

MINUTES OF MEETINGS
OF THE
ISTHMIAN CANAL COMMISSION

JULY-DECEMBER
1908

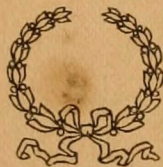
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1909

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MINUTES OF MEETINGS OF THE ISTHMIAN CANAL COMMISSION.

ONE HUNDRED AND FORTY-FIFTH MEETING.

CULEBRA, CANAL ZONE, *July 18, 1908.*

The Commission met at the call of the Chairman at 2.30 o'clock p. m.

Present: Commissioners Goethals (Chairman), Gaillard, Sibert, Blackburn, and Gorgas.

Absent: Commissioners Rousseau and Smith.

The Commission elected the Chairman's Secretary, Mr. W. H. May, as Acting Secretary of the Commission for the meeting.

The minutes of the one hundred and forty-fourth meeting were read and approved.

1. Upon motion, it was—

Resolved, That the additional paragraph to the regulations governing the treatment of persons by the physicians and in the hospitals of the Health Department of the Government of the Canal Zone, adopted by the Commission at its one hundred and thirty-sixth meeting, be changed to read as follows:

The officers and men of the United States Marine Corps and the United States Navy, stationed for duty on the Canal Zone or cruising in adjacent waters, shall be treated in all respects upon the same basis as employees of the Isthmian Canal Commission, and the members of their families may be admitted to hospitals and treated at dispensaries on the same basis as members of families of employees of the Isthmian Canal Commission.

2. Upon motion, it was—

Resolved, That the premiums on bonds of employees of the Isthmian Canal Commission, bonded to the Disbursing Officer on the Isthmus, for the faithful performance of their duties, be paid by the Isthmian Canal Commission as same is deemed necessary and expedient for the transaction of public business.

3. Upon motion, it was—

Resolved, That the clause in section 11 of the Regulations respecting the Sale of Intoxicating Liquors in the Canal Zone, Isthmus of Panama, reading:

* * * and only such tables, chairs, and benches as may be necessary for the use of employees of the saloon * * *

be amended to read:

* * * and only such tables, chairs, and benches as may be necessary for the use of the proprietor or proprietors and of the employees of the saloon * * *

That the clause in the same section reading:

* * * or to permit any intoxicated person, or any person under the age of 16 years, to be or remain in or about the premises where such liquors are kept for sale * * *

be amended to read:

* * * or to permit any intoxicated person, or any person under the age of 16 years, to remain in or about the premises where such liquors are kept for sale * * *

and that section 17 of the same regulations be amended to read as follows:

In case any holder of a license herein provided for shall be found guilty of a violation of any of the provisions of this ordinance, or of any police regulation or law governing the sale of liquors, now or hereafter in force in the Canal Zone, he shall be punished by fine or imprisonment, as provided in the preceding section, or by the revocation of his license, or by any one or all of these penalties, in the discretion of the court. But, upon second conviction, his license shall at once become null and void as the consequence of such conviction, and he shall also be liable to fine or imprisonment, or both, in the discretion of the court.

4. The Chairman stated that Mr. William Gerig, Division Engineer, had tendered his resignation, and that he had granted Mr. Gerig forty-two days' leave of absence with pay, at the expiration of which his resignation would be accepted.

Upon motion, it was—

Resolved, That the action of the Chairman be approved, and that Mr. Gerig be paid in the States for the full period of his leave.

5. The Chairman presented for consideration the case of John H. Cole, steam-shovel craneman in the Central Division, who received an injury May 1, 1908, while in the performance of his duty, which resulted in the loss of his right hand. The Chairman stated that, owing to the shock to his nervous system, Mr. Cole would be unable to perform work of any kind for a time, and that it was necessary for him to go to the States in order to recover from the effects of his injury.

Upon motion, it was—

Resolved, That John H. Cole be granted forty-two days' leave of absence with pay for his service year, beginning December 8, 1907, which ordinarily would not be due until October 8, 1908.

6. Upon motion it was—

Resolved, That Resolution No. 8, adopted at the one hundred and forty-second meeting of the Isthmian Canal Commission, authorizing the Department of Labor, Quarters, and Subsistence to take over from the Panama Railroad Company the operation of the Washington Hotel, be rescinded, the same to be effective July 20, 1908.

7. The Chairman called attention to the resolution adopted at the one hundred and first meeting of the Commission, held November 9, 1905, providing that one-third of the expenses of the Joint Inspecting

Engineer's Office in New York should be borne by the Commission, and two-thirds by the Panama Railroad Company. The Chairman stated that the increased work of inspecting supplies and equipment for the Commission had made necessary the establishment of a branch office in Washington of the Inspecting Engineer's office, and that as the division of expenses under the resolution referred to was considered inequitable, he had authorized, effective March 12, 1908, an equal division between the Commission and the Panama Railroad Company of the combined expenses of the Joint Inspecting Engineers' offices in New York and Washington.

