

HOUSE OF REPRESENTATIVES.

MONDAY, March 12, 1906.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

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

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed, with amendments, the bill (H. R. 12707) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States; in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed without amendment the following resolution:

House concurrent resolution No. 24.

Resolved by the House of Representatives (the Senate concurring), That the President be requested to return to the House of Representatives the bill (H. R. 8494) granting an increase of pension to David A. Jones.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution No. 15.

Resolved by the Senate (the House of Representatives concurring), That there be printed the following documents:

First. Reports of the efficiency of various coals used by the United States ships from 1896 to 1898, inclusive, made by the Bureau of Equipment of the Navy in 1899.

Second. Pages 47 to 71, inclusive, of the Navy for 1902, under the heading of "Equipment Expenses Abroad."

Third. Pages 55 to 67 of the report of said Bureau for 1903 under the same heading.

Fourth. Letter from the Secretary of the Navy to JOHN T. MORGAN (with the accompanying statements), dated March 6, 1906.

Said papers to be bound together in cloth, as one document, of which the usual number shall be printed and bound for the use of the Senate, and 500 copies for the Navy Department.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages in writing from the President of the United States were communicated to the House of Representatives, by Mr. BARNES, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On March 9, 1906:

H. R. 16305. An act authorizing the Secretary of War to sell certain coal in Alaska, and for other purposes;

H. R. 14589. An act to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Tennessee River;

H. R. 14590. An act to authorize the Cairo and Tennessee River Railroad Company to construct a bridge across the Cumberland River.

On March 10, 1906:

H. R. 13538. An act to incorporate the Carnegie Foundation for the Advancement of Teaching.

On March 12, 1906:

H. R. 13542. An act authorizing the Secretary of the Interior to lease land in Stanley County, S. Dak., for a buffalo pasture.

UNITED STATES DISTRICT ATTORNEY FOR THE SOUTHERN DISTRICT OF NEW YORK.

Mr. JENKINS. Mr. Speaker, by direction of the Committee on the Judiciary, I ask for the passage of House resolution 350.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Secretary of the Treasury be requested to communicate to Congress what sums, if any, he or his predecessors in office have approved between January 1, 1898, and January 1, 1906, and paid from the appropriation for collecting the revenue from customs or otherwise, to United States district attorneys, under Revised Statutes, section 827, as extra compensation for work done by said district attorneys in customs cases originating prior to the customs administrative act of June, 1890, stating in detail the number of said cases, the respective ports at which said cases were pending, and the amounts paid to each of said district attorneys.

The Secretary is also requested to inform Congress what the character of the services was which were rendered by said district attorneys for which said extra compensation was allowed; and, further, having in view the opinion of the Attorney-General of the United States rendered July 8, 1889 (19 Opinions Attorneys-General, p. 354), that the Secretary of the Treasury has the right to scrutinize, reverse, and cut down all charges for such services certified by the court under said Revised Statutes, section 827, whether any charges so certified in these cases have been cut down or reversed; and if any, what these were in detail.

The Secretary is further requested to communicate to Congress whether or not any extra compensation has been allowed or paid to district attorneys under said section 827, Revised Statutes, since the act

of March 3, 1905, prohibiting the receipt of fees by United States district attorneys in addition to the salary allowed them by law; and if so, the amounts so paid, the district attorneys who received the same, and the character of the services rendered.

The amendments recommended by the committee were read, as follows:

Amend in line 7, before the words "United States," by inserting the word "the;" strike out the word "attorneys" and insert in lieu thereof the word "attorney," in line 7; and insert in line 7, between the word "attorneys" and the word "under," the words "and of the southern district of New York."

Amend in line 9 by striking out the word "attorneys" and inserting in lieu thereof the word "attorney."

Amend in line 12 by striking out all after the words "said cases."

Amend line 13 by striking out the word "pending" and the word "to" after the word "paid" and insert in lieu thereof the word "in;" strike out the balance of said line.

Amend line 14 by striking out the word "attorneys."

Amend line 15 by striking out the word "what" and insert in lieu thereof the word "of."

Amend line 16 by striking out the words "was which were" after the word "services," and before the word "rendered."

Amend line 1 on page 2 by striking out the word "attorneys" and inserting in lieu thereof the word "attorney."

Amend line 14 by inserting the word "said" after the word "to;" and amend further by striking out the word "attorneys" and inserting in lieu thereof the word "attorney."

