Legislative, executive, and judicial.....		1,868,766.00	1,868,766.00
24	Omnibus claims act.....	865,994.11	35,805.42	901,799.53
Mar. 2	Army.....	70,396,631.64		70,396,631.64
3	Military Academy.....	673,713.38		673,713.38
3	River and harbor.....		16,133,149.75	16,133,149.75
3	Fortification.....	6,747,893.00		6,747,893.00
3	Sundry civil.....	7,980,649.50	11,315,887.00	19,296,536.50
3	Deficiency.....	2,798,655.30	15,224.40	2,813,879.70
3	Public.....		1,500.00	1,500.00
3	Private.....		60.82	60.82
3	do.....	25,000.00		25,000.00
1906.				
Feb. 26	Public.....		50,000.00	50,000.00
27	Urgent deficiency.....	989,793.24	27,431.88	1,017,225.12
Mar. 9	Public.....	200,000.00		200,000.00
27	do.....		4,350.00	4,350.00

STATEMENT A.—Showing the date of, and the total amounts appropriated by all regular, public, private, and deficiency acts, etc.—Cont'd.

Date of act.	Act.	Military establishment.	Civil establishment.	Total.
1906.				
Mar. 31	Private.....	\$1,456.17		\$1,456.17
Apr. 9	Public.....	12,405.08		12,405.08
16	Additional urgent deficiency.....	25,500.00		25,500.00
18	Private.....	119.11		119.11
19	Public resolution.....		\$2,500,000.00	2,500,000.00
21	do.....			
24	do.....			
June 30	Deficiency.....			
Apr. 23	Private.....	65.00		65.00
23	do.....	200.00		200.00
23	do.....	200.00		200.00
23	Public.....		400,000.00	400,000.00
28	Private.....	5,000.00		5,000.00
June 5	do.....	7,561.89		7,561.89
6	do.....	400.00		400.00
8	Public resolution.....		4,000.00	4,000.00
8	Public.....		50,000.00	50,000.00
8	do.....		50,000.00	50,000.00
8	do.....		30,000.00	30,000.00
8	do.....		40,000.00	40,000.00
12	Army.....	71,817,165.08		71,817,165.08
16	Public.....		30,000.00	30,000.00
20	do.....		35,000.00	35,000.00
20	Private.....	150.00		150.00
25	do.....		200.00	200.00
22	Legislative, executive, and judicial.....		1,988,103.00	1,988,106.00
25	Fortification.....	5,053,993.00		5,053,993.00
28	Public resolution.....		10,000.00	10,000.00
28	Private.....	150.00		150.00
28	do.....		155.65	155.65
28	Military Academy.....	1,664,707.67		1,664,707.67
29	Public.....		50,000.00	50,000.00
29	do.....	5,000.00		5,000.00
29	do.....		6,000.00	6,000.00
29	Private.....	350.00		350.00
30	do.....		3,250.00	3,250.00
30	Deficiency.....	2,600,872.38	67,847.35	2,668,719.73
30	Sundry civil.....	8,312,188.00	18,535,800.04	26,847,988.04
Dec. 19	Urgent deficiency.....	150,000.00		150,000.00
1907.				
Jan. 25	Private.....	3,000.00		3,000.00
25	do.....	2,000.00		2,000.00
25	do.....		850.13	850.13
25	do.....		6,000.00	6,000.00
Feb. 7	do.....	300.00		300.00
8	do.....	553.00		553.00
8	do.....	721.86		721.86
8	do.....	878.57		878.57
9	Additional urgent deficiency.....		65,000.00	65,000.00
16	Private.....	100.00		100.00
16	do.....	325.00		325.00
16	Legislative, executive, and judicial.....		2,008,856.00	2,008,856.00
27	Private.....		1,269.45	1,269.45
27	do.....	1,938.50		1,938.50
27	do.....	1,079.00		1,079.00
27	do.....	1,150.00		1,150.00
27	do.....		125.00	125.00
27	do.....		1,548.27	1,548.27
27	do.....	247.63		247.63
28	do.....		1,653.00	1,653.00
28	do.....		88.50	88.50
Mar. 1	do.....		434.55	434.55
2	Army.....	78,634,582.75		78,634,582.75
2	Military Academy.....	1,929,703.42		1,929,703.42
2	River and harbor.....		37,108,083.00	37,108,083.00
2	Fortification.....	6,898,011.00		6,898,011.00
2	Private.....		1,148.00	1,148.00
2	do.....	684.15		684.15
2	do.....	5,000.00		5,000.00
2	do.....	5,000.00		5,000.00
3	Deficiency.....	5,040,857.81	19,523.46	5,060,381.27
4	Sundry civil.....	9,658,652.00	7,443,030.99	17,101,732.00
4	Public resolution.....		10,000.00	10,000.00
4	Public.....		100,000.00	100,000.00
4	do.....		10,000.00	10,000.00
4	do.....		12,500.00	12,500.00
4	do.....		25,000.00	25,000.00
1908.				
Feb. 15	Urgent deficiency.....	4,105,539.90	25.10	4,105,565.00
20	Private.....	7,500.00		7,500.00
Apr. 7	Additional urgent deficiency.....	50,000.00		50,000.00
May 11	Army.....	95,382,247.61		95,382,247.61
11	Public resolution.....		250,000.00	250,000.00
19	Private.....	186.00		186.00
22	Legislative, executive, and judicial.....		2,014,748.00	2,014,748.00
27	Fortification.....	9,316,745.00		9,316,745.00
27	Sundry civil.....	11,082,920.72	19,071,865.00	30,154,785.72
28	Military Academy.....	845,634.87		845,634.87
29	Joint resolution.....		4,000.00	4,000.00
30	Deficiency.....	1,610,231.09	10,750.00	1,620,981.09
1909.				
Jan. 7	Private.....		1,742.66	1,742.66
11	do.....	749.92		749.92
12	do.....		215,820.89	215,820.89

STATEMENT A.—Showing the date of, and the total amounts appropriated by all regular, public, private, and deficiency acts, etc.—Cont'd.

Date of act.	Act.	Military establishment.	Civil establishment.	Total.
1909.				
Jan. 21	Private.....	\$13,460.00		\$13,460.00
23	do.....		\$427.75	427.75
Feb. 1	do.....	1,500.00		1,500.00
4	do.....	1,312.45		1,312.45
6	do.....	500.00		500.00
6	do.....	268.02		268.02
6	do.....		185.00	185.00
8	do.....	150.00		150.00
9	Urgent deficiency.....	1,000.00	25,000.00	26,000.00
9	Private.....	1,003.18		1,003.18
11	do.....	291.37		291.37
13	do.....	300.00		300.00
13	do.....		286.35	286.35
16	do.....		2,727.05	2,727.05
23	do.....	109.87		109.87
24	do.....		128.00	128.00
24	do.....	100.00		100.00
25	do.....		96.40	96.40
Mar. 3	Army.....	101,198,883.34		101,198,883.34
3	River and Harbor.....		9,435,750.00	9,435,750.00
3	Fortification.....	8,170,111.00		8,170,111.00
3	Private.....		70.00	70.00
3	do.....		3,185.00	3,185.00
3	do.....	1,702.20		1,702.20
3	do.....	300.00		300.00
3	do.....	447.81		447.81
3	do.....	1,788.48		1,788.48
4	Deficiency.....	5,860,439.32	104.16	5,860,543.48
4	Sundry civil.....	11,668,794.16	20,748,564.00	32,417,358.16
4	Legislative, executive, and judicial.....		2,014,868.00	2,014,868.00
4	Military Academy.....	2,531,521.33		2,531,521.33
4	Public resolution.....		10,000.00	10,000.00
4	do.....		300.00	300.00
4	Private.....		1,848.55	1,848.55
4	do.....		1,556.70	1,556.70
4	do.....	100.00		100.00
4	do.....	3,000.00		3,000.00
4	do.....	3,390.00		3,390.00
Aug. 5	Urgent deficiency.....	226,714.66	36,600.00	263,314.66
1910.				
Jan. 19	Public resolution.....		10,000.00	10,000.00
Feb. 25	Urgent deficiency.....	1,928,263.08	38,006.10	1,966,269.18
Mar. 23	Army.....	95,440,567.55		95,440,567.55
Apr. 15	Public.....		25,000.00	25,000.00
19	Military Academy.....	1,856,249.87		1,856,249.87
21	Private.....	49,372.50		49,372.50
28	do.....		1,800.00	1,800.00
May 6	Public.....	10,000.00		10,000.00
9	do.....		100,000.00	100,000.00
9	Private.....	5,543.68		5,543.68
17	do.....	4,000.00		4,000.00
June 17	Legislative, executive, and judicial.....		2,026,248.00	2,026,248.00
17	Private.....		1,200.00	1,200.00
23	Fortification.....	5,617,200.00		5,617,200.00
23	Public.....	42,423.21		42,423.21
25	River and harbor.....		41,329,113.50	41,329,113.50
25	Sundry civil.....	8,163,430.82	8,089,253.00	17,152,683.82
25	Deficiency.....	1,308,562.10	223,645.77	1,532,207.87
25	Private.....		2,350.00	2,350.00
25	do.....		1,077.74	1,077.74
25	do.....	202.11		202.11
25	do.....		200.00	200.00
25	do.....	80.14		80.14
25	do.....	432.50		432.50
25	do.....	375.00		375.00
Dec. 23	Urgent deficiency.....	3,357.04		3,357.04
1911.				
Jan. 13	Private.....		1,500.00	1,500.00
14	do.....	237.36		237.36
Feb. 13	do.....		1,704.18	1,704.18
13	do.....	68.06		68.06
13	do.....	532.45		532.45
15	do.....		1,186.25	1,186.25
18	Public.....		50,000.00	50,000.00
18	Private.....		4,942.28	4,942.28
20	do.....	50.00		50.00
20	do.....	1,584.00		1,584.00
20	do.....	850.00		850.00
27	River and harbor.....		23,855,342.00	23,855,342.00
27	Private.....		758.75	758.75
28	do.....	14,582.04		14,582.04
Mar. 2	do.....		1,056.00	1,056.00
3	Army.....	93,374,755.97		93,374,755.97
3	Military Academy.....	1,163,424.07		1,163,424.07
3	Private.....		26,985.63	26,985.63
4	Sundry civil.....	7,316,179.82	8,261,127.00	15,577,306.82
4	Deficiency.....	1,325,603.57	469.80	1,326,073.37
4	Legislative, executive, and judicial.....		2,041,008.00	2,041,008.00
4	Fortifications.....	5,473,707.00		5,473,707.00
4	Private.....	1,080.00		1,080.00
4	do.....	150.00		150.00
4	do.....		537.40	537.40
Total.....		1,704,460,482.15	392,291,029.59	2,096,751,511.74
Balances, May 1, 1898.....				52,524,254.37
Total.....				2,149,275,766.11

STATEMENT B.—Expenditures for the support of the Army and the maintenance of the War Department since May 1, 1898, to and including June 30, 1911, showing expenditures by fiscal years, classified under "military" and "civil" establishments.

	Military establishment.	Civil establishment.	Total.
Expended:			
May 1, 1898, to June 30, 1898.	\$25,108,827.70	\$2,572,466.15	\$27,681,293.85
July 1, 1898, to June 30, 1899.	201,514,673.64	17,371,779.18	218,886,452.82
July 1, 1899, to June 30, 1900.	110,175,380.51	20,767,628.21	130,943,008.72
July 1, 1900, to June 30, 1901.	120,070,834.25	21,009,985.61	141,080,819.86
July 1, 1901, to June 30, 1902.	93,974,727.25	16,097,725.52	110,072,452.77
July 1, 1902, to June 30, 1903.	91,591,533.81	25,890,167.03	117,481,700.84
July 1, 1903, to June 30, 1904.	89,010,099.54	24,752,916.85	113,763,016.39
July 1, 1904, to June 30, 1905.	94,119,947.28	25,317,532.48	119,437,479.76
July 1, 1905, to June 30, 1906.	85,962,396.26	26,593,955.79	112,556,352.05
July 1, 1906, to June 30, 1907.	93,525,946.76	26,040,132.51	119,566,079.27
July 1, 1907, to June 30, 1908.	100,431,384.52	31,293,690.96	131,725,075.48
July 1, 1908, to June 30, 1909.	118,204,778.06	35,691,467.27	153,896,245.33
July 1, 1909, to June 30, 1910.	118,953,603.75	29,740,612.39	148,694,216.14
July 1, 1910, to June 30, 1911.	110,741,705.38	34,558,969.43	151,300,674.81
Total	1,459,385,838.71	337,699,029.38	1,797,084,868.09
Reverted to surplus fund.			148,718,143.45
Balance, June 30, 1911.			65,265,755.31
Appropriation available July 1, 1911, for fiscal year 1912.			138,206,999.23
Total			2,149,275,766.11

STATEMENT B.—Expenditures for the support of the Army and the maintenance of the War Department since May 1, 1898, etc.—Continued.

RECAPITULATION.

	Military establishment.	Civil establishment.	Total.
Total appropriated by regular annual appropriation acts.	\$1,704,460,432.15	\$392,291,029.59	\$2,096,751,511.74
Total appropriated as result of permanent legislation.	84,567,083.81	23,071,473.07	107,638,556.88
Total	1,789,027,565.96	415,362,502.66	2,204,390,068.62
Balance May 1, 1898.			55,617,884.01
Total			2,260,007,952.63
Total expended from regular annual appropriation acts.	1,459,385,838.71	337,699,029.38	1,797,084,868.09
Total expended from funds accruing from permanent legislation.	77,237,566.20	22,570,994.56	105,114,088.23
Total	1,536,623,404.91	360,270,023.94	1,896,893,428.85
Reverted to surplus fund.			150,336,519.35
Balance June 30, 1911.			74,571,036.20
Appropriations available July 1, 1911, for fiscal year 1912.			138,206,999.23
Total			2,200,007,952.63

STATEMENT C.—Showing appropriations made pursuant to permanent legislation, during the period from May 1, 1898, to June 30, 1911, inclusive, classified under "military" and "civil" establishments.