The action of the Chairman was approved.

8. The Chairman presented a report from Commissioners Sibert and Smith, who were appointed a Committee at the one hundred and forty-third meeting of the Commission to consider the proposed revision of the Rules and Regulations for the Government of the Canal Zone Police Force.

The Committee recommended certain changes in the schedule adopted at the one hundred and thirty-first meeting of the Commission, fixing the pay of members of the police force and included in article 7 of the Rules and Regulations.

After discussion the schedule proposed was adopted in the following form, effective August 1, 1908:

The pay of members of the police force shall be as follows:

Policemen, \$40 per month.

First-class policemen, entrance salary \$80 per month, to be increased after six months' service to \$90 and after one year's service to \$100.

Corporals, one-half the number in the service \$115 per month and one-half \$125 per month.

Sergeants, one-half the number in the service \$135 per month and one-half \$150 per month.

Second lieutenant, \$175 per month.

First lieutenant, \$225 per month.

Chief of Police, \$333.33 per month.

All ordinary policemen after having served two years continuously as policemen shall be entitled to an increase in pay of \$5 per month, and after having served five years continuously shall be entitled to an additional increase in pay of \$5 per month.

All other members of the police force below the rank of second lieutenant who shall have served in the police force two years continuously, whether in one rank or another, shall be entitled to a service increase, in addition to the regular pay to their respective ranks, of \$7.50 per month, and after a continuous service of five years in the police force, to a further increase in service pay of \$7.50 per month; provided, however, that members of the force who have served in a higher rank than that of corporal for two and five years, respectively, shall be entitled to an additional increase of \$2.50 per month for two years' continuous service, and \$2.50 additional for five years' continuous service, over and beyond the regular service increase.

Longevity increases hereunder shall be conditional upon continuous service faithfully rendered and good conduct.

Officers of the Army and Navy detailed for service on the police force shall be paid in accordance with act No. 16 of the Laws of the Canal Zone.

It was thereupon—

Resolved, That the revised Rules and Regulations for the Government of the Canal Zone Police Force, be, and the same are hereby, approved, to become effective August 1, 1908.

9. The following ordinance was enacted to be in force in the Canal Zone on and after the date of its approval by the Secretary of War:

Under authority of the order of the President of March 13, 1907, be it enacted by the Isthmian Canal Commission:

1. The Chief Sanitary Officer of the Isthmian Canal Commission is authorized to designate any district, section, or portion of the Canal Zone within which, and to fix the period of time during which, unmuzzled dogs shall not be permitted to be at large in any town, village, settlement, or labor camp, or on any public highway. Such designation shall be published by printed notice posted conspicuously throughout the district, section, or portion of the Canal Zone to which it applies for ten days before the day upon which it becomes effective.

2. It shall be unlawful for the owner of any dog to allow such animal to run at large, unmuzzled, in any town, village, settlement, or labor camp, or on any public highway within the district, section or portion of the Canal Zone and within the period of time designated by the Chief Sanitary Officer.

3. Any dog found running at large contrary to the provisions of this ordinance shall be taken up and impounded by the police, provided that any such animal may be taken up by any private individual and delivered to the police for impounding.

4. Notice of the impounding of any dog shall be posted by the police in two conspicuous places in the police district in which such animal is impounded for five days, including the day upon which the dog is impounded. Such notice shall contain a description of the dog, and state where it is impounded, and to whom application should be made for its release. It shall also state that the dog will be destroyed on the fifth day from the date of the notice if previous application is not made for its release.

5. If, after the expiration of five days, no application has been made for the release of a dog confined in the pound, the dog shall be destroyed by the police. The police shall also destroy without notice or delay any dog having or suspected of having the disease of rabies.

6. The owner of any dog impounded in accordance with the preceding sections of this ordinance may secure the release of the dog at any time prior to the expiration of five days from the date on which it was impounded by exhibiting to the officer in charge of the pound a receipt from the District Judge for the fine imposed for a violation of this ordinance, and proving ownership. He shall, however, muzzle the dog before it is delivered to him.

7. Any person violating this ordinance shall be punished by a fine of five dollars for a first violation and a fine of ten dollars for any subsequent violation.

10. The Chairman read the following Executive Orders, which were ordered to be spread upon the minutes:

EXECUTIVE ORDER.

By authority of the President of the United States, it is ordered:

That section 321 of the Code of Civil Procedure of the Canal Zone, in force under order of the President of March 22, 1907, be, and the same hereby is, amended by the addition thereto of the following:

“Provided that the signature of the chief judge or presiding magistrate to a judicial record from the Republic of Panama shall be authenticated by the Secretary of

Foreign Relations of the Republic of Panama, whose signature shall in turn be authenticated by the Chief Executive of the Canal Zone."

LUKE E. WRIGHT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., July 3, 1908.

EXECUTIVE ORDER.