Amend line 19 by striking out, after the word "paid," the words "the district attorneys who receive the same."

The amendments were agreed to.

The resolution as amended was agreed to.

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

JOHN H. PARKER.

Mr. PATTERSON of Pennsylvania. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the President be requested to return to the House of Representatives a bill (H. R. 10588) entitled "An act granting a pension to John H. Parker."

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

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

INCREASING CERTAIN PENALTIES IN DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I call up for present consideration the bill (H. R. 11275) increasing the penalty for certain offenses in the District of Columbia.

The SPEAKER. The gentleman from Wisconsin [Mr. BABCOCK] calls up for consideration the following bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the penal clause in the first paragraph of the act of Congress approved July 8, 1898, entitled "An act to amend 'An act for the preservation of the public peace and protection of property in the District of Columbia,' approved July 29, 1892," be, and the same is hereby, amended so as to read as follows: "under penalty of a fine not to exceed \$100, or imprisonment not to exceed six months, or both such fine and imprisonment." And that the last sentence of the last paragraph of the said act of Congress approved July 8, 1898, entitled "An act to amend 'An act for the preservation of the public peace and protection of property in the District of Columbia,' approved July 29, 1892," be, and the same is hereby, amended so as to read as follows: "That the taking and carrying away of the property of another in the District of Columbia without right so to do shall be a misdemeanor, punishable by a fine not to exceed \$100, or imprisonment for a term not to exceed six months, or both."

Mr. CRUMPACKER. Mr. Speaker, I think we ought to know something about this bill. I understand there are two sections of the bill, one of which increases penalties for crimes defined by existing law. I would like to know what the offenses are for which the penalties are increased.

Mr. BABCOCK. Mr. Speaker, I yield to the gentleman from Michigan [Mr. SAMUEL W. SMITH], the chairman of the subcommittee on the Judiciary, who reported the bill.

Mr. SAMUEL W. SMITH. Mr. Speaker, this bill seeks to amend two paragraphs of the law of July 8, 1898. The first paragraph provides a penalty for disfiguring or injuring property. Heretofore the penalty has been \$50. This amendment seeks to make the penalty \$100 or imprisonment, or both, in the discretion of the court.

Mr. CRUMPACKER. For the destruction of or injury to property?

Mr. SAMUEL W. SMITH. For destroying, injuring, chipping, and so forth.

Mr. CRUMPACKER. What is ordinarily called "malicious trespass?"

Mr. SAMUEL W. SMITH. It is known in the statutes of various States as a "misdemeanor" to injure property.

Mr. CRUMPACKER. Does it require a willful or malicious or intentional destruction of property? Would a penalty attach to an accidental or unintentional destruction of property?

Mr. SAMUEL W. SMITH. No, sir.

Mr. CRUMPACKER. I think from the gentleman's statement it would.

Mr. SAMUEL W. SMITH. Well, if the gentleman has the report, he will find, on page 2, the original statute. I might read the whole of the paragraph.

Mr. CRUMPACKER. What does the paragraph provide, if the gentleman can explain it without taking time to read it? What kind of destruction or injury to property?

Mr. SAMUEL W. SMITH. It says:

That it shall not be lawful for any person or persons to destroy, injure, disfigure, cut, chip, break, deface, or cover or rub with or otherwise place filth or excrement of any kind upon any property, public or private, in the District of Columbia, or any public or private building, statue, monument, office, dwelling, or structure of any kind, or which may be in course of erection, or the doors, windows, steps, railing, fencing, balconies, balustrades, stairs, porches, or halls, or the walls or sides, or the walls of any inclosure thereof; or to write, mark, or paint obscene or indecent words or language thereon, or to draw, paint, mark, or write obscene or indecent figures representing obscene or indecent objects; or to write, mark, draw, or paint any other word, sign, or figure thereon, without the consent of the owner or proprietor thereof, or, in case of public property, of the person having charge, custody, or control thereof.

And the original penalty was not more than \$50 for each and every such offense.

Mr. CRUMPACKER. It seems to me that under that statute an accidental destruction of property would bring on the penalty, or a necessary destruction, even.

Mr. SAMUEL W. SMITH. If the gentleman thinks it is necessary to insert the word "willful" in the original statute there will be no objection to that.

Mr. CRUMPACKER. The word "willful" or "unnecessary" ought to be included in the statute. The penalty is already too high, it seems to me, for the crime that the statute describes. If there be an accidental injury, however careful one may be, he is subject to the penalty under that statute. It is unqualified, and I suggest that the gentleman include in the statute the qualification "willful and unnecessary."