Title of appropriations.	Date of acts.	Balances May 1, 1898.	Appropriated.						
			May 1, 1898, to June 30, 1898.	July 1, 1898, to June 30, 1899.	July 1, 1899, to June 30, 1900.	July 1, 1900, to June 30, 1901.	July 1, 1901, to June 30, 1902.	July 1, 1902, to June 30, 1903.	July 1, 1903, to June 30, 1904.
MILITARY ESTABLISHMENT.									
Arming and equipping the militia (permanent annual)	R. S. 1661.... Feb. 12, 1887 Aug. 18, 1894 June 6, 1900 Jan. 21, 1903 June 22, 1906 May 27, 1908	\$186,717.49		\$400,000.00	\$400,000.00	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00	\$1,000,000.00
Ordinance material, proceeds of sales (special fund)	Mar. 3, 1875	98,549.90	\$14,463.06	39,295.66	129,550.18	596,824.58	244,739.52	113,662.02	69,275.02
National defense war (special emergency appropriation)	Mar. 9, 1893		4,242,090.55	8,889,291.81	1,269,546.58	900,233.00			
Powder and projectiles, proceeds of sales (special fund)	Mar. 3, 1881	1,818.47			4.00		99.15		
Trusses for disabled soldiers (indefinite)	R. S. 1178....		5,000.00	5,003.00	8,314.69	8,000.00	6,003.00	6,343.00	5,761.90
Transportation of the Army and its supplies, Pacific railroads (indefinite)	R. S. 5260.... May 7, 1878 Mar. 3, 1879		3,438.76	67,555.61	531,173.58	626,991.13	861,433.58	234,543.03	347,781.38
Claims of officers and men of the Army for destruction of private property (indefinite)	Mar. 3, 1885			266.81		226.58	497.72	3,799.71	3,018.34
Soldiers' Home (indefinite)	R. S. 3689.... R. S. 4818.... Feb. 26, 1889	2,718,578.58	62,160.99	217,882.51	247,926.62	492,610.71	536,045.62	743,139.39	687,653.49
Bounty to the Fifteenth and Sixteenth Missouri Cavalry Volunteers (indefinite)	June 16, 1880			99.99	137.56	1,000.00			
Extra pay to Regular Army, War with Spain (indefinite)	Mar. 3, 1899 Jan. 12, 1899			665,000.00	24,696.55		17,254.26	25,408.55	
Extra pay to Volunteers, War with Spain (indefinite)	Mar. 3, 1899 May 26, 1900			2,340,000.00	915,624.82	249,324.61	65,284.59	21,985.00	228,435.41
Transportation of Volunteers, War with Spain (indefinite)	Mar. 3, 1899 July 8, 1898			38,988.57	37,673.00	1,657.06	142.16	362.50	
Reimbursement to States and Territories, expenses of raising troops for War with Spain (indefinite)	Mar. 3, 1899 Apr. 27, 1904 Mar. 11, 1908			1,281,878.07	1,131,881.04	964,186.77	599,431.34	217,852.35	39,305.72
Soldiers' Home, interest account (indefinite)	R. S. 3689.... R. S. 4818.... Mar. 3, 1883 Feb. 26, 1889				96,970.21	79,923.29	90,430.10	100,913.11	84,260.31
Soldiers' Home, permanent fund (trust fund)	R. S. 3689.... R. S. 4818.... Mar. 3, 1883 Feb. 26, 1889				266,444.04	492,623.66	536,045.62	743,139.39	642,403.35
Reimbursement for bringing home remains of officers and others (indefinite)	Mar. 3, 1899				1,051.85	801.08	154.76		
Extra pay to officers and men who served in the Mexican War (indefinite)	Feb. 19, 1879					1,212.00	21.00		
Supplying new arms and equipments for Organized Militia (indefinite)	Jan. 21, 1903								1,652,022.28
Arms, uniforms, equipments, etc., Organized Militia (indefinite)	May 27, 1908								
Replacing ordnance and ordnance stores (indefinite)	Apr. 23, 1904								
Pay of the Army, deposit fund (trust fund)	June 12, 1906								
Total, military establishment		3,005,664.44	4,327,153.36	13,945,262.03	5,060,994.72	5,415,614.47	3,957,635.42	3,211,148.05	4,759,920.20
CIVIL ESTABLISHMENT.									
Operating snag and dredge boats on Upper Mississippi, Illinois, and Minnesota Rivers (permanent annual)	{ Aug. 11, 1888 Mar. 2, 1907 Mar. 3, 1909	5,500.00		25,000.00	25,000.00	25,000.00	25,000.00	25,000.00	25,000.00
Gauging waters of the Mississippi and its tributaries (permanent annual)	{ Aug. 11, 1888 June 13, 1902	1,145.83		6,000.00	6,000.00	6,000.00	6,000.00	9,600.00	9,600.00

STATEMENT C.—Showing appropriations made pursuant to permanent legislation during the period from May 1, 1898, to June 30, 1911, etc.—Continued.

Title of appropriations.	Date of acts.	Balances May 1, 1898.	Appropriated.						
			May 1, 1898, to June 30, 1898.	July 1, 1898, to June 30, 1899.	July 1, 1899, to June 30, 1900.	July 1, 1900, to June 30, 1901.	July 1, 1901, to June 30, 1902.	July 1, 1902, to June 30, 1903.	July 1, 1903, to June 30, 1904.
CIVIL ESTABLISHMENT—continued.									
Removing obstructions in Mississippi, Atchafalaya, and Old Rivers (permanent annual).....	{Aug. 11, 1888 Mar. 2, 1907 Mar. 3, 1909	\$26,578.36		\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00
Examinations and surveys at South Pass, Mississippi River (permanent annual).....	{Mar. 3, 1875 Aug. 11, 1888 June 13, 1902	2,389.50		10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00
Constructing jetties and other works at South Pass, Mississippi River (indefinite).....	May 13, 1879		\$37,500.00	87,500.00	125,000.00	602,083.33			
Operating snag boats on the Ohio River (permanent annual).....	{Sept. 19, 1890 June 3, 1896	52,351.51		50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00
Maintenance of channel, South Pass, Mississippi River (permanent annual).....	{June 6, 1900 June 13, 1902					100,000.00	100,000.00	175,000.00	100,000.00
Operating and care of canals and other works of navigation (indefinite).....	{July 5, 1884 Mar. 3, 1909		131,496.40	779,456.43	851,629.84	859,602.89	1,056,323.31	1,150,474.00	1,033,249.88
Removing sunken vessels or craft obstructing or endangering navigation (indefinite).....	June 14, 1880		3,410.00	78,291.74	37,345.39	47,582.00	43,797.28	45,887.30	102,542.93
Permanent International Commission of Congresses of Navigation (permanent annual).....	June 28, 1902						3,000.00		3,000.00
Wagon roads, bridges, and trails, Alaska fund (special fund).....	{Jan. 27, 1905 Mar. 3, 1905 Feb. 6, 1909								
Total civil establishment.....		87,965.20	172,406.40	1,136,248.17	1,204,975.23	1,800,268.22	1,391,120.59	1,508,961.30	1,433,392.81
Total military establishment.....		3,005,664.44	4,327,153.36	13,945,262.03	5,060,994.72	5,415,614.47	3,957,635.42	3,211,148.05	4,759,920.20
Total.....		3,093,629.64	4,499,559.76	15,081,510.20	6,265,969.95	7,215,882.69	5,348,756.01	4,780,109.35	6,193,313.01

Title of appropriations.	Date of acts.	Appropriated.								Total appropriations.
		July 1, 1904, to June 30, 1905.	July 1, 1905, to June 30, 1906.	July 1, 1906, to June 30, 1907.	July 1, 1907, to June 30, 1908.	July 1, 1908, to June 30, 1909.	July 1, 1909, to June 30, 1910.	July 1, 1910, to June 30, 1911.		
MILITARY ESTABLISHMENT.										
Arming and equipping the militia (permanent annual).....	{R. S. 1661.... Feb. 12, 1887 Aug. 18, 1894 June 6, 1900 Jan. 21, 1903 June 22, 1906 May 27, 1908	\$1,000,000.00	\$1,012,405.08	\$2,000,000.00	\$2,000,000.00	\$2,000,000.00	\$2,000,000.00	\$2,000,000.00	\$2,000,000.00	\$16,812,405.08
Ordnance material, proceeds of sales (special fund).....	Mar. 3, 1875	172,473.61	132,826.00	217,706.52	123,835.57	206,362.73	114,341.67	111,078.00		2,286,484.14
National defense, war (special emergency appropriation).....	Mar. 9, 1898									15,301,161.94
Powder and projectiles, proceeds of sales (special fund).....	Mar. 3, 1881			73,395.44	141.35					73,639.94
Trusses for disabled soldiers (indefinite).....	R. S. 1178....	5,000.00	6,500.00	4,000.00	6,003.00	1,809.00				67,737.59
Transportation of the Army and its supplies, Pacific railroads (indefinite).....	{R. S. 5260.... May 7, 1878 Mar. 3, 1879	156,201.14	127,047.75	136,623.95	296,103.28					3,388,896.19
Claims of officers and men of the Army for destruction of private property (indefinite).....	Mar. 3, 1885	6,178.31	13,627.58	31,513.48	27,701.28	9,682.97	4,247.04	12,462.18		113,222.00
Soldiers' Home (indefinite).....	{R. S. 3689.... R. S. 4818.... Feb. 26, 1889	743,792.25	578,934.43							4,310,146.01
Bounty to the Fifteenth and Sixteenth Missouri Cavalry Volunteers (indefinite).....	June 16, 1880									1,237.55
Extra pay to Regular Army, War with Spain (indefinite).....	Mar. 3, 1899					657.33	666.06			733,682.75
Extra pay to Volunteers, War with Spain (indefinite).....	{Jan. 12, 1899 Mar. 3, 1899 May 26, 1900	490,592.23	106,216.51	73,467.74	40,924.92	13,566.62	10,508.47	6,245.94		4,562,176.86
Transportation of Volunteers, War with Spain (indefinite).....	Mar. 3, 1899									78,823.29
Reimbursement to States and Territories, expenses of raising troops for War with Spain (indefinite).....	{July 8, 1898 Mar. 3, 1899 Apr. 27, 1904 Mar. 11, 1908	200,060.93	218,065.23	200,815.85	562,710.50	130,253.66	218,796.86	214,836.11		6,040,074.43
Soldiers' Home, interest account (indefinite).....	{R. S. 3689.... R. S. 4818.... Mar. 3, 1883 Feb. 26, 1889	152,142.48	126,666.49	127,882.87	121,613.45	100,123.78	100,479.19	102,731.84		1,284,137.12
Soldiers' Home, permanent fund (trust fund).....	{R. S. 3689.... R. S. 4818.... Mar. 3, 1883 Feb. 26, 1889	789,039.39	578,936.53	556,455.00	438,312.10	446,245.47	811,162.50	627,212.88		6,928,022.93
Reimbursement for bringing home remains of officers and others (indefinite).....	Mar. 3, 1899									2,007.69
Extra pay to officers and men who served in the Mexican War (indefinite).....	Feb. 19, 1879		81.00	21.00	42.00	46.00	279.00	40.00		1,742.00
Supplying new arms and equipments for Organized Militia (indefinite).....	Jan. 21, 1903	384,643.66	147,557.93	73,616.52	665,613.70	2,250,908.60	8,441.64			5,182,804.33
Arms, uniforms, equipments, etc., Organized Militia (indefinite).....	May 27, 1908					1,114,213.19	2,469,492.97	1,765,615.56		5,349,321.72
Replacing ordnance and ordnance stores (indefinite).....	Apr. 23, 1904					214.37	1.18			215.55
Pay of the Army, deposit fund (trust fund).....	June 12, 1906			4,585,386.60	1,659,632.27	1,879,395.35	1,859,888.94	2,070,841.53		12,049,144.70
Total military establishment.....		4,100,124.00	3,048,864.53	8,140,884.97	5,936,633.42	8,152,821.75	7,598,296.79	6,911,730.10		84,567,083.81
CIVIL ESTABLISHMENT.										
Operating snag and dredge boats on upper Mississippi, Illinois, and Minnesota Rivers (permanent annual).....	{Aug. 11, 1888 Mar. 2, 1907 Mar. 3, 1909	25,000.00	25,000.00	25,000.00	25,000.00	25,000.00	25,000.00	25,000.00		325,000.00
Gauging waters of the Mississippi and its tributaries (permanent annual).....	{Aug. 11, 1888 June 13, 1902	9,600.00	9,600.00	9,600.00	9,600.00	9,600.00	9,600.00	9,600.00		110,400.00

STATEMENT C.—Showing appropriations made pursuant to permanent legislation during the period from May 1, 1898, to June 30, 1911, etc.—Continued.

Title of appropriations.	Date of acts.	Appropriated.								Total appropriations.
		July 1, 1904, to June 30, 1905.	July 1, 1905, to June 30, 1906.	July 1, 1906, to June 30, 1907.	July 1, 1907, to June 30, 1908.	July 1, 1908, to June 30, 1909.	July 1, 1909, to June 30, 1910.	July 1, 1910, to June 30, 1911.		
CIVIL ESTABLISHMENT—continued.										
Removing obstructions in Mississippi, Atchafalaya, and Old Rivers (permanent annual).....	Aug. 11, 1888 Mar. 2, 1907 Mar. 3, 1909	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$1,300,000.00
Examinations and surveys at South Pass, Mississippi River (permanent annual).....	Mar. 3, 1875 Aug. 11, 1888 June 13, 1902	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	130,000.00
Constructing jetties and other works at South Pass, Mississippi River (indefinite).....	May 13, 1879 (Sept. 19, 1890)									852,083.33
Operating snag boats on the Ohio River (permanent annual).....	June 3, 1896	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00	650,000.00
Maintenance of channel, South Pass, Mississippi River (permanent annual).....	June 6, 1903 June 13, 1902	100,000.00	100,000.00	200,000.00	150,000.00	100,000.00	100,000.00	140,000.00	140,000.00	1,365,000.00
Operating and care of canals and other works of navigation (indefinite).....	July 5, 1884 Mar. 3, 1909	1,067,223.50	1,201,549.36	1,461,238.85	1,595,210.78	1,777,080.48	1,880,416.86	1,841,913.39	1,841,913.39	16,683,805.97
Removing sunken vessels or craft obstructing or endangering navigation (indefinite).....	June 14, 1880	49,605.98	72,269.96	50,937.91	51,382.27	54,840.52	108,148.60	65,613.05	65,613.05	811,654.93
Permanent International Commission of Congresses of Navigation (permanent annual).....	June 28, 1902 Jan. 27, 1905	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	27,000.00
Wagon roads, bridges, and trails, Alaska fund (special fund).....	Mar. 3, 1905 Feb. 6, 1909	28,120.56	112,462.19	115,259.30	144,041.55	108,713.67	182,028.17	122,843.40	122,843.40	813,468.84
Total civil establishment.....		1,442,550.04	1,683,881.51	2,025,036.06	2,138,234.60	2,238,234.67	2,468,193.63	2,367,969.84	2,367,969.84	23,071,473.07
Total military establishment.....		4,100,124.00	3,048,864.53	8,140,884.97	5,936,633.42	8,152,821.75	7,598,296.79	6,911,730.10	6,911,730.10	84,567,083.81
Total.....		5,542,674.04	4,732,746.04	10,165,921.03	8,074,868.02	10,391,056.42	10,066,490.42	9,279,909.94	9,279,909.94	107,638,556.88

STATEMENT D.—Showing the total amounts expended annually during the period from May 1, 1893, to June 30, 1911, from funds derived from sources other than the regular annual appropriation acts, classified under "military" and "civil" establishments.

Title of appropriations	Date of acts.	Expended—								
		May 1, 1898, to June 30, 1898.	July 1, 1898, to June 30, 1899.	July 1, 1899, to June 30, 1900.	July 1, 1900, to June 30, 1901.	July 1, 1901, to June 30, 1902.	July 1, 1902, to June 30, 1903.	July 1, 1903, to June 30, 1904.	July 1, 1904, to June 30, 1905.	
MILITARY ESTABLISHMENT.										
Arming and equipping the militia (permanent annual).....	R. S., 1661... Aug. 18, 1894 June 6, 1900 Jan. 21, 1903 June 22, 1905 May 27, 1908	\$1,699.65	\$265,180.91	\$367,034.30	\$723,858.43	\$727,714.47	\$696,139.84	\$1,005,460.25	\$1,103,013.78	
Ordnance material, proceeds of sales (special fund).....	Mar. 3, 1875	4,909.65	56,652.25	64,917.26	42,276.57	75,948.01	66,289.23	74,927.86	74,986.80	
National defense, war (special emergency appropriation).....	Mar. 9, 1898	4,242,090.55	8,889,291.81	1,269,546.58	900,233.00	347,743.38	192,705.30	63,225.22	12,953.60	
Powder and projectiles, proceeds of sales (special fund).....	Mar. 3, 1881					170.00		1,751.62		
Trusses for disabled soldiers (indefinite).....	R. S., 1178... R. S., 5260...	5,000.00	5,003.00	8,314.69	8,000.00	6,003.00	6,343.00	5,761.90	5,000.00	
Transportation of the Army and its supplies, Pacific railroads (indefinite).....	May 7, 1878 Mar. 3, 1879	3,438.76	67,555.61	531,173.58	626,991.13	861,436.58	234,543.03	347,781.38	156,201.14	
Claims of officers and men of the Army for destruction of private property (indefinite).....	Mar. 3, 1885		266.81	151.29	377.87	497.72	3,799.71	3,018.34	6,178.31	
Soldiers' Home (indefinite).....	R. S., 3689... R. S., 4818... Feb. 26, 1889	61,978.72	310,143.97	247,926.62	492,610.71	536,045.62	743,139.39	687,653.49	743,792.25	
Bounty to the Fifteenth and Sixteenth Missouri Cavalry Volunteers (indefinite).....	June 16, 1880		99.99	137.56	1,000.00					
Extra pay Regular Army, War with Spain (indefinite).....	Mar. 3, 1899 Jan. 12, 1899		665,000.00	24,696.55	43,495.74	17,254.26	25,408.55	19,738.32	5,190.40	
Extra pay to Volunteers, War with Spain (indefinite).....	Mar. 3, 1899 May 26, 1900		2,340,000.00	915,624.82	249,324.61	65,284.59	21,985.00	228,435.41	490,592.23	
Transportation of Volunteers, War with Spain (indefinite).....	Mar. 3, 1899 July 8, 1898		38,988.57	37,673.00	1,657.06	142.16	362.50			
Reimbursement to States and Territories, expenses of raising troops for War with Spain (indefinite).....	Mar. 3, 1899 Apr. 27, 1904 Mar. 11, 1908		1,190,394.29	1,223,364.82	964,186.77	599,431.34	217,852.35	39,305.72	200,060.93	
Soldiers' Home, interest account (indefinite).....	R. S. 3689... R. S. 4818... Mar. 3, 1883 Feb. 26, 1889			77,977.62	78,032.77	87,661.27	98,638.37	110,186.99	152,142.43	
Soldier Home, permanent fund (trust fund).....	R. S. 3689... R. S. 4818... Mar. 3, 1883 Feb. 26, 1889			317,000.00	248,000.00	236,000.00	254,000.00	331,800.00	519,100.00	
Reimbursement for bringing home remains of officers and others (indefinite).....	Mar. 3, 1899			1,051.85	801.08	154.76				
Extra pay to officers and men who served in the Mexican War (indefinite).....	Feb. 19, 1879				1,212.00	21.00		729.00	52.50	
Supplying new arms and equipment for Organized Militia (indefinite).....	Jan. 21, 1903							1,652,022.28	384,643.66	
Arms, uniforms, equipments, etc., Organized Militia (indefinite).....	May 27, 1908									
Replacing ordnance and ordnance stores (indefinite).....	Apr. 23, 1904							190,835.72	542,947.03	
Replacing medical supplies (indefinite).....	June 12, 1906									
Pay of the Army, deposit fund (trust fund).....	do									
Total.....		4,319,117.33	13,828,577.21	5,086,439.25	4,338,562.00	3,213,764.78	2,561,206.27	4,551,330.46	3,853,908.08	
Less repayments in excess of payments.....				151.29	43,495.74	347,743.38		211,403.04	642,947.03	
Total military establishment.....		4,319,117.33	13,828,577.21	5,086,287.96	4,295,066.26	2,866,021.40	2,561,206.27	4,339,927.42	3,310,961.06	

STATEMENT D.—Showing the total amounts expended annually during the period from May 1, 1898, to June 30, 1911, etc.—Continued.