Captain F. C. Boggs, Corps of Engineers, is appointed General Purchasing Officer of the Isthmian Canal Commission, under the supervision of the Chief of Engineers of the U. S. Army, and Chief of the Washington Office of the Isthmian Canal Commission, to take effect upon the departure for the Isthmus of Panama of Lieut. Col. H. F. Hodges, Corps of Engineers, the present General Purchasing Officer and Chief of Office.

By direction of the President:

LUKE E. WRIGHT,
Secretary of War.

WAR DEPARTMENT,
Washington, D. C., July 6, 1908.

There being no further business before the Commission, the meeting was adjourned at 3.45 p. m., subject to the call of the Chairman.

ONE HUNDRED AND FORTY-SIXTH MEETING.

CULEBRA, CANAL ZONE, *September 5, 1908.*

The Commission met at the call of the Chairman at 2.30 o'clock p. m.

Present: Commissioners Goethals (Chairman), Gaillard, Sibert, Rousseau, Gorgas, Blackburn, and Secretary Bishop. Lieut. Col. H. F. Hodges was present by invitation.

Absent: Commissioner Smith.

The minutes of the one hundred and forty-fifth meeting were read and approved.

1. Upon motion, it was—

Resolved, That section 2 of the Rates, Rules, and Regulations Governing the use of Water on the Canal Zone, approved by the Commission at its one hundred and thirty-sixth meeting, be changed to read as follows:

SEC. 2. For each three-fourths-inch water tap, and for each standard 4-inch, 6-inch, or 8-inch sewer Y tap, a charge of \$5 United States currency will be collected; said amount must be forwarded to the Superintendent of Public Works with the application for connection: *Provided that no charge shall be made for a sewer Y tap of the sizes named where the connection is to be made with a sewer installed at the expense of the Government of the Canal Zone.* The Superintendent of Public Works shall not do plumbing or pipe fitting for private individuals or companies within the Canal Zone; but to facilitate the use of water for sanitary purposes, the Superintendent of Public Works may undertake the laying of water or sewer pipe connecting the water mains or sewers with privately owned buildings, if it shall appear that the owner is unable to have this work done in any other manner. When water or sewer pipe is laid under these circumstances by the Superintendent of Public Works for a private individual or company, a cash deposit shall be required to cover the estimated cost of labor and material, plus 20 per cent, payable at the time application for the work is made.

2. Upon motion, it was—

Resolved, That the resolution of the Commission approved September 5, 1904, and embodied in act No. 16 of the Laws of the Canal Zone, providing that officers of the Army or Navy, or of the Public Health and Marine-Hospital Service, who may be assigned to duty under the Isthmian Canal Commission on the Isthmus, shall be paid from the Commission's appropriations additional compensation equal to 50 per cent of their authorized pay and allowances, when on duty in the United States, be hereby revoked.

Resolved further, That, effective September 15, 1908, officers of the Army or Navy, or of the Public Health and Marine-Hospital Service, who are or may be ordered to duty under the Commission on the Isthmus, shall receive the compensation of the position to which they are assigned, the difference between their service pay and such compensation to be paid from the Commission's appropriations; or they shall receive from such appropriations, in addition to their service pay, the increase authorized by law for service in the Tropics.

3. Upon motion, it was—

Resolved, That on and after October 1, 1908, the Commission shall pay the Panama Railroad Company for the authorized transportation of persons between New York and Colon a flat rate of \$40 per passenger for first-class transportation, instead of the rate provided in the resolution adopted by the Commission at its one hundred and twelfth meeting; and half the regular rate per passenger for steerage transportation.

4. The Chairman stated that on July 7, 1908, he had appointed a committee consisting of Mr. E. J. Williams, Disbursing Officer, and Mr. W. W. Warwick, Examiner of Accounts, representing the Commission, and Mr. H. L. Stuntz, Local Auditor, representing the Panama Railroad Company, to consider the question of the payment of a lump sum monthly to the Panama Railroad for freight transportation furnished the Commission. In accordance with the unanimous recommendation of this committee the Chairman, on July 30, 1908, formally proposed to the Panama Railroad Company that it agree to accept the sum of \$57,000 monthly in full payment for all freight transportation by rail furnished the Commission, the same to be effective August 1, 1908, and to be confirmed by resolution of the Commission, and of the Board of Directors of the Railroad Company. This proposition having been accepted by the Acting General Manager of the Panama Railroad Company on behalf of the Company, it was—

Resolved, That the agreement entered into by the Chairman for the payment of \$57,000 monthly, beginning August 1, 1908, for all freight transportation by rail furnished the Commission by the Panama Railroad Company, be and the same is hereby ratified and approved, and the sum of \$57,000 will be charged to the departments as follows:

Engineering and construction.....	\$47, 000. 00
Sanitation.....	1, 000. 00
Relocation of Panama Railroad.....	9, 000. 00

5. Whereas the Isthmian Canal Commission will destroy certain portions of the present track of the Panama Railroad Company across the Isthmus; and whereas the Isthmian Canal Commission did, by resolution adopted at the one hundred and twenty-fourth meeting, held on April 24, 1907, provide for reimbursing the Panama Railroad Company for expenditures incurred by that Company on account of the relocation of the Railroad and its terminals, and

whereas it is deemed necessary to interpret said resolution and provide for continuing the work, and for making payments therefor from the appropriations made by the act of Congress of May 27, 1908, and from future appropriations—

Resolved, 1. That the relocation of the Panama Railroad shall be completed without profit either to the Panama Railroad Company or to the Isthmian Canal Commission, so far as that may be practicable.