Mr. SAMUEL W. SMITH. I do not think if it were shown to the satisfaction of the court it was accidental there would be any fine imposed. The court would find out whether or not it was willful.

Mr. CRUMPACKER. The court could not avoid it under the terms of that statute. This is a statutory offense, and I undertake to say there is no State in this country that makes it a crime to injure property unless there be present the element of willfulness or wantonness, and the injury must be unnecessary. Most of the States require the element of malice. That is the crime that we ordinarily term "malicious trespass"—malicious injury to property.

Mr. SAMUEL W. SMITH. I have no idea that a court would allow a verdict to stand a minute, unless it was clearly shown that the act was willful.

Mr. CRUMPACKER. Will the gentleman submit an amendment putting in the word "malicious," or "unnecessary and wanton?"

Mr. SAMUEL W. SMITH. The gentleman from Missouri desires to be heard for one moment.

Mr. SHACKLEFORD. I just want to ask the gentleman from Indiana if they are not on their face willful acts? I may call to his attention one of the specific acts that caused us to report this bill. It seems that some person wanting to take souvenirs from Washington went over to the Washington Monument and chipped off a part of the marble blocks as souvenirs. Now, \$50 fine is insufficient for that sort of vandalism. This merely affects the penalty for those who shall do certain things which upon the face of the statute themselves are willful. I have no objection to inserting the words "whoever shall maliciously and wantonly."

Mr. CRUMPACKER. I think the words "maliciously and wantonly" should be inserted. I should not use the word "unnecessary."

Mr. SAMUEL W. SMITH. Why is not "willful" sufficient? Mr. CRUMPACKER. That is not in the bill. It will not take any more time to put both in.

Mr. SHACKLEFORD. "Malicious" covers "wrongfully."

Mr. SAMUEL W. SMITH. We could insert it in the first line by saying "willfully destroy."

Mr. CRUMPACKER. Propose that.

Mr. SULLIVAN of Massachusetts. "Willfully and maliciously."

Mr. CRUMPACKER. I suggest "wantonly" as the better word.

Mr. PAYNE. Make it "willfully" or "wantonly."

Mr. SULLIVAN of Massachusetts. I think that the words "willfully" or "wantonly" would be better. I remember that when they were recodifying the laws in Massachusetts they rejected the word "maliciously" because of the fact that they

would have to prove personal malice against the owner of the property. Therefore they used the word "wantonly."

Mr. SAMUEL W. SMITH. There will be no objection to that.

Mr. CRUMPACKER. I wish the gentleman from Michigan would propose an amendment to that end.

Mr. BABCOCK. Mr. Speaker, I will say that the present bill does not affect the legislation that the gentlemen are talking about at all. This simply deals with the penalties and does not touch the law; so that it would be impossible to amend this bill without reenacting the present statute, which the bill does not touch.

Mr. CRUMPACKER. Well, let me say this: It seems to me the manner and method of making this amendment is a very poor one. It is an unscientific one. I think in making an amendment to penal statutes, particularly, that the section as amended ought to be set out in the bill.

Mr. BABCOCK. Yes; but it does not touch the section.

Mr. CRUMPACKER. And if the law is as the gentleman explains, the penalty is already too high. The crime that the original section undertakes to define is not recognized as a crime in any State of this country, and it ought not to be here. There would be, it seems to me, absolutely no escape from the punishment of a man entirely innocent, who might do some injury to private or public property. Now, there is another thing I want to criticize in the second paragraph or section of the bill. I understand the second section of the bill directly abolishes the crime of larceny, because it says, "Whoever takes away the goods of another shall be guilty of a misdemeanor." It does not say "wrongfully," but "Whoever takes away the property of another shall be guilty of a misdemeanor."

Mr. SAMUEL W. SMITH. That has been the law since 1898.

Mr. CRUMPACKER. If the gentleman has an extra copy of the bill, I would like to see it. Maybe I have misunderstood it.

I believe the gentleman had better withdraw this bill and put it in shape. If you amend the original section, you ought to put in a qualifying clause to the original section, so as to make the "wanton and unnecessary destruction" of property a crime without making the accidental or innocent injury of property punishable by fine and imprisonment. I do not believe that law ought to be executed, and while the committee is recommending an amendment, I suggest they recommend an amendment of the entire section, so as to make it denounce crimes that are wrong and criminal in principle, and not punish acts that may be entirely innocent.