Title of appropriations.	Date of acts.	Expended—							
		May 1, 1898, to June 30, 1898.	July 1, 1898, to June 30, 1899.	July 1, 1899, to June 30, 1900.	July 1, 1900, to June 30, 1901.	July 1, 1901, to June 30, 1902.	July 1, 1902, to June 30, 1903.	July 1, 1903, to June 30, 1904.	July 1, 1904, to June 30, 1905.
CIVIL ESTABLISHMENT.									
Operating snag and dredge boats on upper Mississippi, Illinois, and Minnesota Rivers (permanent annual).....	Aug. 11, 1888 Mar. 2, 1907 Mar. 3, 1909	\$5,500.00	\$25,000.00	\$25,000.00	\$24,944.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00
Gauging waters of the Mississippi and its tributaries (permanent annual).....	Aug. 11, 1888 June 13, 1902	988.39	6,001.61	6,000.00	5,470.19	5,994.20	9,077.58	8,712.66	7,662.09
Removing obstructions in Mississippi, Atchafalaya, and Old Rivers (permanent annual).....	Aug. 11, 1888 Mar. 2, 1907 Mar. 3, 1909	.....	88,917.74	88,923.15	86,355.29	96,710.05	78,055.27	86,763.07	77,819.53
Examinations and surveys at South Pass, Mississippi River (permanent annual).....	Mar. 3, 1875 Aug. 11, 1888 June 13, 1902	1,500.00	9,939.61	9,878.45	5,745.50	.....	10,000.00	10,000.00	8,000.00
Constructing jetties and other works at South Pass, Mississippi River (indefinite).....	May 13, 1879	37,500.00	87,500.00	125,000.00	602,083.33	.....	.....	.....	.....
Operating snag boats on the Ohio River (permanent annual).....	Sept. 19, 1890 June 3, 1896	22,000.00	37,252.02	34,889.85	39,058.07	49,248.45	28,018.14	37,043.66	35,428.11
Maintenance of channel, South Pass, Mississippi River (permanent annual).....	June 6, 1900 June 13, 1902	.....	.....	.....	37,541.80	104,559.91	174,545.77	80,000.00	104,820.04
Operating and care of canals and other works of navigation (indefinite).....	July 5, 1884 Mar. 3, 1909	131,496.40	779,456.43	851,629.84	859,602.89	1,056,323.31	1,150,474.00	1,033,249.88	1,067,223.50
Removing sunken vessels or craft obstructing or endangering navigation (indefinite).....	June 14, 1880	3,410.00	78,291.74	37,345.39	47,582.00	43,797.28	45,887.30	102,542.93	49,605.93
Permanent International Commission of Congresses of Navigation (permanent annual).....	June 28, 1902	.....	.....	.....	.....	3,000.00	983.21	.....	1,197.85
Wagon roads, bridges, and trails, Alaska fund (special fund).....	Jan. 27, 1905 Mar. 3, 1905 Feb. 6, 1909	.....	.....	.....	.....	.....	.....	.....	5,000.00
Total civil establishment.....		202,404.79	1,112,359.15	1,178,666.68	1,708,383.07	1,381,633.20	1,519,058.06	1,384,300.41	1,381,757.10
Total military establishment.....		4,319,117.33	13,828,577.21	5,036,287.96	4,295,066.26	2,866,021.40	2,561,206.27	4,339,927.42	3,310,961.06
Total.....		4,521,522.12	14,940,936.36	6,264,954.64	5,903,449.33	4,247,654.60	4,080,264.33	5,724,227.83	4,692,718.16

Title of appropriations.	Date of acts.	Expended—						Total net expenditures.	Reverted to surplus fund.	Balances June 30, 1911.
		July 1, 1905, to June 30, 1906.	July 1, 1906, to June 30, 1907.	July 1, 1907, to June 30, 1908.	July 1, 1908, to June 30, 1909.	July 1, 1909, to June 30, 1910.	July 1, 1910, to June 30, 1911.			
MILITARY ESTABLISHMENT.										
Arming and equipping the militia (permanent annual).....	(R. S. 1661... Aug. 18, 1894 June 6, 1900 Jan. 21, 1903 June 22, 1906 May 27, 1908)	\$1,385,528.17	\$1,696,954.55	\$1,831,997.55	\$2,163,269.12	\$1,993,438.52	\$2,032,841.56	\$15,994,131.10	\$187,311.77	\$817,679.70
Ordnance material, proceeds of sales (special fund).....	Mar. 3, 1875	69,043.14	75,000.00	51,582.63	26,653.30	92,428.29	74,486.47	850,101.46	921,019.54	613,913.04
National defense, war (special emergency appropriation).....	Mar. 9, 1898	44,437.34	9,997.51	3,693.52	13,754.85	.....	.....	15,294,185.90	6,976.04	.....
Powder and projectiles, proceeds of sales (special fund).....	Mar. 3, 1881	.....	.....	39,064.88	4,000.00	19,500.00	1,500.00	65,986.59	.....	9,471.91
Trusses for disabled soldiers (indefinite).....	R. S. 1178.....	6,500.00	4,000.00	6,003.00	1,809.00	.....	.....	67,737.59	.....	.....
Transportation of the Army and its supplies, Pacific railroads (indefinite).....	(R. S. 5260... May 7, 1878 Mar. 3, 1879)	127,047.75	136,623.95	296,103.28	.....	.....	.....	3,388,896.19	.....	.....
Claims of officers and men of the Army for destruction of private property (indefinite).....	Mar. 3, 1885	13,627.58	31,513.48	27,701.28	9,682.97	4,247.04	12,462.18	113,222.00	.....	.....
Soldiers' Home (indefinite).....	(R. S. 3689... R. S. 4818... Feb. 26, 1889)	578,934.43	.....	.....	.....	.....	.....	4,402,225.20	.....	.....
Bounty to the Fifteenth and Sixteenth Missouri Cavalry Volunteers (indefinite).....	June 16, 1880	.....	.....	.....	.....	.....	.....	1,237.55	.....	.....
Extra pay to Regular Army, War with Spain (indefinite).....	Mar. 3, 1899	4,203.62	3,923.44	2,584.86	1,144.00	657.33	666.06	687,495.61	46,187.14	.....
Extra pay to volunteers, War with Spain (indefinite).....	(Jan. 12, 1899 Mar. 3, 1899 May 26, 1900)	106,185.71	73,408.54	40,924.92	13,563.62	10,508.47	6,245.94	4,562,176.86	.....	.....
Transportation of Volunteers, War with Spain (indefinite).....	Mar. 3, 1899	.....	.....	.....	.....	.....	.....	78,823.29	.....	.....
Reimbursement to States and Territories, expenses of raising troops for War with Spain (indefinite).....	(July 8, 1898 Mar. 3, 1899 Apr. 27, 1904 Mar. 11, 1908)	218,065.23	200,815.85	562,710.50	130,253.66	218,796.86	214,836.11	6,040,074.43	.....	.....
Soldiers' Home, interest account (indefinite).....	(R. S. 3689... R. S. 4818... Mar. 3, 1883 Feb. 26, 1889)	95,179.01	159,370.35	93,277.95	104,502.46	98,831.62	102,832.91	1,258,633.80	.....	25,503.32
Soldiers' Home, permanent fund (trust fund).....	(R. S. 3689... R. S. 4818... Mar. 3, 1883 Feb. 26, 1889)	410,100.00	470,700.00	1,163,000.00	909,000.00	640,400.00	555,000.00	6,054,100.00	.....	3,500,422.32
Reimbursement for bringing home remains of officers and others (indefinite).....	Mar. 3, 1899	.....	.....	.....	.....	.....	.....	2,007.69	.....	.....
Extra pay to officers and men who served in the Mexican War (indefinite).....	Feb. 19, 1879	\$1.00	21.00	42.00	45.00	279.00	40.00	1,065.50	76.50	.....
Supplying new arms and equipment for Organized Militia (indefinite).....	Jan. 21, 1903	147,557.93	73,616.52	665,613.70	2,250,908.60	8,441.64	.....	5,182,804.33	.....	.....
Arms, uniforms, equipments, etc., Organized Militia (indefinite).....	May 27, 1908	.....	.....	.....	1,114,213.19	2,469,487.57	1,765,518.06	5,349,218.82	102.90	.....
Replacing ordnance and ordnance stores (indefinite).....	Apr. 23, 1904	153,478.59	148,924.00	780,815.98	881,077.49	5,631.14	976,778.29	1,361,974.47	1,973.04	1,363,216.98

STATEMENT D.—Showing the total amounts expended annually during the period from May 1, 1898, to June 30, 1911, etc.—Continued.

Title of appropriations.	Date of acts.	Expended—						Total net expenditures.	Reverted to surplus fund.	Balances June 30, 1911.
		July 1, 1905, to June 30, 1906.	July 1, 1906, to June 30, 1907.	July 1, 1907, to June 30, 1908.	July 1, 1908, to June 30, 1909.	July 1, 1909, to June 30, 1910.	July 1, 1910, to June 30, 1911.			
MILITARY ESTABLISHMENT—con.										
Replacing medical supplies (indefinite).....	June 12, 1906		\$50,271.21	\$13,486.91	\$5,118.36	\$15,507.56	\$9,242.07	\$66,452.29	\$49.76	\$66,402.53
Pay of the Army, deposit fund (trust fund).....	June 12, 1906		540,195.27	2,962,455.98	1,335,209.63	1,542,536.40	2,894,471.86	9,274,869.14		2,774,275.56
Total.....		\$3,359,969.50	3,536,230.46	7,760,242.96	8,078,014.00	7,099,552.74	8,637,679.44	78,668,992.96		
Less repayments in excess of payments.....			194,195.21	780,815.98	836,195.85	20,838.70	9,242.07	1,431,426.76		
Total military establishment.....		3,359,969.50	3,342,035.25	6,979,426.98	7,241,818.15	7,078,714.04	8,628,437.37	77,237,566.20	1,144,296.69	9,170,885.36
CIVIL ESTABLISHMENT.										
Operating snag and dredge boats on upper Mississippi, Illinois, and Minnesota Rivers (permanent annual).....	Aug. 11, 1888 Mar. 2, 1907 Mar. 3, 1909	25,000.00	25,000.00	25,000.00	25,000.00	25,000.00	25,000.00	330,444.00	56.00	
Gauging waters of the Mississippi and its tributaries (permanent annual).....	Aug. 11, 1888 June 13, 1902	8,706.13	7,646.89	8,630.26	7,860.04	9,628.59	8,953.82	101,342.45	8,557.20	1,646.18
Removing obstructions in Mississippi, Atchafalaya, and Old Rivers (permanent annual).....	Aug. 11, 1888 Mar. 2, 1907 Mar. 3, 1909	81,174.80	93,373.16	97,992.15	96,368.82	100,584.26	99,530.98	1,167,568.27	153,351.27	658.82
Examinations and surveys at South Pass, Mississippi River (permanent annual).....	Mar. 3, 1875 Aug. 11, 1888 June 13, 1902	12,000.00	10,000.00	9,000.00	11,000.00	9,000.00	11,000.00	117,063.56	15,325.94	
Constructing jetties and other works at South Pass, Mississippi River (indefinite).....	May 13, 1879							852,083.33		
Operating snag boats on the Ohio River (permanent annual).....	Sept. 19, 1890 June 13, 1896	32,491.31	33,655.66	37,071.61	35,680.88	34,456.67	36,633.73	492,933.16	181,852.08	27,566.27
Maintenance of channel, South Pass, Mississippi River (permanent annual).....	June 6, 1900 June 13, 1902	100,000.00	149,985.02	127,329.98	134,850.77	109,100.89	85,323.25	1,208,057.43	84,462.97	72,479.60
Operating and care of canals and other works of navigation (indefinite).....	July 5, 1884 Mar. 3, 1909	1,201,549.36	1,461,238.85	1,595,210.78	1,777,080.48	1,880,416.86	1,841,913.39	16,686,865.97		
Removing sunken vessels or craft obstructing or endangering navigation (indefinite).....	June 14, 1890	72,269.96	50,937.91	51,382.27	54,840.52	108,148.60	65,613.05	811,654.93		
Permanent International Commission of Congresses of Navigation (permanent annual).....	June 28, 1902	2,928.51	1,900.00	3,116.71	3,000.00	2,400.00	3,000.00	21,526.28	5,473.72	
Wagon roads, bridges, and trails, Alaska fund (special fund).....	Jan. 27, 1905 Mar. 3, 1905 Feb. 6, 1909	83,500.00	148,534.00	117,750.00	145,428.27	74,881.67	206,311.24	781,455.18		32,013.66
Total civil establishment.....		1,619,620.07	1,982,321.49	2,072,483.76	2,291,109.78	3,353,617.54	2,383,279.46	22,570,994.56	454,079.18	134,364.53
Total military establishment.....		3,359,969.50	3,342,035.25	6,979,426.98	7,241,818.15	7,078,714.04	8,628,437.37	77,237,566.20	1,144,296.69	9,170,885.36
Total.....		4,979,589.57	5,324,356.74	9,051,910.74	9,532,927.93	10,432,331.58	11,011,716.83	99,808,560.76	1,598,375.87	9,305,249.89

Mr. AMES. Mr. Chairman, I have an amendment that I wish to offer to the amendment offered by the gentleman from New York [Mr. FITZGERALD]. Every word that the gentleman from Kentucky [Mr. HELM] has said in the last 20 minutes applies with equal force to the amendment which I propose, and I ask that it now be read, and then I ask unanimous consent that it may be considered as pending.

The CHAIRMAN. The Clerk will report the amendment to the amendment.

The Clerk read as follows:
And provided further, That the Secretary of the Navy is hereby authorized to negotiate with the city of New York for the sale of the Brooklyn Navy Yard, and to report to Congress at the beginning of the next regular session as to the terms upon which said property may be sold to the city of New York for park purposes.