2. That, wherever practicable, the Isthmian Canal Commission shall furnish the materials to be applied in the relocation of the railroad.

3. That for material furnished by the Panama Railroad Company, other than rails and ties, the Isthmian Canal Commission shall pay the cost of such material to the Panama Railroad Company, c. i. f. Colon, Cristobal, or La Boca, plus 10 per cent to cover all incidental expenses incurred prior to the shipment of the material to the work, including the cost of handling.

4. That for rails and ties furnished by the Panama Railroad Company the Isthmian Canal Commission shall pay the cost to the Panama Railroad Company, c. i. f. Colon, Cristobal, or La Boca, plus 5 per cent.

5. That for labor furnished by the Panama Railroad Company the Isthmian Canal Commission shall pay the actual pay-roll cost, plus 10 per cent to cover the cost of tools, clerk hire, and superintendence not attached locally to the work.

6. That for engine service furnished by the Panama Railroad Company the Isthmian Canal Commission shall pay, in addition to the labor cost of engine crews, plus 10 per cent, an additional charge of \$2.50 per working hour for each engine, to cover the cost of repairs, fuel, oil, tallow, waste, locomotive supplies, and depreciation.

7. That the Isthmian Canal Commission shall make no payment to the Panama Railroad Company for the use of such of the Company's plant ordinarily required in the operation of the railroad which may be available for use in the work of relocation, but the Isthmian Canal Commission shall assume the cost of maintaining such plant.

8. That the cost of transporting employees and material used in the relocation of the railroad shall be borne by the Isthmian Canal Commission, and the lump sums paid by the Isthmian Canal Commission each month to the Panama Railroad Company on account of the transportation of the Commission's employees and freight, shall be increased from time to time to cover the approximate cost of similar transportation required in the relocation of the railroad.

9. That as completed sections of the relocated line of the railroad are put into continuous and permanent operation as a part of the main line and the parallel sections of the old line are no longer required for through traffic, such completed sections shall be turned over to the Panama Railroad Company and the formal acceptance of the Company of such sections of the relocated line shall be secured.

10. That for two years following the acceptance by the Panama Railroad Company of any completed section of the relocated line, the Isthmian Canal Commission shall bear the entire cost of material expended in the necessary renewal of ballast, ties, or rails, and that

the cost of all other items incident to the maintenance of the section shall be borne one-half by the Isthmian Canal Commission and one-half by the Panama Railroad Company.

11. That whenever a section of the relocated line shall have been accepted by the Panama Railroad Company, the material in the parallel section of the old line, including rails, ties, buildings, and all other material, shall become the property of the Isthmian Canal Commission.

12. That when the terms of this resolution shall have been accepted by the Panama Railroad Company, if any question shall arise involving its interpretation, the decision of the Chairman of the Isthmian Canal Commission shall be final.

6. Upon motion of the Head of the Department of Civil Administration, it was—

Resolved, That Hing Lee, holding a license for the sale of liquor at retail in the town of Tabernilla, be permitted to remove his saloon from the building in which it is now located to house No. 601 at Bohio.

7. Upon the recommendation of the Head of the Department of Civil Administration, it was—

Resolved, That the application submitted by Yuen Chong, pursuant to the provisions of section 14 of the regulations respecting the sale of intoxicating liquors in the Canal Zone, for authority to transfer to Cecil McCalla his license for the sale of intoxicating liquors at retail, in the town of Gorgona, be approved.

8. Upon the recommendation of the Head of the Department of Civil Administration, it was—

Resolved, That the application submitted by Chow Shin Leon, pursuant to the provisions of section 14 of the regulations respecting the sale of intoxicating liquors in the Canal Zone, for authority to transfer to E. S. Young and J. E. Cleary his license for the sale of intoxicating liquors at retail, in the town of Empire, be approved.

9. The Chairman presented a statement showing appointments, promotions, and other changes in the personnel of the Washington office and Assistant Purchasing Agencies, covering the period from January 1, 1908, to June 30, 1908, inclusive, all of which were ratified and approved.

10. The Chairman presented the case of Mr. Frank W. Stephens, Levelman in the Atlantic Division, who was granted leave of absence with pay for sixty days, effective May 1, 1908, and was prevented from reporting for duty within fifteen days after the expiration of this leave, owing to the S. S. *Alliance*, on which he returned, reaching the Isthmus one day later than scheduled time.