Mr. OLCOTT. Mr. Speaker, in regard to the amendments of the gentleman from Indiana, I would say that this particular amendment which is suggested to the present statute is solely in cases of wanton and willful destruction. The gentleman from Indiana surely must understand that no judge before whom is brought a person accused of taking souvenirs from the public offices of the United States—not a case of accidental breaking of an object—is going to convict him. The present penalty as it exists to-day is found to be insufficient. There have been cases over and over again in this District where souvenir hunters have chipped off pieces of the statuary in the Capitol itself, and my own personal opinion is that the penalty is absolutely needed when anyone is convicted of the crime.

Mr. CRUMPACKER. Now, a suggestion, if the gentleman will permit it. I understood from the reading of the law by the gentleman from Michigan [Mr. SAMUEL W. SMITH] that the offense it creates is not confined to public property at all, and it is not necessary that the destruction of property be wanton, willful, or malicious. What I am complaining about is that, as I gather from the reading of the law by the gentleman from Michigan, an innocent injury to property, however excusable, is made a misdemeanor under the provisions of the bill.

Mr. OLCOTT. The gentleman from Indiana can not possibly believe that any judge would ever convict a person of a misdemeanor if he had accidentally destroyed private property.

Mr. CRUMPACKER. Why give him such power?

Mr. OLCOTT. He has not the power under this bill any more than he has under the law as it now stands.

Mr. CRUMPACKER. This is a statutory offense, and the question of willfulness, it has been repeatedly held throughout the country, is not a necessary element in a statutory offense. Now, you make it an offense to injure property, without regard to the question of intention, without any regard to the question of necessity; and when a case is presented to a judge under that statute I do not see how he can by interpretation construe the statute to mean that the act must be willful or wanton or unnecessary. Those words are not in the statute.

Mr. OLCOTT. This is the provision of the statute that is now on the books, and has been on the books for years, and no difficulty whatever has arisen. The sole object of this bill is to in-

crease the penalty for the breaking or defacing of public or private property.

Mr. SULLIVAN of Massachusetts. But you increase the penalty, and you make it apply to wanton and malicious offenses, and this act does not come up to the penalty—in other words, you make the punishment, proper for a wanton offense, apply to a perfectly innocent or negligent act.

Mr. OLCOTT. The gentleman from Massachusetts surely understands that no judge would convict a person under those circumstances.

Mr. SULLIVAN of Massachusetts. I am not willing to intrust such discretion to a judge in a criminal case.

Mr. SAMUEL W. SMITH. I wish to make a suggestion. Let us strike out all after the enacting clause and make it read:

That the first and last paragraphs of the act of Congress approved July 8, 1898, entitled "An act to amend an act for the preservation of the public peace and protection of property in the District of Columbia, approved July 29, 1892," be, and the same are hereby, amended so as to read as follows.

Then, in the first paragraph, before "destroy," insert "willfully or wantonly."

Mr. SULLIVAN of Massachusetts. How can we do that here? Your bill only deals with the penalties.

Mr. SAMUEL W. SMITH. We can strike out all after the enacting clause and provide simply for these two paragraphs with that amendment.

Mr. SULLIVAN of Massachusetts. You mean to read them into this statute?

Mr. SAMUEL W. SMITH. Yes.

Mr. SULLIVAN of Massachusetts. Very well.

Mr. SAMUEL W. SMITH. I think that will be satisfactory.

Mr. CRUMPACKER. Let the gentleman from Michigan propose that amendment.

Mr. SAMUEL W. SMITH. Mr. Speaker, I offer the amendment which I send to the Clerk's desk.

The SPEAKER. The gentleman from Michigan offers an amendment, which will be reported by the Clerk.

The Clerk read as follows:

Strike out all after the enacting clause and insert: "That the first and last paragraphs of the act of Congress approved July 8, 1898, entitled 'An act to amend 'An act for the preservation of the public peace and protection of property in the District of Columbia,' approved July 29, 1892,' be, and the same are hereby, amended so as to read as follows:

FIRST PARAGRAPH.