Mr. HAY. Mr. Chairman, I reserve a point of order upon that.

Mr. SHERLEY. Mr. Chairman, I make the point of order.

Mr. MANN. It is not subject to a point of order. The gentleman asked unanimous consent to have it considered pending.

Mr. SHERLEY. Then I object.

Mr. FITZGERALD. Let the gentleman bring that up when we consider the naval bill.

Mr. SHERLEY. I want to discuss this bill.

Mr. MANN. Mr. Chairman, I do not wish to let go by the right to make a point of order on the amendment offered by the gentleman from New York.

The CHAIRMAN. Does the gentleman from Massachusetts desire his amendment to come in under unanimous consent?

Mr. AMES. Mr. Chairman, I will yield the floor if an objection is made to my amendment.

Mr. FITZGERALD. I object.

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

Mr. MANN. Mr. Chairman, an amendment is not in order at this time.

Mr. KINKAID of Nebraska. As an amendment to the amendment.

Mr. MANN. That is not in order.

The CHAIRMAN. The gentleman's amendment is not in order at this time.

Mr. KINKAID of Nebraska. Then I will offer it as a substitute.

Mr. MANN. That is not in order.

Mr. HAY. Mr. Chairman, I reserved the point of order on the amendment offered by the gentleman from New York. I now withdraw the point of order.

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

Mr. KINKAID of Nebraska. I ask unanimous consent that the amendment I offered be read.

Mr. MANN. I wish the gentleman would wait until we dispose of this other.

The CHAIRMAN. The gentleman from Nebraska will be given an opportunity to present the amendment indicated.

Mr. MANN. Mr. Chairman, I reserve the point of order upon the amendment offered by the gentleman from New York, or rather from Brooklyn, the chairman of the Committee on Appropriations.

I appreciate the delicate position in which the gentleman from New York finds himself in the House, and it is no wonder that the gentleman is now seeking to sell the property of the Government, in order to raise money to pay the current expenses of the Government [applause on the Republican side], which will soon be needed if the policy on that side of the House is carried out on tariff legislation. [Applause on the Republican side.] But I notice that the gentleman from New York, who is always careful of his constituents, who never misses an opportunity to take care of those whom he represents on the floor of this House, while

he is perfectly willing for us to sell or give Governors Island to his constituents for use as a park, is not at all willing to dispense with the useless navy yard in his district, or close to his district, and dispose of that property. Always watching the interest of his constituents, he wants to keep the navy yard, where they work there, close at home. He is perfectly willing to take away the navy yard or Army posts of gentlemen in other parts of the country, but not willing to deprive his constituents of the right to work in the navy yard at Brooklyn. He is perfectly willing for us to dispose of Governors Island. I notice in his resolution the gentleman provides that the Army shall ascertain the terms upon which they can sell Governors Island. I do not know whether the gentleman means terms in regard to cash or time, but if the city of New York keeps on in the next few years the way it has been running in the last few it would need to be time and not cash if we made the sale to it. [Laughter.]

Mr. FITZGERALD. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. FITZGERALD. I think the statement is accurate in that if the fusion board of estimate and apportionment is continued beyond its present term, I think the city would speedily become bankrupt.

Mr. MANN. I suppose that was a bright remark, but I did not catch what the gentleman said.

Mr. FITZGERALD. I will repeat it. At present in the city of New York there is what is known as the fusion or anti-democratic board of estimate and apportionment which controls the finances of the city, and if it were continued beyond its present term the city unquestionably would speedily become bankrupt.

Mr. MANN. Very likely; it is very certain if it is not continued beyond its present term the city will become bankrupt soon. Now, why should we propose to the city of New York to buy the Brooklyn—

A MEMBER. Bridge.

Mr. MANN. Not the Brooklyn Bridge, but Governors Island. If the city of New York wants it, let them come up and see if we want to sell it, and I can see no reason why just at present we should undertake to sell the principal of the Government in order to pay the current expenses of the Government, because the threats which you gentlemen are making against the continued prosperity of the country will soon cease. You will not be in power much longer [applause on the Republican side], and this threat to prosperity will be ended and the need of selling Governors Island to raise money to pay current expenses will have passed away. [Applause on the Republican side.]

Mr. FITZGERALD. Mr. Chairman, I simply wish to say this to the gentleman from Illinois: In 1900 I initiated a movement to construct Government ships in Government yards, and after considerable discussion the Congress adopted that policy. As a result of that policy warships were built in the United States for the first time in its history within the time fixed by contract. Contract time had been limited from 36 to 44 months. Ships had never been delivered to the Government much inside of seven years until the private shipbuilders were placed in competition with Government yards. [Applause on the Democratic side.] We have as a result of that policy not only obtained ships in one-half the time, but we have very greatly saved in the cost of the ships and have obtained much better ships. I know that private shipbuilding plants, everybody interested in shipbuilding plants not controlled by the Government, has been devising or trying to devise some means of getting rid of the only institution controlled by the Government that actually controls the Shipbuilding Trust. If gentlemen on that side wish to take that attitude, I am glad to have it made public—

Mr. MANN. But you are not going to build any more ships.

Mr. FITZGERALD. So far as I am concerned, regardless of whether ships are built by the Government at Brooklyn or Philadelphia or any of the other yards, that should have been abandoned years ago, I believe it is wise governmental policy to have some construction done under the supervision of the Government itself. The results have shown this policy to be beneficial and advantageous.

Mr. MOORE of Pennsylvania. After the gentleman's laudable efforts in 1900 in establishing a Government-controlled yard was accomplished, did not the gentleman's efforts in that behalf cease?

Mr. FITZGERALD. In what behalf?

Mr. MOORE of Pennsylvania. In behalf of Government yards. After one yard was established in Brooklyn, did not the gentleman become inactive with regard to the other sections of the country?

Mr. FITZGERALD. The gentleman did not advocate the establishment of a yard there. At a meeting of the Institute of Naval Architects in the city of New York in 1899, if I recall correctly, Mr. Baxter, one of the naval constructors, made a

lengthy address upon the construction of war vessels in Government yards. He showed such to be the policy of every other maritime nation on the face of the earth, excepting the United States. At the conclusion of the address the gentleman who is now the president of the Fore River Ship & Engine Co., who was then a constructor in the Navy and later chief constructor, made a statement that if he were given an opportunity he could build ships more quickly and cheaply at the Government yard in Brooklyn than they could be built at any other place in the United States. Based upon the statement of these two gentlemen, a hearing was had by the Committee on Naval Affairs, at which the naval constructors from all the Government yards were brought here, and so convincing were the statements they made that some of the construction should be done in the Government yards that the policy was initiated. The "gentleman from New York" in his activities never was controlled by where a ship would be built. It immediately became apparent that by the acquisition of one large crane, which cost \$110,000, and the expenditure of the necessary money to equip the ways in the yard, that the Brooklyn yard was fully equipped to build ships. And for the reason alone that it was the best equipped yard the Government had the construction was placed there. It was advocated that these ships should be built there, not merely that labor might be employed, because in that yard there can be done what can not be done in any other part of the United States, namely, 1,500 to 2,000 mechanics discharged in one week without any appreciable effect upon the community, but because it was a distinct service to the United States. And I still favor the policy.

Mr. MANN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The point of order is sustained.

Mr. MARTIN of South Dakota. Mr. Chairman, I desire to speak in opposition to the amendment of the gentleman from Virginia [Mr. HAY] which is now pending, and I ask unanimous consent that I may proceed for 10 minutes.

The CHAIRMAN. The gentleman from South Dakota [Mr. MARTIN] asks unanimous consent that on the amendment offered by him to the amendment of the gentleman from Virginia he may proceed without interruption for 10 minutes. Is there objection?

There was no objection.

Mr. MARTIN of South Dakota. Mr. Chairman, in the paragraph of the bill we are now considering is an item inserted by the committee to the effect that no part of this appropriation which is for barracks and quarters for the coming fiscal year shall be expended at any Army post which the Secretary of War has decided or may decide to abandon in the interest of the service. The chairman of the committee, the gentleman from Virginia [Mr. HAY], now offers an amendment in which he practically enumerates 26 Army posts to which he seeks to apply this proviso. I suggest upon the merits of the amendment that if the committee is inclined to limit this appropriation in any way it ought to be limited not in the manner of the amendment now proposed by the gentleman from Virginia, but in the language of the section as it has been reported by the committee.

I want to say that this entire plan of abandoning numerous Army posts—some 26—in contemplation, so far as this appropriation or denial of appropriation is concerned, involves certainly some serious questions, and questions that ought not to be disposed of upon the meager information that is now before the committee. I am not an expert in war matters nor even a member of the General Staff, and still I think there are some considerations that must appeal to any layman who will give attention to this subject that will make it appear that it is not by any means a one-sided proposition. The theory of the present Chief of Staff of the Army, which is reflected in the report of the Secretary of War in reply to the resolution recently passed by the House, is to the effect that a very great improvement in military efficiency and a very great saving of expense in the handling of the mobile army could be made by abandoning our 49 Army posts in different parts of the country and concentrating our forces in 8 Army posts, 3 along the Atlantic seaboard, 3 along the Pacific seaboard, and 2 in the intermediate country.

Upon the subject as to the strategic importance of the proposed plan, perhaps I am not competent to speak. It is a military question. But I do make these two observations upon that subject:

This entire revolution in the matter of housing and sustaining our standing Army in time of peace appears to proceed upon the theory that greater efficiency could be had if the Cavalry, the Field Artillery, and the Infantry Arms of the service are all kept together in one set of barracks and quarters in order that they may have the union of drill, and in order that

they may go through the combined maneuvers that they are supposed to go through in time of actual warfare upon a large scale.

The other theory upon which the consolidation of our Army posts along our coasts and border lines is predicated is that our standing Army has for its main purpose the protection of the country from foreign invasion, and therefore you should have the greatest number of our troops stationed on the borders and along the seacoast in order to repel invasion by a hostile enemy. I am not qualified to speak as to whether it is more important as a mere matter of efficiency to keep the Cavalry by themselves or to merge them with the Infantry and the Field Artillery for habitual practice. As to the other theory, however, which I suggest is purely a theory—that we need the concentration of the troops of the standing Army along our seacoast in order to protect this country from foreign invasion—if my recollection of history is correct, it is 100 years this current year since any nation has undertaken to make an invasion of our territory, and in my humble opinion it will be at least another hundred years before we shall meet a like contingency.

Therefore the idea that we will need our standing Army upon the seacoast to protect the country against foreign invasion is based upon a very remote contingency and is hardly a sufficient reason for making an entire change in the policy heretofore pursued by the Government.

It is currently reported in the newspapers that these Army posts that are proposed to be abandoned are what are called "political" posts. As to most of them I deny the suggestion. The only post that I have any immediate knowledge of is not a "political" post. It was established on the recommendation of Army officers themselves, upon their own volition, and it has been maintained as necessary for many years. In the past decade, upon the recommendation of the War Department itself and to meet the requirements for the proper handling of the Cavalry Arm of the Army, it has been improved from a temporary to a permanent post, with an expenditure of something like \$1,225,000.

Now, I will pass from those considerations to the financial side of this problem. What is the scheme? The proposed scheme is to dispose of our 49 Army posts and build 8 new Army posts at 8 other places, as suggested. The present Army posts have cost, including buildings, water supply, and other appurtenances, something like \$95,000,000. The great bulk of these expenditures have been for the erection of new quarters and buildings in the last 10 years. The theory is that these quarters and these lands may be disposed of and a fund created from the proceeds by which the new 8 enormous barracks and quarters may be established. As a practical business proposition, I think we, as practical men, know that it will not work out at all as outlined.

Take, for instance, the Army post with which I am familiar, Fort Meade, in South Dakota. That Army post was established at that point because of the favorable climatic conditions, because of the health conditions for the troops, because of the close proximity to the natural supply of Cavalry horses, and proximity to the great Indian reservations of the Northwest. What are the facts? The improvements at that post have cost in the past 10 years \$1,225,000. Those improvements are up to date and modern, exactly what are required for the proper housing of cavalymen and their mounts.

For what could it be disposed of? There are 7,680 acres of land there, practically 600 acres of which are bottom land, worth \$25 an acre. The remainder is grazing land, worth not to exceed \$10 an acre. The lands of that post, on that basis, would bring a little less than \$100,000. The buildings would be of no value or any consequence, except to be torn down and taken elsewhere. The effort to get any profit out of buildings under those circumstances would meet with a negligible result entirely.

It is only a few years since it was proposed to dispose of a building in the city of Atlanta, Ga., a building costing something like \$300,000; and the committee of the House having charge of those matters reported the opinion of the Supervising Architect that the highest sum he could get for that building, constructed of brick and stone, was \$2,500, on the theory that it would have to be removed, and the expense of tearing it down, when a building is made of that sort of material, is really so great that only a small sum could be realized out of it. So that this conception that we can dispose of Army posts, with the lands and the buildings thereon, and with the proceeds build new ones, is chimerical. It will not be realized in actual practice. Many of those buildings and improvements were made for strictly Army purposes, and would not be available for other purposes. If the Government would realize \$100,000 out of a post costing \$1,000,000, it would be doing well.

Now, it is stated further in behalf of this plan that \$5,500,000 could be saved annually by the keeping of the troops of the Army in the 8 great centers that I have spoken of in preference to keeping them in the 49 Army posts as at present.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MARTIN of South Dakota. Mr. Chairman, I would like to have five minutes more. Then I will not detain the committee longer.

The CHAIRMAN. The gentleman from South Dakota [Mr. MARTIN] asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from South Dakota yield to the gentleman from Illinois?

Mr. MARTIN of South Dakota. Yes.

Mr. MADDEN. Has the gentleman any idea of what it will cost to establish these eight Army posts?

Mr. MARTIN of South Dakota. I suppose it would cost us just as much to build the barracks and quarters to house these men at the eight new Army posts that are proposed as it cost to build the old posts, if not more, because the cost of building has not decreased, but rather increased in the last decade; and if you have to buy the land for these new posts in the large centers of population you will have to pay much more for the ground than you would get out of the sale of the grounds in the remote rural districts. In other words, Congress might just as well face the fact, if we are going to abandon these 49 posts and build new barracks and posts near the large population centers, we will have to expend at least as much to build the new posts and buy new land as the cost of the old ones. The buildings at the existing posts cost \$95,000,000, and, as a rule, they were built upon land which the Government already had, and which therefore cost the Government nothing, so far as the land itself was concerned.

Now, in the remaining four minutes I have I want to address myself to the proposition that the suggestion set forth in the report from the General Staff to the Secretary of War, that \$5,500,000 could be saved in the operation and maintenance of the Army in these proposed new localities, is absolutely, to my mind, absurd as a business proposition. It only requires an examination of these items in detail, I think, to demonstrate that fact.

For instance, it is proposed to save a million dollars and over upon the regular quartermaster's supplies at these new stations, as against the supplies for the same men in the old stations. One of these items is heating barracks and quarters. It is proposed to save 50 per cent, or \$556,000. Upon what basis can it be said that it will require any less fuel to warm 20,000 men in barracks near the large population centers than it costs to warm them out in the districts where these posts are now situated? It is purely a question of the cost of fuel and its transportation, and when you remember that the Army posts out in the intermountain West are near the great coal supplies of that section you will understand that this item will not be realized. It will cost just as much for fuel as it costs to warm the same number of men in their present posts.

In the next item it is proposed to save 50 per cent of the cost of lighting, or \$309,000. Is that upon the theory that it will take any less lights for the convenience of men in large barracks than in small barracks? It goes without saying that if we build new barracks, near the populous centers, we will be building modern barracks, with electric lights and all of those appliances. Indeed, the life of the Army does not increase in simplicity as you get away from the rural districts and into the centers of population.

Take other items here. It is proposed to save 60 per cent on transportation charges, or \$711,000, under this new system. Upon what theory will it cost any less to transport the Army, if they are in these eight posts and you have any use for them elsewhere, than to transport them from the present posts? The whole theory of the saving of transportation is based upon the idea that you will not transport the Army after you get them to these eight posts. If that is so it will be because there is no use for them. If we have use for them we will have to transport them. Take the case of the recent trouble along the Mexican border. Could we have transported the mobile army from these proposed new stations any more cheaply than from their present stations to the Mexican border?