Upon motion, it was—

Resolved, That payment to Mr. Frank W. Stephens of the salary due him for the period of his leave of absence be authorized.

11. The Commission considered the applications submitted by Mr. J. G. Holcombe, Division Engineer, and Mr. L. M. Lipsett, Superintendent of Building Construction, for leave to be spent on the Isthmus, and in view of the exceptional circumstances surrounding these cases, it was—

Resolved, That Mr. J. G. Holcombe be permitted to spend on the Isthmus the forty-two days' leave of absence granted him, effective September 1, 1908, and that this leave be with pay, and that the same privilege be extended to Mr. L. M. Lipsett, with respect to the forty-two days' leave of absence granted him, effective August 12, 1908.

12. Upon the recommendation of the Chief Sanitary Officer, it was—

Resolved, That paragraph 2, section A, of the regulations governing the treatment of persons by the physicians and in the hospitals of the Department of Sanitation, as adopted at the one hundred and twenty-fourth meeting of the Isthmian Canal Commission, held at Culebra, April 24, 1907, and amended at the one hundred and twenty-sixth meeting of the Isthmian Canal Commission, held at Culebra May 21, 1907, be further amended to read as follows:

A charge of \$1 shall be made for each visit by a physician of the Health Department to an employee at his home or quarters, provided that if he is unable to go to the dispensary no charge shall be made for the first visit to such employee. Employees living with their families in Commission quarters who, in the opinion of the visiting physician, can not safely or conveniently report at the dispensary for treatment, shall, if they so desire, be treated at their homes without charge.

And it was further—

Resolved, That paragraph 4, section D, of the same regulations, be amended to read as follows:

For the use of a private room a charge of \$2.50 shall be made, and for other special attention the charges shall be the same as for an employee.

13. The Chairman laid before the Commission the application of Mr. Ricardo M. Arango, Division Engineer, for forty-two days' leave of absence with pay, effective September 15, 1908, to be spent on the Isthmus, and stated that Mr. Arango had submitted his resignation to take effect at the expiration of the leave for which he applied.

In view of the exceptional circumstances surrounding this case,

Upon motion, it was—

Resolved, That Mr. Arango be permitted to spend his vacation on the Isthmus.

There being no further business before the Commission, the meeting was adjourned at 3.45 p. m., subject to the call of the Chairman.

ONE HUNDRED AND FORTY-SEVENTH MEETING.

CULEBRA, CANAL ZONE, *September 21, 1908.*

The Commission met at the call of the Chairman at 11.30 o'clock a. m.

Present: Commissioners Goethals (Chairman), Hodges, Gaillard, Rousseau, Gorgas, Blackburn, and Secretary Bishop.

Absent: Commissioner Sibert.

The minutes of the one hundred and forty-sixth meeting were read and approved.

1. The Chairman laid before the Commission for approval his Circular No. 203, authorizing the Subsistence Officer to make daily local purchases for the hotels and mess houses in the open market without advertising, such purchases, singly, or in any one day, in no instance to exceed \$500 in value.

Upon motion, it was—

Resolved, That the action of the Chairman be approved, and that the authority conferred on the Manager of the Department of Labor, Quarters, and Subsistence by resolution No. 8, adopted by the Commission at its one hundred and twelfth meeting, be hereby vested in the Subsistence Officer.

2. The Chief Sanitary Officer laid before the Commission the case of Alessandro Comba, an Italian laborer, who was struck by a locomotive September 21, 1907, the rear trucks passing over his legs below the knee. He stated that this man had been under treatment at Ancon Hospital since the date of the accident, in which he had lost both legs, and that he would be unable to move about until provided with artificial limbs, which could not be purchased or fitted on the Isthmus. As the maintenance of Alessandro Comba at the hospital would result in expense to the Commission, and as it would be impracticable to discharge him in his helpless and destitute condition,

Upon motion, it was—

Resolved, That Alessandro Comba be sent to New York City and there maintained and fitted with artificial limbs, and subsequently returned to the Isthmus at the expense of the Isthmian Canal Commission.

3. Upon motion, it was—

Resolved, That resolution No. 7, adopted by the Executive Committee at its twenty-second meeting, held on April 11, 1906, is hereby rescinded, and the Chairman is authorized to dissolve the Board of Survey and Appraisal created in accordance therewith.

4. The Chairman presented the case of Policeman Andrew Murdoch, of the Canal Zone Police Department, who was granted leave of absence with pay for forty-two days, effective June 12, 1908, and was prevented from reporting for duty within fifteen days after the expiration of his leave by the failure of the steamship *Cartago*, on which he returned, to maintain its published schedule.

Upon motion, it was—

Resolved, That payment to Mr. Andrew Murdoch of the salary due him for the period of his leave of absence be authorized.