"That it shall not be lawful for any person or persons to willfully or wantonly destroy, injure, disfigure, cut, chip, break, deface, or cover or rub with or otherwise place filth or excrement of any kind upon any property, public or private, in the District of Columbia, or any public or private building, statue, monument, office, dwelling, or structure of any kind, or which may be in course of erection, or the doors, windows, steps, railing, fencing, balconies, bulustrades, stairs, porches, or halls, or the walls or sides, or the walls of any inclosure thereof; or to write, mark, or paint obscene or indecent words or language thereon; or to draw, paint, mark, or write obscene or indecent figures representing obscene or indecent objects; or to write, mark, draw, or paint any other word, sign, or figure thereon, without the consent of the owner or proprietor thereof, or, in case of public property, of the person having charge, custody, or control thereof, under penalty of a fine not to exceed \$100, or imprisonment not to exceed six months, or both such fine and imprisonment."

LAST PARAGRAPH.

"That it shall not be lawful for any person or persons to make any obscene or indecent exposure of his or her person or their persons in any street, avenue or alley, road or highway, open space, public square, or other public place or inclosure, in the District of Columbia, or to make any such obscene or indecent exposure of person in any dwelling or other building or other place wherefrom the same may be seen in any street, avenue, alley, road, or highway, open space, public square, or public or private building or inclosure, under a penalty not to exceed \$250 for each and every such offense. That the taking and carrying away of the property of another in the District of Columbia without right to do so shall be a misdemeanor, punishable by a fine not to exceed \$100, or imprisonment for a term not to exceed six months, or both."

Mr. SAMUEL W. SMITH. I think that covers it.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

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

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

ERECTION OF FIRE ESCAPES IN DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I call up the bill H. R. 122, an act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes, which is on the Speaker's table.

The SPEAKER laid before the House the bill (H. R. 122) to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes, with Senate amendments.

The Senate amendments were read.

Mr. BABCOCK. Mr. Speaker, I move to concur in the Senate amendments.

Mr. SIMS. I would like to ask the gentleman from Wisconsin to explain the effect of the Senate amendments.

Mr. BABCOCK. They are not material, but I will refer the gentleman to the gentleman from Ohio [Mr. TAYLOR], who is more familiar with the matter.

Mr. TAYLOR of Ohio. Mr. Speaker, the first amendment simply inserts the word "or" between the words "height" and "over," making line 5 on page 1 read, "three or more stories in height or over 30 feet in height." That was in the original bill, and it does not make any material difference.

The second amendment, on page 2, line 7, strikes out all after the word "story" down to and including the word "feet," in line 10. Section 2 provides that in any building already erected or which may hereafter be erected in which ten or more persons are employed at the same time in any of the stories above the second story, they shall be provided with certain fire escapes. In the original bill it eliminated that if they had two or more stairways each 3 feet wide and separated from each other by a distance of at least 30 feet. The Senate strikes out that provision as to the two stairways.

The next amendment is, on page 4, line 14, the \$50 fine is stricken out and \$5 a day inserted, which, we think, is perhaps right. That is, for a noncompliance with the notice and not for a noncompliance with the act itself in failing to provide a fire escape. On page 4, line 25, the Senate has inserted this language: "Unless the Commissioners of the District of Columbia shall in their discretion deem it necessary to extend the time." The bill now provides for ninety days for compliance with the notice, and this puts it in the discretion of the Commissioners to extend the time.

The Senate amendments were agreed to.

UNLAWFUL WEARING OF BADGES OF THE GRAND ARMY OF THE REPUBLIC.

Mr. BABCOCK. Mr. Speaker, I now call up the bill H. R. 58, which is on the Speaker's table.

The SPEAKER laid before the House the bill (H. R. 58) to prevent the unlawful wearing of the badge or insignia of the Grand Army of the Republic, or other soldier organizations, with a Senate amendment.

The Senate amendment was read.

The Senate amendment was agreed to.

REAL ESTATE CORPORATIONS, DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I now call up the bill (S. 1244) to amend section 605 of the Code of Law for the District of Columbia, relating to corporations.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 605 of the Code of Law for the District of Columbia be, and the same is hereby, amended by striking out the proviso contained therein, so that said section will read as follows:

"SEC. 605. CERTIFICATE.—Any three or more persons who desire to form a company for the purpose of carrying on any enterprise or business which may be lawfully conducted by an individual, excepting banks of circulation or discount, railroads, and such other enterprise or business as may be otherwise specially provided for in this code, may make, sign, and acknowledge, before some officer competent to take the acknowledgment of deeds, and file in the office of the recorder of deeds a certificate in writing."

Mr. FITZGERALD. Mr. Speaker, I would like to hear some explanation of this bill.