Mr. SHERLEY. Will the gentleman permit a question right there?

Mr. MARTIN of South Dakota. I have no time. If I may have the time, I shall be delighted to do so.

Mr. SHERLEY. The House has been reasonably liberal.

Mr. MARTIN of South Dakota. The gentleman may ask his question.

Mr. SHERLEY. I should like to have the gentleman tell the committee how many men had to be kept at these posts to protect the property of the Government, when it was desired to mobilize troops?

Mr. MARTIN of South Dakota. I can only speak of the one post with which I am personally familiar. At that post one man was left behind.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. MARTIN of South Dakota. May I have two minutes more?

Mr. KAHN. I ask unanimous consent that the gentleman may proceed for two minutes.

There was no objection.

Mr. MARTIN of South Dakota. I thank the committee for its liberality. I was only trying to demonstrate that the whole proposition to save is based on the idea that we are to bring these men from all these different Army posts, put them into eight centers, and keep them there.

Why, it is proposed here to save on the transportation of quartermaster's stores other than clothing 90 per cent of the current expenses, \$476,000. That is a part of the five and a half million. I undertake to say that whether you save 90 per cent or 10 per cent will depend upon what you transport, and as to the Cavalry posts, you will have more expense in the transportation. If you bring them away from the rural West where forage is cheap and take them to the great cities, you will have to bring your hay and fodder and grain by trainloads across the country. Every financial argument in this connection is based upon a false hypothesis, and I think it will be a long day before the Congress of the United States, if it proceeds to investigate it with that thoroughness that is usually exercised in a proposition of this magnitude—I say it will be a long day before Congress will abandon \$95,000,000 of modern improvements and embark on this large problem of building new quarters of equal proportions for the Army. Another important consideration must not be overlooked. Our chief use of the Cavalry in recent years has been in the Philippines. One, two, or three years is as long as our men and horses can remain in the service in that tropical climate. Many men in that period become broken down in health. After from one to three years they are brought home and placed in the healthy, invigorating Cavalry posts of the plains country and mountains of the West and rapidly recuperate. The Army statistics show that Fort Meade is the healthiest post of the entire list. The death and sick rate there is the lowest. It would not be possible to recuperate the Cavalry branch of the Army as well in the low altitudes along the seacoasts. We have none too many Cavalry posts at present, and the best of these in the intermountain West should be permanently preserved as a part of the Army Establishment whatever may become of this new plan for the concentration of troops.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. FLOYD of Arkansas having taken the Chair as Speaker pro tempore, a message from the Senate by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 16693. An act to extend the time for the completion of the municipal bridge at St. Louis, Mo.;

H. R. 17232. An act to authorize Taney County, Mo., to construct a bridge across the White River at Branson, Mo.; and

H. R. 16677. An act to authorize Butler and Stoddard Counties, in Missouri, to construct a bridge across the St. Francis River at Hodges Ferry, Mo.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary notify the House of Representatives that the Senate has elected JACOB H. GALLINGER, a Senator from the State of New Hampshire, President of the Senate pro tempore, to hold and exercise the office in the absence of the Vice President, on February the 12th and 13th, 1912.

ARMY APPROPRIATION BILL.

The committee resumed its session.

Mr. BURLESON. Mr. Chairman, I secured recognition for the purpose of offering an amendment to the amendment of the committee. But it is really in the district of my colleague [Mr. GARNER], and I yield to him.

Mr. GARNER. Mr. Chairman, I intended to offer the amendment, and my name appeared second on the list, but I am obliged to my colleague for yielding his preferential right of recognition by the Chair for the purpose of offering the amendment. I ask that my amendment be read.

The Clerk read as follows:

Provided, That the Secretary of War be, and he is hereby, authorized to transfer and convey to the State of Texas, for the purpose of a State tuberculosis sanitarium, such portion of Fort Clark Military Reservation, in the State of Texas, as the governor of the State, or his representative, and the President of the United States, or his representative, may agree upon: *Provided*, That should the State of Texas in any event refuse or fail to use the abandoned property herein authorized to be conveyed, or any portion thereof, for the purpose designated, then such property shall revert to the United States and become a part of the public domain thereof.

Mr. KAHN. Mr. Chairman, I reserve a point of order.

Mr. GARNER. Mr. Chairman, I will state to the committee that this is in substance a bill unanimously reported by the Committee on Military Affairs and passed by the House by unanimous consent at this session of Congress. It seeks to give the President of the United States the power or authority to convey to the State of Texas for a tuberculosis sanitarium such portion of Fort Clark, which is to be abandoned, as the President and the governor of the State may agree upon. There are valuable buildings there now which will be placed in the hands of a caretaker, and if they are not used for some purpose they will become practically useless. They ought to be used for this laudable purpose.

Mr. Chairman, I might go on and explain the matter more thoroughly to the committee, but I am sure that everyone here who heard the matter discussed when the bill was up before the House is thoroughly familiar with the necessity for this transfer. It is for the best interests not only of the United States Government but for the State of Texas.

Mr. FITZGERALD. Mr. Chairman, when this bill passed the House there was a limitation in it as to acreage to be conveyed. I understand this reservation consists of several thousand acres. Under the persuasion of the gentleman from Texas I think we finally got the limit up to about 600 acres. Unless there is some limitation put in this amendment, so that we may know just how much we are going to give to the State of Texas, when we could not even arrange to negotiate to sell something in another section of the country, I shall have to object. I will not object if the gentleman will include in his amendment the limitation that was put in the bill by the House.

Mr. BURLESON. We are willing—

Mr. GARNER. One moment, Mr. Chairman. I had this amendment drawn with a 640-acre limitation in it. But it was suggested to me by others who were interested in the matter that that provision be stricken out. I was entirely willing to leave it to the President of the United States and to the governor of Texas to determine the number of acres to be conveyed. The main thing I am anxious to get is an opportunity for the President of the United States and the governor of Texas to exercise their judgment as to the advisability of transferring a portion of this post to the State of Texas for a tuberculosis sanitarium.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. GARNER. Certainly.

Mr. BURKE of South Dakota. I desire to ask the gentleman if this is one of the 49 posts it is proposed to sell for the purpose of recouping the loss that the Government will sustain by abandoning these posts and building 8 new ones?

Mr. GARNER. I will say that this is one of the posts that it is proposed to abandon. This bill was unanimously reported by the Committee on Military Affairs and was passed through the House by unanimous consent.

Mr. BURKE of South Dakota. Does not the gentleman think that if this proposition of discontinuing these posts goes through and the posts are finally abandoned, the gentleman's proposition here will set a precedent that will be liable to be followed in practically every other case; that the States will be coming here and asking that these posts be conveyed to the States for some public purpose?

Mr. GARNER. I do not think it will, and for this reason: There is no State in the Union, so far as I know, that has taken the forward step that Texas has taken in regard to tuberculosis patients. From all over the United States they flock to that section of the country on account of the climatic conditions, and it is an absolute burden on the State. They not only come from the northern and eastern portion of the State of Texas, but possibly from the gentleman's own State, and especially I know they congregate there from the Eastern and Northern States of this Republic. It is nothing but proper and right, and as outlined in the President's letter to the Committee on Military Affairs, it was such an undertaking that he was glad of the opportunity for the United States Government to assist in this splendid work.

Mr. BURKE of South Dakota. Then it is the gentleman's opinion that this is the only instance where there will be any

effort made to have the post that is to be discontinued given to the State in which it is situated?

Mr. GARNER. I have no opinion about that. I submit this, if the gentleman from South Dakota [Mr. BURKE] should come in with a meritorious proposition for the utilization of one of these posts which was going to be abandoned, to be utilized for the sake of humanity, I for one would be in favor of turning it over to his State for that purpose.

Mr. BURKE of South Dakota. The gentleman probably gives the gentleman from South Dakota credit for having sufficient ingenuity to find some kind of a scheme by which he could induce this House to give the State that post.

Mr. GARNER. I imagine that if the gentleman from South Dakota should come before the Committee on Military Affairs, he would present a case that would justify that committee in reporting his bill, else he would not undertake it.

Mr. BURKE of South Dakota. And I think that would happen in every other case.

Mr. GARNER. And I want to say in connection with the abandonment of these posts that I for one, with originally five posts in the district that I have the honor to represent, three of them having already been abandoned and two others proposed to be abandoned—I am not going to try to interfere. The military should know what is best for the Army, and they say it will be better and cheaper to concentrate them. I believe the Government ought to save money by putting the Army in large posts in place of distributing it all over the country, mainly through the influence of Representatives or United States Senators.

Mr. BURKE of South Dakota. It is the only time that the gentleman from Texas has ever neglected his district that I recall.

Mr. GARNER. I disagree with the gentleman as to the neglect.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURLESON. Mr. Chairman, I ask unanimous consent that the time of my colleague may be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GARNER. Mr. Chairman, I ask unanimous consent to amend the amendment which I have offered by inserting after the word "reservation," in line 7 of this bill, the words "not to exceed 640 acres." That was the number of acres included in the bill that passed the House.

The CHAIRMAN. If there is no objection, that will be inserted in the amendment.

There was no objection.

Mr. MARTIN of South Dakota. Mr. Chairman, will the gentleman from Texas yield?

Mr. GARNER. Certainly.

Mr. MARTIN of South Dakota. Will the gentleman inform the committee as to the value of this land?

Mr. GARNER. It is very difficult to say what the value of the land is. The value of this property for a tuberculosis sanitarium, I should say, would be worth somewhere in the neighborhood of \$150,000. For the purpose of sale I do not imagine that 640 acres would bring more than twenty-five or thirty thousand dollars, for I can not imagine any purpose it could be used for except as a military training school.

Mr. BUTLER. How about agriculture?

Mr. GARNER. How can you use 640 acres in agriculture when it is occupied by post buildings?

Mr. BUTLER. Are all of the 640 acres covered with houses?

Mr. GARNER. I do not suppose all of it. For agricultural purposes it is worth \$5 or \$6 an acre.

Mr. BURLESON. It is not suitable for agricultural purposes.

Mr. MARTIN of South Dakota. Do I understand that the 640 acres that the gentleman proposes to ask the Government to convey to the State of Texas have buildings covering them?

Mr. GARNER. It has the post there.

Mr. MARTIN of South Dakota. What have the buildings cost the Government?

Mr. GARNER. I have no idea. Some of them were built from 50 to 75 years ago of adobe, of the character of buildings that were constructed at that time.

Mr. MARTIN of South Dakota. Does the gentleman think the property for the purpose to which he desires it to be placed is worth \$200,000?

Mr. BURLESON. For the lives to be saved it might be worth a million, but for agricultural purposes I doubt whether it could be sold for what the gentleman stated, \$2 or \$3 an acre.

Mr. GARNER. The department estimates the entire tract is worth \$138,000.

Mr. FITZGERALD. The department says they have expended \$138,000 on improvements.

Mr. BURLESON. I will ask the gentleman from California [Mr. KAHN] not to press his point of order, because this matter has passed practically by unanimous vote.

Mr. FITZGERALD. Mr. Chairman—

Mr. MANN. I withdraw the point of order.

Mr. FITZGERALD. Mr. Chairman, I reserve the point of order. I wish to call the attention of the gentleman from Illinois to this condition—

Mr. MARTIN of South Dakota. Mr. Chairman, I reserve the point of order.

Mr. FITZGERALD. Mr. Chairman, I reserve the point of order for a moment.

The CHAIRMAN. The gentleman from Texas has the floor. Does the gentleman desire to ask a question? Does the gentleman from Texas yield to the gentleman from New York?

Mr. GARNER. Certainly.

Mr. BULKLEY. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Ohio?

Mr. BULKLEY. No; I want to be heard when the gentleman has finished. I thought he had finished.

Mr. BURLESON. I ask the gentleman not to insist upon his point of order.

Mr. MARTIN of South Dakota. Mr. Chairman, I withdraw the point of order.

Mr. FITZGERALD. I reserve the point of order. I desire the attention of the gentleman from Illinois, so that after he hears this statement he may then be able to act in accordance with the information.

The CHAIRMAN. Does the gentleman from Texas yield?

Mr. GARNER. I yield to the gentleman from New York, but I can hardly hear my own ears.

Mr. FOSTER of Illinois. Mr. Chairman, I understood I had reserved the point of order; so that there will not be any misunderstanding—

The CHAIRMAN. The gentleman from Texas had the floor.

Mr. FOSTER of Illinois. The gentleman will recognize the difference between his proposition and the one of the gentleman from Texas, to which the gentleman might call attention, and that is that this is a benevolent proposition, a proposition for helping those who go into that community.

Mr. FITZGERALD. I understand that all the Representatives from tubercular-stricken Illinois seem to favor this proposition.

Mr. BUTLER. They do from everywhere.

Mr. FITZGERALD. I would be glad to be informed by the gentleman from Illinois why the United States should attempt to force this property on the State of Texas. If the State of Texas finds it desirable to acquire this property for a tuberculosis sanitarium, why should not Texas apply—

Mr. MANN. Texas has applied.

Mr. FITZGERALD. Of course the gentleman from Illinois says that Texas has applied. It has applied for it in just the way the city of New York applied for Governors Island for park purposes. It has applied through its Representatives offering this amendment on the floor to this bill. A little earlier it applied by having one of them introduce a bill for the same purpose. There was only this mistake made by myself, Mr. Chairman, as I have seen here time and again: If I had suggested that the Federal Government give Governors Island to the city of New York for a park, this House would have arisen unanimously in favor of the proposition, but simply because I suggested that the Secretary of War ascertain whether the city would be willing to purchase it for a park and report to Congress the terms upon which it would be willing to make that purchase, gentlemen oppose the proposition and insist that if the city desires the property it should apply for it. The land involved in the pending amendment is a particularly valuable tract of land. When the Federal Government is asked for it, it shrinks perceptibly in value, but its value will be apparent later. It contains 3,900 acres of land, fine grazing land, and on the portion of the reservation that is proposed to be turned over to the State of Texas is the water supply. Once the water supply is turned over to the State of Texas, the other land will not be of much value to anybody else. These Texans, astute gentlemen that they are, understand that the giving of 640 acres does not affect the result desired, because it means practically applying the entire reservation to the purposes of the sanitarium.

This land, however, is so located that it is peculiarly desirable as a place for the treatment of persons affected with tuberculosis, and it is recognized by medical authorities as specially adapted for that purpose. There is a wide movement in this country for the establishing of sanitariums of this character. So far

as I am personally concerned, I shall not interfere with the House having an opportunity to vote upon it. I know that it will be adopted. It seemed to me, however, that the gentleman from Illinois, usually so well informed, should not be permitted to have this point of order withdrawn and this amendment adopted, which will be an invitation to the State of Texas to take this property, without at least having an opportunity to exercise the right to make this point of order, as he did on an earlier occasion, with full information in his possession. If the gentleman will refer to the amendment, he will find this provision:

That should the State of Texas in any event refuse or fail to use or shall abandon the property it shall revert to the United States.

I know that Texas will get the property. It seems to me that the same rule should apply to all these posts. I withdraw the point of order.

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

Mr. KINKAID of Nebraska. Mr. Chairman—

Mr. MANN. Mr. Chairman, just a word. The difficulty with my friend from New York [Mr. FITZGERALD] is that he often bases his arguments upon faulty facts. He offers an amendment to have the Government ask the city of New York if it will purchase Governors Island. The State of Texas proceeds in quite a different manner. So far from the bill introduced by the House heretofore and reported upon being the first instance where the State of Texas showed its desire to acquire this property, they proceeded in regular manner and indicated their desire to the executive department of the Government, that in case this property should be abandoned, they might be enabled, by Government authority, to establish a sanitarium upon the property. Subsequently, an alert and astute Representative from that State introduced a bill and had it considered by the department and by a committee of this House and by the House itself, showing that they were attending to their business in a proper and businesslike manner. That bill was considered by the House, amended at the suggestion of the gentleman from New York [Mr. FITZGERALD], and agreed to by the House.