5. Upon motion, it was—

Resolved, That, except for causes manifestly beyond prevention by any action of the employee, no exception will be made to the rule embodied in the General Conditions of Employment adopted at the one hundred and twenty-ninth meeting of the Commission, providing that employees not reporting for duty within fifteen days after expiration of leave will forfeit the right to pay for leave period. Employees are expected to report for duty on the expiration of their authorized leave, the additional fifteen days, return within which will preserve their right to pay during leave, being intended to cover all contingencies and not to be considered additional leave without pay.

There being no further business before the Commission, the meeting was adjourned at 12 o'clock m., subject to the call of the Chairman.

ONE HUNDRED AND FORTY-EIGHTH MEETING.

CULEBRA, CANAL ZONE, *November 7, 1908.*

The Commission met at the call of the Acting Chairman at 11.30 o'clock a. m.

Present: Commissioners Hodges (Acting Chairman), Gaillard, Rousseau, Blackburn, Gorgas, and Secretary Bishop.

Absent: Chairman Goethals and Commissioner Sibert.

The minutes of the one hundred and forty-seventh meeting were read and approved.

1. The Acting Chairman was authorized to have 24 pews manufactured, at an estimated cost of \$288, the same to be loaned to St. Mary's Episcopal Church at Empire for use in the church building, but to remain the property of the Commission.

2. Upon motion it was—

Resolved, That the expenditure of the sum of \$100, or so much thereof as may be necessary, be authorized for the purchase of household furnishings for the Salvation Army Rest House and Food Station at Cristobal, the same to replace such furnishings originally installed but removed by the Department of Labor, Quarters, and Subsistence, for the reason that the amount authorized by the Commission for this purpose had been exceeded.

3. Upon recommendation of the Head of the Department of Civil Administration it was—

Resolved, That the application submitted by William Lowe Tong, pursuant to the provisions of section 14 of the regulations respecting the sale of intoxicating liquors in the Canal Zone, for authority to transfer to Antonio Guerra his license for the sale of intoxicating liquors at retail, in the town of Gorgona, be approved.

4. Upon motion, it was—

Resolved, That the Head of the Department of Civil Administration be, and hereby is, authorized and directed to amend his order of April 30, 1907, prescribing areas within which saloons and drinking places may be located in the various towns and villages of the Canal Zone in which the Commission, by resolution of April 27, 1907, authorized their license, under the head of Culebra, by adding the following:

"And on lots 11 to 19, inclusive, block 1; lots 12 to 20, inclusive, block 2; lots 1 to 9, inclusive, block 4; lots 2 to 10, inclusive, block 5, as shown on the map of West Culebra, prepared in the Resident Engineer's Office at Empire, on October 5, 1908."

5. The Acting Chairman presented the request of Cecil McCalla, the holder of a liquor license at Gorgona, for permission to move his saloon from its present location to building No. 55, avenue A.

After discussion, the request was refused, the Commission deeming it inadvisable to grant permission for the establishment of any additional saloons on the front street.

6. The Acting Chairman stated that, with a view to increasing the efficiency of the inspection service of the Isthmian Canal Commission and of the Panama Railroad Company, the Chairman had terminated the agreement of March 12, 1908, whereby the expenses of the General Inspection Engineers' Offices of the Panama Railroad Company in New York and Washington were divided equally between the Isthmian Canal Commission and the Railroad Company, and had authorized the separation of the two services, effective October 10, 1908, the entire expense of the Washington force to be borne by the Commission and the entire expense of the New York force to be borne by the Panama Railroad Company from that date. In this connection the Acting Chairman read two Executive Orders of the President, each dated October 3, 1908, authorizing the incorporation of the force employed in the Washington office into the classified service upon the separation of the work of the two offices, and also exempting one Inspecting Engineer and Inspectors in the Purchasing Department from the operation of the civil-service rules.

Upon motion, it was

Resolved, That the action of the Chairman in authorizing the separation of the inspection service of the Isthmian Canal Commission from that of the Panama Railroad Company, effective October 10, 1908, whereby the entire expense of the Washington force is borne by the Commission and the entire expense of the New York force is borne by the Panama Railroad Company from that date, be approved.

7. The Acting Chairman read a letter addressed to the Head of the Department of Civil Administration by the President of the Republic of Panama, stating that he desired to appoint Dr. P. de Obarrio, Superintendent of Santo Tomas Hospital, as the representative of Panama at the First Pan-American Scientific Congress to be held at Santiago, Chile, December 25, 1908, Doctor Obarrio being willing for this purpose to take the leave of absence of eighty-four days now due him, provided he is permitted to retain his quarters for that length of time, the same to be occupied by his family.

After discussion the Acting Chairman was authorized to take such action in the premises as he deemed advisable.