Mr. OLCOTT. Mr. Speaker, this bill, passed by the Senate, is to enable corporations to be formed for the buying and selling of real estate. That power does not now exist in the law of the District of Columbia relating to corporations. There are many corporations dealing in real estate in the District, but they have to go to other places where such corporations are authorized and then come back here and deal as foreign corporations. The bill has passed the Senate, and an amendment has been reported by the Committee on the District of Columbia limiting the capital of such corporations to \$500,000 and their borrowing capacity to \$250,000.

Mr. FITZGERALD. I desire to inquire of the gentleman whether the investigation of the committee determined what capitalization the companies now operating in the District have?

Mr. OLCOTT. Does the gentleman mean the entire amount of capital now invested in the District by foreign corporations?

Mr. FITZGERALD. No; the capital of any one of the foreign corporations now dealing in real estate.

Mr. OLCOTT. I can not answer the question positively, but I think none of them exceed \$500,000.

Mr. FITZGERALD. I wish to inquire if the gentleman thinks that \$500,000 is a sufficient margin?

Mr. OLCOTT. The amount of \$500,000 was adopted by the committee after considerable discussion. As far as I am indi-

vidually concerned, I do not think \$500,000 is a sufficient limit, but this has the approval of the District Commissioners.

Mr. SULLIVAN of Massachusetts. Is there any limit to the amount of real estate the corporation may hold?

Mr. OLCOTT. Only the limitation of the capital to \$500,000 and the borrowing of money to the extent of \$250,000.

Mr. SULLIVAN of Massachusetts. Did the committee take into consideration the general policy against corporations holding real estate?

Mr. OLCOTT. That was examined into, and it was found that eight-tenths of the States in the Union authorized such corporations, and there is nothing to preclude such corporations from speculating in real estate here in the District of Columbia.

Mr. SULLIVAN of Massachusetts. Would it not be possible for half a dozen of these corporations to combine and control the real estate in the District of Columbia?

Mr. OLCOTT. I presume it would be possible for half a dozen of them to control probably six times \$750,000; yes, sir.

Mr. SULLIVAN of Massachusetts. And in that manner establish a monopoly in land, which has been the reason for forbidding this very class of corporations.

Mr. OLCOTT. Mr. Speaker, I think there is no possible danger of a monopoly in land being established by the forming of a sufficient number of corporations in view of the fact that the limitation of their holdings in real estate must be \$750,000.

Mr. SULLIVAN of Massachusetts. Inasmuch as there is no limit to the number of those who may form such corporations, we may still have the bulk of the real estate of the District held by corporations dealing in real estate.

Mr. OLCOTT. Of course there is no limitation as to the number of either individuals or corporations who may own real estate, and I presume it would be possible for a number of individuals to gather together and control a very large portion of the real estate in any city.

Mr. SULLIVAN of Massachusetts. But when the individual dies the estate is distributed, which is not the case with a corporation, which is one of the principal reasons for excluding corporations from owning and dealing in real estate.

Mr. OLCOTT. I understand that perfectly, but this has worked so admirably, especially for people who are unable to own large quantities of real estate, to be interested in a corporation holding real estate, and therefore be enabled to reap the benefit of the better investments in real estate. That has been the experience throughout the country.

Mr. CRUMPACKER. Does not the gentleman believe it would be a good deal better for the individuals of a city to own their own homes than to own stock in a corporation that buys the land and constructs the houses and rents them out to the individual?

Mr. OLCOTT. I think that is undoubtedly so, and I think the experience of all real estate operators is that the homes of the people are seldom owned for any considerable time by these corporations formed to buy, improve, and sell real estate. The policy of such companies is to sell speedily.

Mr. CRUMPACKER. There is no reason why if it should become profitable with the corporations that will be organized under this bill, if it becomes a law—there is no reason why they could not go into the business of buying and platting additions and building houses and renting them out perpetually.

Mr. OLCOTT. Absolutely no reason if it was found profitable, nor is there any reason why the individual should prefer to rent from them rather than to buy his own modest home.

Mr. CRUMPACKER. My own idea in relation to corporations has been that they should be created only for the purpose of carrying on some enterprise of an industrial or commercial character, and that the land in this country ought to be left for the individual; that the farms and homes and business buildings ought to be owned in the main by individuals. I am therefore opposed to the bill.

Mr. OLCOTT. I would say to the gentleman from Indiana in regard to that, even though he opposes this bill for the reasons that he suggests, that does not prevent the foreign corporations from coming in and acting now in the District of Columbia, and it is surely better to give the District of Columbia itself an opportunity to form its own corporations and to allow it to control them than it is to allow foreign corporations to come in and regulate the business.