Mr. FITZGERALD. The gentleman is mistaken. It was not amended at my suggestion. At the suggestion of the gentleman from Illinois [Mr. MANN] the limitation was increased from 300 acres to 640 acres.

Mr. MANN. Very well. I accept the responsibility. Now, the gentleman complains about this because this is different. The gentleman from New York [Mr. FITZGERALD], with his manifold duties in the House, has not had the time heretofore to give the attention to the sale of Governors Island that these gentlemen from Texas have to acquiring this other property for a sanitarium.

Mr. FITZGERALD. The gentleman is mistaken. The War Department has only within a very few weeks suggested for the first time that Fort Jay be abandoned as a place for the use of the Mobile Army. Thereupon I suggested it would be desirable.

Mr. COOPER. How many acres in Governors Island?

Mr. FITZGERALD. Two hundred and four.

Mr. MANN. All this is aside. The State of Texas is willing to establish a sanitarium at this old fort, which sanitarium will be a benefit to the people in this country, in and out of the State of Texas. It would be a good thing if we had more of them established. I would be willing to give them the whole 3,900 acres if they can use them. I hope when this becomes a law the President will give them the buildings and the water, although that is not provided for in the proposition now pending before the House.

I withdraw the point of order.

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

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

Mr. KINKAID of Nebraska. Mr. Chairman, I ask that my amendment be read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend the amendment by striking out the words "Fort Robinson."

Mr. KINKAID of Nebraska. Mr. Chairman, I offered the amendment for the purpose of calling particular attention to how prodigal it would be for the Government to abandon such military posts as that to which the amendment refers. I think it is a very poor way to enter upon such a policy of economy as to have to clear the base, to begin with, by squandering so much. I think it is a poor way to inaugurate a policy by tearing down your houses for the purpose of building greater, and then again tearing down your houses for the purpose of building greater, and throw away the former houses.

Mr. SHERLEY. Will the gentleman permit an inquiry?

Mr. KINKAID of Nebraska. Yes, sir.

Mr. SHERLEY. Does not the gentleman also think it is rather foolish to make additional expenditures at a place when you have not determined to keep it?

Mr. KINKAID of Nebraska. It depends, I will say to the gentleman from Kentucky [Mr. SHERLEY], how far you have gone in tearing down your houses and building greater. Now, eight years ago or nine years ago, Mr. Chairman, it was the declared policy of the then administration, as it seems to be now, to abandon a number of military posts, having reference generally to the smaller military posts; and at that time the War Department took an inventory of the status of the military posts and reached a determination as to preferences for many of the posts, and determined upon an abandonment of some of them. And at that time appropriations were made for some of the posts which it was preferred to be continued and enlarged and made permanent, and erecting permanent buildings of a good class of material, buildings that would last as long as it was possible to have buildings last. Some of the posts in the West, included in this amendment, are of that class.

Now, my amendment refers to Fort Robinson, situated in my district. When I became a Member of Congress first there were two military posts in my district—Fort Niobrara and Fort Robinson. Fort Niobrara has been abandoned, and the determination was reached some six years ago to give Fort Robinson the preference, not merely between it and Fort Niobrara, but the preference over many other posts, and that it be made a permanent post on account of the great natural advantages which it possesses for a military post, one of the first being the climatic conditions, and another being the natural facilities in general, including as good spring water as can be found anywhere in the world. Again, it is located at the junction of two great railroads, which are among the leading railway systems of this country—the Northwestern and the Burlington; so that the facilities for the transportation of troops in most any direction that it is at all likely the troops should go are very good indeed.

Now this post, together with other posts in the same zone, can support the Army much more cheaply than other posts in the United States. The statistics of the War Department show that in this very zone, running across the United States north and south, including this military post, the soldiers of the Regular Army are maintained most cheaply of any place in the United States; and not only the men are maintained most cheaply, but the horses also.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KINKAID of Nebraska. Mr. Chairman, I ask unanimous consent to proceed two minutes.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that he may proceed for two minutes more. Is there objection?

There was no objection.

Mr. KINKAID of Nebraska. Now, it was determined that Fort Robinson would be enlarged to a regimental post. That was determined upon by those best qualified to judge. Gen. Chaffee, then Chief of Staff, was familiar with the post, he having been stationed there for several years, and he reported most favorably upon its merits. Since that time \$700,000 has been expended in the construction of permanent buildings and improvements. I think it would be very prodigal for the Government now to tear down those buildings, which were constructed with the idea that they should remain there permanently, constructed of the very best quality of materials, in the very best climate in the United States, with the best railroad facilities, and undertake to sell out that reservation for what you could get for it. It is as good a place for soldiers to be located as anywhere. It is the best place for soldiers brought from the Philippines and from the Tropics generally to be rehabilitated. It would be extreme prodigality to throw this away and pay 10 times as much for another site for a new military post. That would surely be the case, because the values would be put up the instant the new site or sites are determined upon. It would surely cost 10 times as much.

I am opposed to the proposition broadside, and I favor the adoption of my amendment. [Applause.]

Mr. BULKLEY. Mr. Chairman, I ask unanimous consent to proceed for five minutes on the amendment offered by the gentleman from Virginia.

The CHAIRMAN. The gentleman from Ohio [Mr. BULKLEY] asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. BULKLEY. Mr. Chairman, I desire to correct certain misconceptions regarding Army posts which seem to be cherished by the gentleman from South Dakota [Mr. MARTIN]. He has suggested that the concentration plan advocated by the Secretary of War would involve the abandonment of some

\$95,000,000 worth of posts. If the gentleman would do me the honor to read the remarks which I made here last Thursday he would see that the total investment which would have to be abandoned to carry out the proposed concentration plan of the Secretary of War is not more than about \$31,000,000 or \$32,000,000.

The gentleman hastens to assume that no such annual saving as \$5,500,000 can be made by the proposed concentration plan. I submit that the Quartermaster General and the Sub-sistence and the Medical and Pay Departments have carefully worked out these figures, and have submitted the best results that they can get.

Of course, it is a matter of opinion. In many cases it is a matter of guesswork, but the guesses are made by experts. It is the best information we can get, and without hearing these officers or having an opportunity to question them and find out how they arrive at their results, it seems to me premature to assume that their guesses are wrong.

I will say in that connection that the Chief of Staff told me personally that he believed this estimate is very conservative, and that, as a matter of fact, the savings will be greater than are estimated by the officers in question.

But, Mr. Chairman, if there were no money economy whatever, the concentration plan is worth while for the sake of the great increase in military effectiveness in the Army. The best military authority we have tells us that we must concentrate the Army into larger posts in order to promote the proper discipline and training of our forces. This concentration has been in the minds of officers in the War Department for years, but they have not pressed it hard enough.

The Secretary in his recent letter calls attention to the fact that "in 1901 Secretary Roor decided that a more concentrated system of garrisoning the mobile Army was necessary for economical administration and efficient training." That was 10 years ago. At that time it was impossible to carry into effect his ideas in respect to concentration on account of the large number of troops returning from the Philippine Islands, who overcrowded the barracks that would have been abandoned had the plan been put into operation at that time. This resulted in further expenditures on posts which ought to have been abandoned long ago. Now, the Secretary goes on to say:

The amounts expended upon these posts became an argument against their abandonment. It seemed wrong to spend large sums of money to make a post habitable, then to withdraw the troops. Throughout the last 10 years records show this argument recurring to prevent recommended concentration being effected, while good money as thrown after bad, perpetuating the very conditions which it was desired to avoid, the pressure of immediate needs being always greater than the pressure for a distant and more or less indefinite policy. Doubtless this argument will again be used to prevent the concentration desired by the present Secretary of War, and unless approached in the spirit of a great business corporation which ruthlessly tears down a 6-story building no longer suited to its needs to erect the 20-story building found necessary, the present movement for an efficient and economically administered Army will fail as have preceding efforts.

Mr. Chairman, had this policy of concentration been put into force 10 years ago when it was suggested by Secretary Roor, a great deal of this money which has been put into posts that are now useless need not have been expended.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BULKLEY. I ask unanimous consent that I may have two minutes more.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. BULKLEY. Mr. Chairman, the Secretary of War has now recommended for abandonment 18 army posts. The total cost of these posts is about \$10,000,000. Within the past 10 years, or since the time when Secretary Roor advocated the policy of concentrating the Army, there has been expended on these posts seven and a quarter millions, and within five years nearly three millions has been expended on these very posts which are now declared to be useless.

There are 7 other posts which the Secretary of War recommends for abandonment at some later time. The total cost of these 7 posts is ten and a quarter million dollars, of which five and one-half millions has been expended in the last 5 years and over eight millions in the last 10 years. Taking the total of all these 25 posts which it is proposed to abandon, the total cost is about \$20,250,000, of which more than \$15,000,000, or 75 per cent, has been spent in the last 10 years, and more than 40 per cent, eight million and some odd thousands, has been spent in the last 5 years.

Mr. Chairman, the gentleman from Virginia [Mr. HAY] proposes to stop the expenditure on these posts, and stop it now. I submit that in the view of past experience good money having been thrown after bad to such an extent, as I have related, it is important that we should take this action and stop now the ex-

penditures on these posts which are useless to the Army. [Applause.]

Mr. Chairman, I ask to extend my remarks, so that I may incorporate tables showing the expenditures on these posts during the last 5 and 10 years.

The CHAIRMAN. The gentleman asks unanimous consent that he may extend his remarks in the RECORD, and that the tables indicated by him may be included as a part of the same. Is there objection?

There was no objection.

The tables are as follows:

Table showing total cost of land and buildings and cost of construction work during 5 years ending June 30, 1911, and during 10 years ending June 30, 1911, at the 18 mobile army posts which the Secretary of War has recommended for immediate abandonment.

	Cost of construction work during 5 years ending June 30, 1911.	Cost of construction work during 10 years ending June 30, 1911.	Total cost of land, buildings, etc., to June 30, 1911.
Fort Apache, Ariz.....	\$2,320.00	\$40,112.62	\$73,639.07
Boise Barracks, Idaho.....	352,699.05	361,625.48	398,049.73
Fort Brady, Mich.....	31,774.63	211,088.28	445,104.17
Fort Clark, Tex.....	6,400.73	18,679.55	138,748.23
Fort George Wright, Wash.....	90,099.34	530,980.78	694,854.32
Fort Jay, N. Y.....	66,969.84	213,592.84	322,313.83
Fort Lincoln, N. Dak.....	122,542.22	536,839.34	618,456.27
Fort Logan H. Roots, Ark.....	40,885.22	212,257.99	428,136.67
Fort McIntosh, Tex.....	35,318.05	162,937.55	224,028.50
Fort Mackenzie, Wyo.....	243,975.37	1,120,268.50	1,218,966.00
Madison Barracks, N. Y.....	147,184.32	331,285.92	652,954.39
Fort Meade, S. Dak.....	509,509.38	995,335.36	1,225,787.93
Fort Niagara, N. Y.....	270,452.50	272,012.50	428,547.85
Fort Ontario, N. Y.....	30,210.86	548,907.30	857,484.04
Fort Wayne, Mich.....	84,024.90	331,954.95	542,354.62
Whipple Barracks, Ariz.....	154,645.47	568,130.60	602,015.69
Fort Wm. H. Harrison, Mont.....	73,656.37	137,972.02	478,882.58
Fort Yellowstone, Wyo.....	577,105.54	659,604.02	806,511.51
Total.....	2,899,771.79	7,253,594.60	10,156,818.40

Table showing total cost of land and buildings and cost of construction work during 5 years ending June 30, 1911, and during 10 years ending June 30, 1911, at the 7 mobile army posts which the Secretary of War has recommended for future abandonment.

	Cost of construction work during 5 years ending June 30, 1911.	Cost of construction work during 10 years ending June 30, 1911.	Total cost of land, buildings, etc., to June 30, 1911.
Fort Ethan Allen, Vt.....	\$81,442.76	\$937,674.97	\$1,007,458.61
Plattsburg Barracks.....	146,971.36	253,822.99	938,647.33
Fort Robinson, Nebr.....	518,235.82	648,903.88	1,071,122.28
Fort Missoula, Mont.....	467,888.94	551,478.30	593,914.08
Fort Logan, Colo.....	47,568.78	198,349.18	519,253.85
Fort Douglas, Utah.....	422,210.52	730,123.72	919,229.71
Fort D. A. Russell, Wyo.....	3,873,158.29	4,893,164.29	4,925,486.15
Total.....	5,557,476.47	8,213,517.33	10,275,112.01

Mr. HAY. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto be now closed.

The motion was agreed to.

Mr. HELM. Mr. Chairman, I desire to offer an amendment and have it considered as pending.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to offer an amendment and have the same considered as pending to be voted upon when other amendments are voted upon. Is there objection?

There was no objection.

The Clerk read the proposed amendment as follows:

On page 32, line 2, strike out the period and insert a comma and add the following: "Provided further, That no part of the sum appropriated by this act shall be used to construct a mobile Army post of less grade or size than a regimental post into a regimental post, or a regimental post into a brigade post."

Mr. KAHN. Mr. Chairman, to that I reserve a point of order.

Mr. HAY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under further consideration House bill 18956, making appropriations for the Army, and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. RODDENBERRY, by unanimous consent, was given leave of absence for one day, on account of illness.

MEXICAN COTTON-BOLL WEEVIL (S. DOC. NO. 305).

The SPEAKER laid before the House the following message from the President of the United States, which was read, ordered printed, and referred to the Committee on Printing.

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress a communication from the Secretary of Agriculture, accompanying the manuscript of a report on the "Mexican Cotton-Boll Weevil: A Summary of the Results of the Investigation of this Insect up to December 3, 1911." (Bull. No. 114, Bureau of Entomology.)

The report contains valuable information of great public interest to cotton planters of this country and those dependent upon the cotton-plant industry, and I cordially indorse the recommendation of the Secretary that the report be printed for distribution by Congress as well as by the department.

WM. H. TAFT.

THE WHITE HOUSE, February 12, 1912.

ENROLLED BILLS SIGNED.

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

H. R. 17232. An act to authorize Taney County, Mo., to construct a bridge across the White River at Branson, Mo.;

H. R. 16677. An act to authorize Butler and Stoddard Counties of Missouri to construct a bridge across the St. Francis River at Hodges Ferry, Mo.; and

H. R. 16693. An act to extend the time for the completion of the municipal bridge at St. Louis, Mo.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4651. An act to amend section 171 of the penal laws of the United States, approved March 4, 1909.

ADJOURNMENT.

Mr. HAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 45 minutes p. m.) the House adjourned until to-morrow, Tuesday, February 13, 1912, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

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

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Postmaster General submitting estimate of deficiency in appropriation for postal service for fiscal year ending June 30, 1912 (H. Doc. No. 533); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of State, requesting authority of Congress for Capt. P. H. Uberroth and Gunner Karl Johansen, of the Revenue-Cutter Service, to accept gold watches from the Government of the Dominion of Canada, for services in saving lives of the crew of the British schooner *Fownes* (H. Doc. No. 534); to the Committee on Foreign Affairs and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of New Haven Harbor, Conn. (H. Doc. No. 535); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. OLDFIELD, from the Committee on the District of Columbia, to which was referred the bill (S. 238) to authorize the extension of Lamont Street NW., in the District of Columbia, reported the same without amendment, accompanied by a report (No. 318), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 19488) granting a pension to Albert McMichaels, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. STEENERSON: A bill (H. R. 19947) to provide for the introduction of village mail delivery; to the Committee on the Post Office and Post Roads.

By Mr. YOUNG of Michigan: A bill (H. R. 19948) to authorize the establishment of a life-saving station at Mackinac Island, Mich.; to the Committee on Interstate and Foreign Commerce.

By Mr. DYER: A bill (H. R. 19949) for erecting a suitable memorial to Gen. William Tecumseh Sherman, United States Army; to the Committee on the Library.

By Mr. CAMERON: A bill (H. R. 19950) to authorize the Secretary of the Interior to construct bridges across the San Carlos and Gila Rivers on the White Mountain or San Carlos Indian Reservation, in the State of Arizona, and for other purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 19951) granting right of way over certain sections of the Grand Canyon National Monument Reserve to the Grand Canyon Scenic Railway Co.; to the Committee on the Public Lands.