8. *Resolved*, That payment be made to the estate of Dr. John H. Purnell, an employee of the Isthmian Canal Commission, who entered on forty-two days' leave, with pay, on September 8, 1908, and died October 26, 1908, while on such leave, for the period from September 8, 1908, to October 19, 1908, inclusive, from the appropriation made in the sundry civil act of May 27, 1908, the Commission deeming such expenditure necessary to best promote the construction of the Isthmian Canal.

9. *Resolved*, That payment be made to the estate of William H. McDavid, an employee of the Isthmian Canal Commission, who entered on eighty-four days' leave, with pay, on September 1, 1908, and died October 9, 1908, while on such leave, for the period from September 1, 1908, to October 9, 1908, inclusive, from the appropriation made in the sundry civil act of May 27, 1908, the Commission deeming such expenditure necessary to best promote the construction of the Isthmian Canal.

10. *Resolved*, That payment be made to the estate of Richard S. Rickards, an employee of the Isthmian Canal Commission, who entered on forty-two days' leave, with pay, on October 2, 1908, and died October 12, 1908, while on such leave, for the period from October 2, 1908, to October 12, 1908, inclusive, from the appropriation made in the sundry civil act of May 27, 1908, the Commission deeming such expenditure necessary to best promote the construction of the Isthmian Canal.

11. There being no provision in the General Conditions of Employment, adopted by the Commission at its one hundred and twenty-ninth meeting, for the payment to the estate of an employee dying while on leave of absence the amount due for the period from the effective date of the employee's leave to the date of his death, and it being deemed desirable to provide for future cases of this character,

It was—

Resolved, That if an employee who has entered upon his leave of absence, with pay, dies while on such leave his estate shall be paid the amount due him for the period from the effective date of his leave to the date of his death, both inclusive: *Provided*, That in case of the death of an employee before return from leave of absence and after expiration of the same, payment of salary accrued for the leave period may be made, with the approval of the Chairman.

There being no further business before the Commission, the meeting was adjourned at 3.30 p. m., subject to the call of the Chairman.

ONE HUNDRED AND FORTY-NINTH MEETING.

CULEBRA, CANAL ZONE, *December 24, 1908.*

The Commission met at the call of the Chairman at 2.30 o'clock p. m.

Present: Commissioners Goethals (Chairman), Hodges, Gaillard, Sibert, Rousseau, and Secretary Bishop.

Absent: Commissioners Blackburn and Gorgas.

The minutes of the one hundred and forty-eighth meeting were read and approved.

1. The Chairman read the following Executive Order, which was ordered to be spread upon the minutes:

EXECUTIVE ORDER.

Under authority vested in me by law, it is ordered:

1. An appeal from the judgment of a District Court of the Canal Zone may be taken by the defendant by giving notice in open court of his intention so to do at the time the judgment is rendered, or by filing with the court a written notice of appeal within five days thereafter. The appeal may thereupon be perfected by the defendant by filing with the District Court or with the Circuit Court to which the appeal is taken, a bond in a sum fixed by the Judge of said District Court or the Judge of said Circuit Court, but not exceeding two hundred and fifty dollars, and with one or more sufficient sureties approved by the court or clerk accepting the same, for his appearance and trial upon appeal in the Circuit Court: *Provided*, That if a money deposit be made in lieu of the bond, the amount to be deposited shall not exceed one-half of the sum required in the bond.

2. Sections 44, 45, and 46 of the Code of Criminal Procedure of the Canal Zone are hereby repealed.

THEODORE ROOSEVELT.

THE WHITE HOUSE, *November 7, 1908.*

2. The Chairman called attention to the resolution adopted by the Commission at its one hundred and forty-sixth meeting, approving the agreement entered into by the Chairman for the payment to the Panama Railroad Company of a lump sum of \$57,000 monthly, beginning August 1, 1908, for all freight transportation by rail furnished the Commission. The Chairman stated that, it having appeared from statistics that the monthly amount of freight transportation by rail actually furnished the Commission was considerably less than the lump sum authorized, the Committee which originally recommended

the amount fixed had been instructed to give the subject further consideration with the view of recommending a more equitable adjustment. The report submitted by the majority of the Committee recommended a modification of the agreement of August 1, 1908, to the effect that the handling and transportation of coal, sand, gravel, and cinders should be included in the amount of \$57,000 per month paid for freight transportation, the modified agreement to be effective as of November 1, 1908, and to apply to deliveries to the Commission on and after that date. The Chairman further stated that he had approved this recommendation, and that the same had been accepted by the Panama Railroad Company.

Upon motion, it was—

Resolved, That the agreement approved by the Commission at its one hundred and forty-sixth meeting, providing for the payment of a lump sum monthly, beginning August 1, 1908, for all freight transportation by rail furnished the Commission by the Panama Railroad Company, be modified, effective November 1, 1908, to include in the said amount of \$57,000 per month all charges by the Panama Railroad Company in connection with the handling and transportation of coal, sand, gravel, and cinders furnished the Commission.