Mr. CRUMPACKER. I believe it would be infinitely better if Congress should enact a law prohibiting any corporation in the District of Columbia from owning more land than is reasonably necessary to carry out the purposes of its creation, and to prevent corporations either in the District of Columbia or elsewhere from engaging in the business of buying and selling and speculating in the farms and homes of the country.

Mr. OLCOTT. I think that these corporations have been

created, as in many instances, to enable them to build homes with the express purpose of selling them, and I believe that if the gentleman will investigate he will find that these corporations that have erected buildings for homes have not adopted the plan of leasing them, but have always undertaken to sell the land which they had improved to the individual.

Mr. WM. ALDEN SMITH. Mr. Speaker, who asks for this legislation?

Mr. OLCOTT. The legislation was asked after consultation by the District of Columbia Commissioners with members of the Bar Association, who became aware of the fact that no corporation could be established here, created by the laws of the District of Columbia, for this purpose, whereas foreign corporations could come in and do business.

Mr. WM. ALDEN SMITH. It seems to me that we should not affirmatively put the stamp of our approval upon foreign corporations doing business of this kind in the District.

Mr. OLCOTT. I would say—

Mr. WM. ALDEN SMITH. Just hear me one moment further. I do not believe it is a wise thing to authorize corporations to organize and do real estate business under Federal law in the District of Columbia.

Mr. SAMUEL W. SMITH. Why should not the citizens of Washington have the same right the citizens of the State of Michigan have?

Mr. WM. ALDEN SMITH. Because this is the Federal capital, and the lands involved should challenge the concern of the Government. I will say to the gentleman that the growth and development of this city is a standing protest against that kind of property control. Originally it was intended that this city should be extended east of the capitol, but the real estate speculators got hold of the property about this building and forced the city in an unnatural channel.

Mr. OLCOTT. I call the gentleman's attention to the fact that I yielded for him to ask me a question and not for the purpose of making an argument.

Mr. WM. ALDEN SMITH. I will detain the gentleman but a moment. Real estate speculators have ample scope in the District now without this legislation, and I think it is an outrage to allow the organization of gigantic corporations here to deal in land in the District of Columbia, and I protest against it.

Mr. OLCOTT. I understand the question of the gentleman from Michigan was as to why we should put an affirmative permission to establish these corporations on the statute books.

Mr. WM. ALDEN SMITH. Yes.

Mr. OLCOTT. I call his attention to the fact that that is exactly what we are not doing. We are amending this section 605 of the Code by eliminating the words "Provided, That nothing shall be held to authorize the organization of corporations to buy, sell, or deal in real estate, etc." because the bar association and many residents of the District have found that outside corporations were doing what the citizens of Washington themselves could not do, and they have therefore asked us to pass this amendment. The bill is approved by the Commissioners.

Mr. WM. ALDEN SMITH. The explanation of the gentleman from New York is probably satisfactory to himself, but if I had my way about it I would not permit a foreign corporation to deal in real estate in the District of Columbia; neither would I grant a charter of this kind to any three men.

Mr. OLCOTT. That is another question.

Mr. SULLIVAN of Massachusetts. May I call the gentleman's attention to one phase of the subject? Has the committee inquired whether or not in practice this limitation which the amendment imposes may not be easily overridden? Now, then, you do not limit the number of corporations that may be formed for the purpose of owning real estate in this District, which, I will call to the attention of the gentleman, is only 10 miles square. Now, then, is it not perfectly easy for the members of real estate corporations that have prospered to form another corporation with the same members for \$500,000, and so on, ad libitum? Furthermore, is it not perfectly feasible, after they have got the business in this corporate form with a capitalization, we will say, of a total of \$6,000,000, to unite under a trust agreement and—

Mr. OLCOTT. The gentleman is asking so many questions I fear I may forget some of them.

Mr. SULLIVAN of Massachusetts. I have only asked two.

Mr. OLCOTT. They are very long. I think it is possible for several corporations to be formed, but that possibility exists to-day with foreign corporations, and it has never worked any injury.