By Mr. FOSTER of Illinois: A bill (H. R. 19952) to prohibit interference with commerce among the States and Territories and with foreign nations and to remove obstructions thereto, and to prohibit the transmission of certain messages by telegraph, telephone, cable, or other means of communication between States and Territories and foreign nations; to the Committee on Agriculture.

By Mr. PLUMLEY: A bill (H. R. 19953) for placing certain general officers of volunteers in the Civil War on the retired list of the Army; to the Committee on Military Affairs.

By Mr. ALEXANDER: A bill (H. R. 19954) to provide an American register for the steamer *Oceana*; to the Committee on the Merchant Marine and Fisheries.

By Mr. WARBURTON: A bill (H. R. 19955) to place the wagon road to Mount Rainier National Park, constructed under the direction of the Secretary of War, under the jurisdiction of the Department of the Interior; to the Committee on Appropriations.

By Mr. SHACKLEFORD: A bill (H. R. 19956) providing for the establishing of a Weather Bureau station at Columbia, Mo.; to the Committee on Agriculture.

By Mr. STEPHENS of Texas: A bill (H. R. 19957) for the relief of the Winnebago Indians of Wisconsin; to the Committee on Indian Affairs.

By Mr. AIKEN of South Carolina: A bill (H. R. 19958) providing for delivery of mails in towns, etc.; to the Committee on the Post Office and Post Roads.

By Mr. PETERS: A bill (H. R. 19959) prohibiting an owner or beneficiary of any letters patent of the United States making it a condition that the purchaser, lessee, or licensee thereof shall not buy or lease or use machinery, implements, appliances, or merchandise of any person, firm, corporation, or association other than such vendor, lessor, or licensor; to the Committee on the Judiciary.

By Mr. KINKAID of Nebraska: A bill (H. R. 19960) construing the reclamation act to authorize the Secretary of the Interior to afford relief from resulting seepage; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 19961) providing for extension of time in which to make water-right payments on account of inability, caused by loss of crops or other misfortune, to make payment at maturity; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 19962) to amend section 9 of the 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, approved June 29, 1906, to permit the taking of the depositions of witnesses residing a long distance from the court; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 19963) for the relief of certain homesteaders in the State of Nebraska; to the Committee on the Public Lands.

By Mr. HUGHES of West Virginia: A bill (H. R. 19964) to authorize the Norfolk & Western Railway Co. to construct sundry bridges across the Tug Fork of the Big Sandy River; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Kentucky (by request of the Commissioners of the District of Columbia): A bill (H. R. 19965) to regulate the practice of dentistry in the District of Columbia; to the Committee on the District of Columbia.

By Mr. PADGETT: A bill (H. R. 19966) making available until used certain unexpended balances of appropriations for the Naval Establishment; to the Committee on Naval Affairs.

By Mr. CAMERON: A bill (H. R. 19967) to authorize the Secretary of the Treasury to pay to the board charged with canvassing the returns of the election held in the Territory of Arizona December 12, 1911, the sum of \$2,019.65, and for other purposes; to the Committee on Claims.

Also, a bill (H. R. 19968) fixing the times and places of holding court for the district of Arizona; to the Committee on the Judiciary.

By Mr. BYRNS of Tennessee: Resolution (H. Res. 413) to investigate the proposed change in the method of the payment of interest on registered bonds and expenses involved; 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. ADAIR: A bill (H. R. 19969) granting a pension to Michael H. W. Jameson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19970) granting a pension to Manford G. W. Tucker; to the Committee on Invalid Pensions.

By Mr. AIKEN of South Carolina: A bill (H. R. 19971) granting a pension to Ernest Howard; to the Committee on Pensions.

Also, a bill (H. R. 19972) granting a pension to Walter O. Hester; to the Committee on Pensions.

Also, a bill (H. R. 19973) granting a pension to D. Jasper Sentell; to the Committee on Pensions.

Also, a bill (H. R. 19974) granting a pension to Medicus F. Day; to the Committee on Pensions.

Also, a bill (H. R. 19975) granting a pension to Robert M. Jones; to the Committee on Pensions.

Also, a bill (H. R. 19976) granting an increase of pension to James A. Caldwell; to the Committee on Pensions.

Also, a bill (H. R. 19977) granting a pension to John L. Taggart; to the Committee on Pensions.

Also, a bill (H. R. 19978) granting a pension to Ernest Howard; to the Committee on Pensions.

Also, a bill (H. R. 19979) granting a pension to Eliza T. Henderson; to the Committee on Pensions.

Also, a bill (H. R. 19980) granting a pension to Medicus F. Day; to the Committee on Pensions.

Also, a bill (H. R. 19981) granting a pension to Luther H. Hester; to the Committee on Pensions.

Also, a bill (H. R. 19982) granting a pension to D. Jasper Sentell; to the Committee on Pensions.

Also, a bill (H. R. 19983) granting an increase of pension to Adam Laskoski; to the Committee on Pensions.

Also, a bill (H. R. 19984) for the relief of James C. Duncan; to the Committee on Claims.

Also, a bill (H. R. 19985) for the relief of Kelly Johns; to the Committee on Claims.

Also, a bill (H. R. 19986) for the relief of Thomas G. Williams; to the Committee on Claims.

Also, a bill (H. R. 19987) for the relief of Thomas G. Williams; to the Committee on Claims.

Also, a bill (H. R. 19988) for the relief of R. Smith Bailey; to the Committee on War Claims.

Also, a bill (H. R. 19989) for the relief of W. M. Gibson; to the Committee on War Claims.

Also, a bill (H. R. 19990) for the relief of John W. Simpson; to the Committee on War Claims.

Also, a bill (H. R. 19991) for the relief of W. F. Parker; to the Committee on War Claims.

Also, a bill (H. R. 19992) for the relief of Mira Crumley; to the Committee on War Claims.

Also, a bill (H. R. 19993) for the relief of Jeremiah Looper; to the Committee on War Claims.

Also, a bill (H. R. 19994) for the relief of J. M. Ellison; to the Committee on War Claims.

Also, a bill (H. R. 19995) for the relief of Mary Norris Keith; to the Committee on War Claims.

Also, a bill (H. R. 19996) for the relief of Mrs. R. N. Pharr and Mrs. H. B. Faut; to the Committee on War Claims.

Also, a bill (H. R. 19997) for the relief of M. C. Dickson; to the Committee on War Claims.

Also, a bill (H. R. 19998) for the relief of Edwin Calhoun; to the Committee on War Claims.

Also, a bill (H. R. 19999) for the relief of Ellen F. Carter; to the Committee on War Claims.

Also, a bill (H. R. 20000) for the relief of the heirs of Joseph T. Fretwell, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20001) for the relief of the estate of Samuel Chapman; to the Committee on War Claims.

Also, a bill (H. R. 20002) for the relief of the estate of James H. Ambler; to the Committee on War Claims.

Also, a bill (H. R. 20003) for the relief of Confederate soldiers and citizens of the Confederate States; to the Committee on War Claims.

Also, a bill (H. R. 20004) for the relief of the heirs of Mary Wilson, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20005) granting a pension to Dugan Hargrove; to the Committee on Pensions.

Also, a bill (H. R. 20006) granting a pension to Charles F. Power; to the Committee on Pensions.

Also, a bill (H. R. 20007) granting a pension to Charles S. Gibert; to the Committee on Pensions.

By Mr. ALEXANDER: A bill (H. R. 20008) granting an increase of pension to J. M. Dunham; to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 20009) granting a pension to Thresia A. De Long; to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: A bill (H. R. 20010) granting a pension to Margaret Shea; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20011) granting an increase of pension to Thomas B. Chapman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20012) granting an increase of pension to Annie D. Page; to the Committee on Invalid Pensions.

By Mr. CAMERON: A bill (H. R. 20013) granting a pension to Henry Lottner; to the Committee on Pensions.

Also, a bill (H. R. 20014) granting a pension to Frank J. Harner; to the Committee on Pensions.

By Mr. COOPER: A bill (H. R. 20015) granting an increase of pension to Elbert E. Hill; to the Committee on Pensions.

Also, a bill (H. R. 20016) granting an increase of pension to George Croft; to the Committee on Invalid Pensions.

By Mr. COPLEY: A bill (H. R. 20017) granting an increase of pension to George W. Russell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20018) granting an increase of pension to Daniel King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20019) granting an increase of pension to Charles Reynolds; to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 20020) granting an increase of pension to Arminta Williams; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 20021) to promote on the retired list of the United States Army Brig. Gen. David S. Gordon, United States Army, retired; to the Committee on Military Affairs.

By Mr. FRANCIS: A bill (H. R. 20022) granting an increase of pension to John M. Potts; to the Committee on Invalid Pensions.

By Mr. GOEKE: A bill (H. R. 20023) granting an increase of pension to Edward Burquin; to the Committee on Invalid Pensions.

By Mr. HANNA: A bill (H. R. 20024) granting an increase of pension to John Krisher; to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 20025) for the relief of the heirs of John W. Spradlin, deceased; to the Committee on War Claims.

Also, a bill (H. R. 20026) for the relief of the legal representatives of Isaac W. Baker; to the Committee on War Claims.

By Mr. KENT: A bill (H. R. 20027) granting a pension to Frederick R. Merchant; to the Committee on Pensions.

By Mr. KINDRED: A bill (H. R. 20028) granting a pension to Annie McGreevey; to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 20029) for the relief of N. W. Gow; to the Committee on Claims.

Also, a bill (H. R. 20030) granting a pension to Mary Herman; to the Committee on Invalid Pensions.

By Mr. MARTIN of Colorado: A bill (H. R. 20031) for the relief of Jose Maria Valdez; to the Committee on Claims.

By Mr. PLUMLEY: A bill (H. R. 20032) granting a pension to Marcia H. Russell; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 20033) granting an increase of pension to Samuel T. Wolf; to the Committee on Invalid Pensions.

By Mr. REILLY: A bill (H. R. 20034) granting an increase of pension to Dennis O'Neil; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 20035) granting an increase of pension to Whitmill Herrington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20036) granting an increase of pension to John M. Bunn; to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 20037) granting an increase of pension to Andrew Smith; to the Committee on Invalid Pensions.

By Mr. SIMMONS: A bill (H. R. 20038) granting an increase of pension to John Howard; to the Committee on Invalid Pensions.

By Mr. SMITH of Texas: A bill (H. R. 20039) for the relief of Thomas B. Brumley; to the Committee on Claims.

Also, a bill (H. R. 20040) for the relief of Frank M. Malone; to the Committee on Claims.

By Mr. STONE: A bill (H. R. 20041) to correct the military record of James M. Stroud; to the Committee on Military Affairs.

By Mr. **WARBURTON**: A bill (H. R. 20042) granting a pension to John F. Simonsen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20043) granting an increase of pension to George M. Spencer; to the Committee on Invalid Pensions.

By Mr. **LÉE** of Georgia: Resolution (H. Res. 414) referring certain claims to the Court of Claims for a finding of facts under the terms of the Tucker Act; to the Committee on War Claims.

PETITIONS, ETC.

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

By the **SPEAKER** (by request): Resolutions of the municipal council of Valdez, Alaska, urging an appropriation of \$1,000,000 to maintain, extend, and build new wagon roads and trails in the Territory of Alaska; to the Committee on the Territories.

By Mr. **ANDERSON** of Minnesota: Petition of George W. Hoffmann and 52 others, of Winona, Minn., for passage of House bill 16313, providing for the erection of an American Indian memorial and museum building in Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. **ASHBROOK**: Papers to accompany House bill 16857, to remove the charge of desertion now standing against the record of Silas D. Kain; to the Committee on Military Affairs.

Also, petition of the Woman's Welfare Department of the National Civic Federation, favoring the passage of House bill 8768; to the Committee on the District of Columbia.

Also, petition of the Cleveland Stove Fixture Co., of Cleveland, Ohio, asking for the passage of the Weeks 1-cent postage bill; to the Committee on the Post Office and Post Roads.

Also, petition of the University of Kansas, asking for the passage of House bill 6304, granting Federal aid to State mining schools; to the Committee on Mines and Mining.

By Mr. **AYRES**: Petition of citizens of the city of New York, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of Chamber of Commerce of Milwaukee, Wis., protesting against abolishing the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Municipal Council of Valdez, Alaska, for certain improvements in that Territory; to the Committee on the Territories.

By Mr. **BARTHOLDT**: Petition of St. Anthony's Benevolent Society, of St. Louis, Mo., in favor of Esch bill, preventing "phossy jaw"; to the Committee on Ways and Means.

Also, petition of German-American Alliance of Kansas City, Mo., protesting against interstate liquor legislation; to the Committee on the Judiciary.

Also, petitions of the Actoid Remedy Co., Anheuser-Busch Brewing Association, and Antikamnia Chemical Co., of St. Louis, Mo., protesting against House bill 14060; to the Committee on Interstate and Foreign Commerce.

Also, petition of H. & L. Chase Bag Co., of St. Louis, Mo., in favor of certain amendments to the tariff acts; to the Committee on Ways and Means.

Also, petition of Cigar Makers' Union No. 241, of St. Louis, Mo., in favor of House bill 17253, exempting "smokers" from internal-revenue taxation; to the Committee on Ways and Means.

Also, petition of State Board of Charities and Correction of Missouri, in favor of House bill 16807; to the Committee on the Post Office and Post Roads.

Also, petition of the Warner-Jenkenson Co., of St. Louis, Mo., in favor of a drawback on alcohol; to the Committee on Ways and Means.

Also, petition of Merchants' Exchange, of St. Louis, Mo., for Lincoln memorial in accordance with the Park Commission plan; to the Committee on the Library.

Also, petition of W. W. McCann, of St. Louis, Mo., in favor of passage of Missouri war claims bill; to the Committee on War Claims.

Also, petition of Evens & Howard Fire Brick Co., of St. Louis, Mo., for erection of a building for the Interstate Commerce Commission; to the Committee on Public Buildings and Grounds.

Also, petition of citizens of St. Louis, Mo., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of Charles J. Doran and other citizens, of St. Louis, Mo., for the total elimination of the duty on sugar; to the Committee on Ways and Means.

Also, petition of Garrison No. 113, of the Army and Navy Union, of St. Louis, Mo., in favor of giving preference to the

soldiers of all wars in Government employment; to the Committee on Reform in the Civil Service.

Also, petition of Charles Arndt and other citizens of St. Louis, Mo., in favor of bill granting old-age pensions; to the Committee on Pensions.

By Mr. **BATES**: Petition of the Pennsylvania Dairy Union, H. E. Van Norman, secretary, State College, Pa., protesting against any change in the present law regulating the manufacture and sale of oleomargarine and especially urging against anything which would permit the sale of oleomargarine in imitation of butter of any shade of yellow; to the Committee on Agriculture.

Also, petition of German-American Alliance, of Philadelphia, Pa., protesting against any prohibition or interstate commerce liquor measure now pending; to the Committee on the Judiciary.

Also, petition of Garrison No. 113, Army and Navy Union, United States of America, for passage of House bill 15471; to the Committee on Naval Affairs.

By Mr. **CALDER**: Resolution of the Milwaukee (Wis.) Chamber of Commerce, protesting against any change in the administration of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Republican Club of New York City, urging the passage of Senate bill 1, establishing a department of health; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Medical Society of the County of Kings, Brooklyn, N. Y., in favor of Senate bill 1, establishing a national department of health; to the Committee on Interstate and Foreign Commerce.

Also, resolution of citizens of Brooklyn, N. Y., in favor of House bill 14, for extension of parcel-post system; to the Committee on the Post Office and Post Roads.

Also, resolutions of the municipal council of Valdez, Alaska, urging an appropriation of \$1,000,000 to maintain, extend, and build new wagon roads and trails in the Territory of Alaska; to the Committee on the Territories.

By Mr. **CANNON**: Petition of Zink H. Arterburn and others, of Kansas, Ill., praying for the enactment of House bill 16313, providing for the erection of an American Indian memorial and museum building in Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. **COOPER**: Petition of members of the German-American Nationalbund, Deutsche Gesellschaft, and Securities Verein, No. 20, G. U. G. G., of Monroe, Wis., against enactment of certain bills relative to interstate commerce in intoxicating liquors; to the Committee on the Judiciary.