3. Upon motion, it was—

Resolved, That for all employees appointed on and after January 1, 1909, the Government rate of transportation on the steamers of the Panama Railroad Steamship Line allowed employees and dependent members of their families shall be \$30. Such transportation shall be granted in accordance with rules prescribed by the Chairman.

4. Upon motion, it was—

Resolved, That an expenditure of not exceeding \$2,500 be authorized for the enlargement of the Salvation Army rest house and food station at Cristobal, provided the condition of the appropriations will warrant the expenditure.

5. Upon motion, it was—

Resolved, That hereafter no exceptions to the regulations governing conditions of employment will be made unless authorized or approved by the Commission.

6. Upon the recommendation of the Chairman, it was—

Resolved, That the application submitted by Mr. Amado J. Gonzales, pursuant to the provisions of section 14 of the Regulations Respecting the Sale of Intoxicating Liquors in the Canal Zone, for authority to transfer to Pedro Ros his license for the sale of intoxicating liquors at retail, in the town of Empire, be approved.

7. Upon the recommendation of the Chairman, it was—

Resolved, That the application submitted by Mr. Pascal Canavaggio, attorney for Prudencio San Martin, pursuant to the provisions of section 14 of the Regulations Respecting the Sale of Intoxicating Liquors in the Canal Zone, for authority to transfer to Kwong Chong Chang the license of Prudencio San Martin for the sale of intoxicating liquors at retail, in the town of Rio Grande, be approved.

8. Upon recommendation of the Chairman—

Authority was granted Charles R. Cantor to transfer his saloon at Empire from the New York House to the building west of the Panama Railroad known as the Pennsylvania Hotel, with the understanding that the license of A. Rome, who now conducts a saloon in the Pennsylvania Hotel, will be permitted to lapse on December 31, 1908.

9. Upon the recommendation of the Chairman, it was—

Resolved, That permission be accorded See Lee, holding a license for the sale of liquor at Bas Obispo, to remove his saloon from the building in which it is now located to the adjoining building.

10. Upon the recommendation of the Chairman it was—

Resolved, That the application submitted by Kum Lun Tai, pursuant to the provisions of section 14 of the Regulations Respecting the Sale of Intoxicating Liquors in the Canal Zone, for authority to transfer to John Kurtenacker his license for the sale of intoxicating liquors at retail in the town of Gorgona, be approved; and

Resolved further, That John Kurtenacker be permitted to remove the saloon from the building in which it is now located to a new building owned by E. Cadett, situated immediately opposite the present location of the saloon.

11. The Chairman stated that he had authorized the Acting Chief Sanitary Officer to direct Dr. J. Tomaselli, District Physician at LaBoca, who was bitten by a dog suffering from hydrophobia, to proceed to New York City to take the necessary treatment for the prevention of rabies, the expenses necessarily incurred by him to be borne by the Commission. The action of the Chairman was approved.

12. The Chairman stated that it having appeared from statistics prepared by the officers that the monthly amount of transportation on the Panama Railroad furnished to officials and employees of the Isthmian Canal Commission on the Isthmus at one-half the regular passenger rates had exceeded for the month of November the sum of \$10,000 authorized by resolution of the Commission at its one hundred and forty-first meeting, held February 25, 1908, he had entered into an agreement with the Panama Railroad Company, beginning December 1, 1908, and to continue in effect until statistics again warrant change, for the payment of a lump sum of \$11,000 per month by the Commission for the transportation of its officials and employees on the regular scheduled trains of the Panama Railroad Company; such lump-sum allowance per month not, however, to include the Railroad Company's proportion of the rate from New York to Panama on through business; but, on the contrary, that, as formerly, the sum of \$1.20 per passenger shall be allowed and paid for the transportation of the Commission's employees en route from New York to Panama.

Upon motion, it was—

Resolved, That the agreement entered into by the Chairman for the payment of \$11,000 monthly, beginning December 1, 1908, for the

transportation of officials and employees on the regular scheduled trains of the Panama Railroad Company be approved.

13. The Chairman stated that, under date of November 30, 1908, he had submitted to the Secretary of War the following estimates to supply urgent deficiencies in the appropriations for Canal Construction for the fiscal year ending June 30, 1909, and, upon motion, the same were approved and confirmed.

Division.	Officers and employees.	Skilled and unskilled labor.	Material and supplies.	Total.
Central	\$194,000	\$956,000		\$1,150,000
Pacific	31,500	264,000	\$506,500	802,000
Atlantic	361,500	1,221,000	1,868,500	3,451,000
Office Chief Engineer.....	13,000	17,000	25,000	55,000
Total.....	600,000	2,458,000	2,400,000	5,458,000

There being no further business before the Commission, the meeting was adjourned at 4 o'clock p. m., subject to the call of the Chairman.

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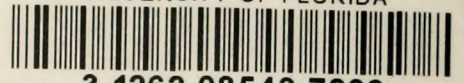
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