By Mr. **COX** of Ohio: Petition of citizens of the State of Ohio, for old-age pension bill; to the Committee on Pensions.

Also, petition of the Dayton (Ohio) Turngemeinde, protesting against interstate liquor legislation; to the Committee on the Judiciary.

By Mr. **CRAVENS**: Resolution of the First Methodist Church of Van Buren, Ark., for the passage of the Kenyon-Sheppard interstate liquor bill, etc., to the Committee on the Judiciary.

By Mr. **DANFORTH**: Petition of members of the Improved Order of Red Men, of Monroe County, N. Y., for an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. **DODDS**: Petition of citizens of Elk Rapids, Mich., for passage of Kenyon-Sheppard interstate liquor law; to the Committee on the Judiciary.

By Mr. **DRAPER**: Petition of the Union League Club of New York City, for memorial to Peletiah Webster; to the Committee on the Library.

Also, petition of the Republican Club of New York City, for establishment of a department of health; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Chamber of Commerce of Milwaukee, Wis., protesting against abolishment of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of the third judicial division of the Territory of Alaska, relative to affairs in the Territory; to the Committee on the Territories.

By Mr. **DYER**: Petitions of the Illinois Manufacturers' Association, and Christian Bernst, Otto L. Techmann, C. H. Albers Commission Co., Bert H. Lang & Co., and William D. Orthwein Grain Co., of St. Louis, Mo., against abolishment of the Remsen Board; to the Committee on Agriculture.

Also, memorial of the dairy interests, relative to oleomargarine legislation; to the Committee on Agriculture.

Also, petitions of Missouri Board of Agriculture and the Missouri State Fair, for passage of House bill 18005; to the Committee on Agriculture.

Also, petition of H. H. Hastings, of St. Louis, Mo., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of the Ballard Snow Liniment Co., of St. Louis, Mo., protesting against House bill 17593; to the Committee on the Judiciary.

Also, petitions of Geller, Ward & Hasner Co. and Norvell-Shapleigh Hardware Co., of St. Louis, and Webb Freyschlag Mercantile Co., of Kansas City, Mo., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, papers to accompany House bill 11520; to the Committee on Pensions.

Also, memorial of the American Protective Tariff League, relative to tariff legislation; to the Committee on Ways and Means.

Also, petition of A. L. Darrow, of Sacramento, Cal., for changes in the banking laws; to the Committee on Banking and Currency.

Also, memorial of the Sempervirens Club, of California, for a greater California redwood park; to the Committee on the Public Lands.

By Mr. ESCH: Petition of St. Joseph's Society, of Titusville, Pa., praying for passage of Esch phosphorus bill; to the Committee on Ways and Means.

Also, petition of citizens of Wisconsin, against extension of the parcel-post service; to the Committee on the Post Office and Post Roads.

Also, resolutions of the Milwaukee (Wis.) Chamber of Commerce, protesting against any change in the administration of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

Also, petition of Anton Heretsmiller and 11 others, of Eau Claire, Wis., in favor of a reduction of duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. FERGUSON: Petition of citizens of Stone Haven, N. Mex., for amendment to the homestead laws; to the Committee on the Public Lands.

By Mr. FLOYD of Arkansas: Petition of citizens of Washington County, Ark., in support of House bill 13114, to grant old-age pensions; to the Committee on Pensions.

By Mr. FOCHT: Papers to accompany bill for the relief of W. Walter Branyan (H. R. 19571); to the Committee on Invalid Pensions.

Also, petition of Grange No. 914, Patrons of Husbandry, of James Creek, Pa., for amendments to the oleomargarine laws; to the Committee on Agriculture.

Also, petitions of Methodist Episcopal and Presbyterian Churches of Reedsville, Pa., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. FRANCIS: Petition of Andrew Crowl and 30 others, of Oneida, Ohio, in favor of House bill 14, to extend the parcel-post service; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of Quincy Historical Society, of Quincy, Ill., favoring proposed site in Potomac Park for Lincoln memorial; to the Committee on the Library.

Also, petition of the Washington Section of the Woman's Welfare Department, National Civic Federation, favoring the passage of House bill 8768, to regulate the rate of loans in the District of Columbia; to the Committee on the District of Columbia.

By Mr. GARNER: Petition of citizens of Aransas Pass, Tex., for passage of House bill 16819; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of the State of Texas, for passage of House bill 14; to the Committee on the Post Office and Post Roads.

Also, petition of the Woman's Christian Temperance Union of Floresville, Tex., for the passage of an effective interstate liquor law; to the Committee on the Judiciary.

By Mr. GLASS: Petitions of citizens of the State of Virginia, protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of the State of Virginia, for regulation of express rates; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM and petition of members of the Improved Order of Red Men and citizens of Stonington, Ill., for the passage of Senate bill 3953 and House bill 16313, for the erection of an American Indian memorial and museum building in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. GREGG of Pennsylvania: Petition of the Woman's Christian Temperance Union of New Florence, Pa., for the pas-

sage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. HAYES: Petitions of San Jose and San Francisco Printing Pressmen's Unions and the San Francisco (Cal.) Pressmen's Assistants' Union, for increased compensation to pressmen in the Government Printing Office; to the Committee on Printing.

Also, petition of Mary J. Beasley, of San Jose, Cal., favoring the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of California, favoring the passage of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. HENRY of Connecticut: Petition of Hartford (Conn.) Central Labor Union, protesting against treatment accorded petition of American Federation of Labor presented by the President of the Senate; to the Committee on Printing.

By Mr. HIGGINS: Petition of the Connecticut Christian Endeavor Union, in favor of the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of United German Societies of New York, against any legislation prohibiting the interstate shipment of intoxicating liquor; to the Committee on the Judiciary.

Also, petition of German Alliance of Martins Ferry, Ohio, against the Federal regulation of interstate shipment of liquors; to the Committee on the Judiciary.

By Mr. HOUSTON: Papers to accompany bills for the relief of John H. Hubbard and Joseph B. McGee (H. R. 5239 and 16150); to the Committee on Military Affairs.

Also, petition of citizens of Hillsboro, Tenn., for parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. LA FOLLETTE: Petitions of 215 citizens of White Bluffs, Loomis, Nighthawk, Chopaka, and Republic, all in the State of Washington, favoring the passage of the Berger old-age pension bill; to the Committee on Pensions.

Also, petitions of 73 residents of Hillyard and Spokane, Wash., asking the erection of an American Indian memorial building and museum in the city of Washington; to the Committee on Public Buildings and Grounds.

Also, petition of Frank Pollock, Murial Gnaggy, C. M. Baker, A. L. Bradley, Mary E. Gnaggy, Mrs. Otto Peterson, Mrs. May L. Baker, Earl Chester, Mrs. A. L. Bradley, Mrs. B. F. Chester, Otto Peterson, John S. Gnaggy, and B. S. Chester, all of Colville, Wash.; H. N. Hande, E. E. Heritage, L. W. Senertson, B. Brown, Ole N. Hande, O. M. Mourey, K. W. Rinke, A. K. Coleman, A. L. Gillett, Valentine Sauvage, and Julius Sauvage, all of Middleport, Wash.; R. D. Krockman, Clyde Kaufman, and Charles M. Kaufman, all of Crystal Falls, Wash.; George Harper, of Rex, Wash.; J. J. Wagner, P. H. Wagner, David Wagner, Conrad Wagner, and Mary Wagner, all of Farmington, Wash., in favor of House bill 1 (Sulzer parcel-post bill); to the Committee on the Post Office and Post Roads.

Also, resolutions of Edwall Local, No. 46, Farmers' Educational and Cooperative Union of America, of Edwall, Wash., favoring Lewis parcel-post bill, direct election of United States Senators, prohibition of gambling in futures on farm products, and restriction of foreign immigration; to the Committee on the Post Office and Post Roads.

Also, petition of Tom McRae, O. E. Bannister, and C. P. Bailey, of Rosalia, Wash., asking removal from office of United States District Judge A. B. Anderson, and favoring parcel-post law; to the Committee on the Post Office and Post Roads.

By Mr. LAWRENCE: Petition of 76 residents of Greenfield, Turners Falls, and Deerfield, Mass., in support of the bill to provide old-age pensions; to the Committee on Pensions.

Also, petition of 55 residents of Adams, Mass., in support of legislation for old-age pensions; to the Committee on Pensions.

Also, petition of the Woman's Christian Temperance Union of Pittsfield, Mass., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. LEE of Pennsylvania: Petition of the Woman's Christian Temperance Union of Shenandoah, Pa., against House bill 30, to repeal anticanteen law; to the Committee on Military Affairs.

By Mr. LEVY: Resolution of the Republican Club of New York, in favor of Senate bill 1, establishing a department of health; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Sempervirens Club, of California, for a greater California redwood park; to the Committee on Agriculture.

By Mr. LINDSAY: Petition of Buffalo Cooperative Stove Co., for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, memorial of Chamber of Commerce of Milwaukee, Wis., protesting against abolishment of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

Also, petition of Flatbush Taxpayers' Association, of Brooklyn, N. Y., in favor of proposed removal of the New York City post office building; to the Committee on the Post Office and Post Roads.

By Mr. LLOYD: Petitions of citizens of Canton, Downing, Kahoka, La Grange, and Wayland, Mo., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of Canton, Downing, Kahoka, La Grange, and Wayland, Mo., favoring the regulation of express companies; to the Committee on Interstate and Foreign Commerce.

By Mr. LOBECK: Petitions of citizens of the State of Nebraska, remonstrating against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. LOUD: Petition of H. C. Benjamin and 122 other residents of Onaway, Mich., favoring the passage of the parcel-post bill (H. R. 14); to the Committee on the Post Office and Post Roads.

By Mr. MAGUIRE of Nebraska: Petition of citizens of the State of Nebraska, remonstrating against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. MOTT: Petition of the Milwaukee (Wis.) Chamber of Commerce, protesting against any change in the administration of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Republican Club of New York, favoring the creation of a department of public health; to the Committee on Interstate and Foreign Commerce.

By Mr. NEEDHAM: Petition of citizens of the State of California, for passage of House bill 14; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Turlock, Cal., for old-age pension bill; to the Committee on Pensions.

Also, petition of San Francisco (Cal.) Chamber of Commerce, for improvement of the Yosemite National Park; to the Committee on the Public Lands.

Also, petition of the Los Angeles (Cal.) Chamber of Commerce, urging that the outer harbor of Los Angeles be dredged; to the Committee on Rivers and Harbors.

Also, memorial of the Sacramento Valley Development Association, for control of floods in the Sacramento and San Joaquin Valleys; to the Committee on Rivers and Harbors.

Also, petition of the American Shipmasters' Association of the Pacific coast, relative to opium smuggling; to the Committee on Expenditures in the Treasury Department.

By Mr. NEELEY: Petition of citizens of Hooper County, Kans., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. NELSON: Petition of J. E. Hilgers and 32 other citizens of Middleton, Wis., protesting against the enactment by Congress of any legislation for the extension of the parcel-post service beyond its present limitations; to the Committee on the Post Office and Post Roads.

By Mr. PAYNE: Petition of the common council of the city of Auburn, N. Y., in favor of coinage of 3-cent pieces; to the Committee on Coinage, Weights, and Measures.

By Mr. PLUMLEY: Papers to accompany a bill granting a pension to Marcia H. Russell; to the Committee on Invalid Pensions.

Also, petition of H. P. Page and other residents of Barre, Vt., for passage of old-age pension bill; to the Committee on Pensions.

Also, petition of citizens of Montpelier, Vt., for passage of an effective interstate liquor law; to the Committee on the Judiciary.

Also, petitions of Preston & Son and others, of Roxbury, Vt., asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

By Mr. RAKER: Resolutions of the San Francisco (Cal.) Chamber of Commerce and of the Merced County Chamber of Commerce, of Merced, Cal., favoring House bill 16841; to the Committee on Appropriations.

By Mr. RANDELL of Louisiana: Papers to accompany bill for relief of Robert Johnson; to the Committee on Pensions.

By Mr. REILLY: Resolutions of the New Haven (Conn.) Printing Pressmen's Union, No. 74, urging an increase of 10 cents per hour to pressmen employed in the Government Printing Office; to the Committee on Printing.

Also, petition of Cigar Makers' Union No. 129, of Denver, Colo., in favor of House bill 17253, to exempt from internal-

revenue tax cigars supplied employees by the manufacturers thereof; to the Committee on Ways and Means.

Also, petition of New Haven (Conn.) Trades Council, for the passage of the Lloyd-La Follette bill; to the Committee on Reform in the Civil Service.

Also, petition of the German-American Alliance, of Connecticut, against the passage of interstate liquor laws; to the Committee on the Judiciary.

By Mr. SHARP: Petition of the Improved Order of Red Men, Ohenata Tribe, No. 186, of Lorain, Ohio, favoring the erection of an American Indian memorial and museum building at Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, petition of members of the Ohio National Guard, of Mansfield, Ohio, in favor of House bill 8141 to increase the efficiency of the militia of the United States; to the Committee on Military Affairs.

Also, petition of citizens of Lorain County, Ohio, favoring the Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. SLAYDEN: Petitions of citizens of San Antonio, Tex., praying for a reduction of the duty on raw and refined sugars; to the Committee on Ways and Means.

By Mr. J. M. C. SMITH: Petition of J. T. Chestnut and 52 others, of Hillsdale, Mich., requesting passage of old-age pension bill introduced by Victor L. Berger; to the Committee on Pensions.

Also, petition of Detroit Board of Trade, for the retention of the Remsen board of reference; to the Committee on Agriculture.

By Mr. SMITH of Texas: Petition of citizens of Texas, against extension of the parcel-post service; to the Committee on the Post Office and Post Roads.

By Mr. STEPHENS of Nebraska: Petition of Capt. Henry A. Jess and others, of Fremont, Nebr., for passage of House bill 8141; to the Committee on Military Affairs.

By Mr. SULZER: Petition of National Drainage Congress, for the reclamation of swamp and overflow lands; to the Committee on the Public Lands.

Also, petitions of New York Produce Exchange and the Illinois Manufacturers' Association, relative to the Remsen Board; to the Committee on Agriculture.

Also, petitions of citizens of the city of New York, asking that the duties on raw and refined sugars be reduced; to the Committee on Ways and Means.

Also, petition of the Washington Section of the Woman's Welfare Department of the National Civic Federation, for passage of House bill 8760; to the Committee on the District of Columbia.

Also, petition of the Chamber of Commerce of Milwaukee, Wis., protesting against abolishment of the Revenue-Cutter Service; to the Committee on Interstate and Foreign Commerce.

By Mr. THAYER: Petition of Scandinavian Woman's Christian Temperance Union, of Worcester, Mass., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. TURNBULL: Petitions of Petersburg Hardware Co. and 64 other firms and citizens of the fourth congressional district of Virginia, protesting against the passage of any bill with reference to the parcel post; to the Committee on the Post Office and Post Roads.

Also, petitions of the Kent Furniture Co., of Petersburg, Va., and 49 other firms and citizens of the fourth congressional district of Virginia, for the enactment of legislation giving to the Interstate Commerce Commission power to regulate express rates and express classifications; to the Committee on Interstate and Foreign Commerce.

By Mr. TUTTLE: Memorial of Plainfield Lodge, No. 167, International Association of Machinists, of Plainfield, N. J., protesting against the removal or lowering of duty on typewriters, sewing machines, machine tools, and printing presses; to the Committee on Ways and Means.

By Mr. VREELAND: Petition of the Brotherhood of Pilgrim Memorial Congregational Church, of Jamestown, N. Y., for passage of Kenyon-Sheppard interstate liquor bill, to remove the Federal shield of interstate commerce from liquors shipped into any State for illegal use; to the Committee on the Judiciary.

By Mr. WOOD of New Jersey: Papers to accompany bill for the relief of Lieut. Richard Phillip McCullough (H. R. 19397); to the Committee on Naval Affairs.

By Mr. YOUNG of Kansas: Petitions of citizens of Jewell County, Kans., protesting against the passage of parcel-post legislation; to the Committee on the Post Office and Post Roads.