Mr. SHACKLEFORD. Mr. Speaker, as this bill passed the Senate it allowed companies to be incorporated under the laws of the District for the purposes of buying and selling and deal-

ing in real estate without any limitation whatever as to the amount of the capital stock or indebtedness. My own view is that the law should not permit companies to be incorporated for such purposes. It is against public policy to allow large accumulations of real estate in a single person or a single corporation. Land should, as far as possible, be distributed among the people. Nothing could be more injurious to the public welfare than monopoly of land ownership. While I was individually opposed to allowing companies to become incorporated for the purpose of dealing in real estate, yet I realized that a majority of the committee and probably a majority of this House would hold the opposite view. Therefore, in committee I moved to amend the Senate bill by providing a limitation on the amount of capital stock and indebtedness of such companies, making it impossible for them to own any very large amount of land. With those amendments the Senate bill has been reported to the House and is now up for consideration. I hope that these limitations upon the amount of capital stock and the indebtedness of such companies will be adopted. Even with those amendments the bill ought to fail, but certainly without them it would be a very dangerous measure.

Mr. OLCOTT. Mr. Speaker, I yield to the gentleman from Massachusetts.

Mr. SULLIVAN of Massachusetts. To illustrate the point a little further, I will say that in Massachusetts we have a trust which controls practically all of the street-railway corporations in that State, and the articles of association have not been questioned in the courts. That is what I had in mind when I suggested that a similar trust agreement would cover the business of a dozen of these real estate corporations. Now, a dozen real estate corporations, each capitalized at \$500,000, could control for all practical purposes the entire real estate business of the district.

Mr. OLCOTT. I am perfectly free to confess that I do not know whether the laws would allow a trust company to manage half a dozen different corporations in the District of Columbia.

Mr. SULLIVAN of Massachusetts. Unless there is some express prohibition, certainly the law will allow it.

Mr. WM. ALDEN SMITH. Let me call the gentleman's attention to this: When we authorized the construction of the new Union Depot there was an abundance of cheap land all around it for sale, and I contend that it was not becoming for individual citizens of the District of Columbia to buy this land and undertake to thwart a great public work of this character.

Mr. OLCOTT. I would say to the gentleman from Michigan that the Government can very easily condemn any property that is necessary for their use.

Mr. WM. ALDEN SMITH. Let the gentleman from New York ask the chairman of his committee how easily they can do it.

Mr. OLCOTT. That is because, unfortunately, we have gentlemen who do not accept the things we do in the District of Columbia room.

Mr. WM. ALDEN SMITH. When the depot proposition was before the House I called the attention of the House to the fact that property owners and speculators would organize against the Government's interests, but it would have been infinitely worse if land corporations could have entered the field with more means and less conscience.

Mr. OLCOTT. I am unable to say how the passage of this bill would make it any more easy to have these things happen.

Mr. WM. ALDEN SMITH. Because a corporation without any soul and without any interest in the Government can corner the desirable land and defeat or delay progress.

Mr. OLCOTT. A corporation of \$750,000 is not going to do a vast amount of damage to the property of the District of Columbia, especially when foreign corporations from all over can come and go up as high as the limitations of their own States allow.

Mr. WM. ALDEN SMITH. We have not restricted them, but we ought to do so, and I hope Congress will take action to limit or curtail their right to do business here.

Mr. OLCOTT. They will come for a little while only if you pass this bill and permit the citizens of Washington to allow them to do what the corporations of other States have the right to do.

Mr. WM. ALDEN SMITH. We ought to scrupulously guard the rights of the Government and the people in the lands of the District and follow out the plan with the least possible delay of making this city the pride of every citizen of the country. This legislation will not contribute to that end—it might embarrass it.

Mr. CRUMPACKER. When a corporation is created under this act, why its charter is irrevocable. Its charter amounts to a contract, a vested right, and it will be found that next year

or the year after, if you undertake to change the policy, half a dozen real-estate corporations will have been created under this statute.

Mr. OLCOTT. It will put a corporation created under the laws of the District of Columbia in the same condition as corporations existing and created under the laws of other States.

Mr. CRUMPACKER. Excepting we have the power to exclude foreign corporations from doing business here.

Mr. OLCOTT. You can not exclude foreign corporations from doing business here if you interfere with vested rights they have.

Mr. CRUMPACKER. We can prevent them from obtaining any additional vested rights, and I think this bill is not good public policy. I do not believe that corporations ought to be permitted to engage in the general business of buying and selling and trading in real estate anywhere.

Mr. OLCOTT. Has the gentleman from Indiana found that this has worked a great hardship in his own State, where it is allowed?

Mr. CRUMPACKER. I think not. I think corporations ought to be confined in their ownership of real estate to the reasonable purposes of their creation. I think the people of the country ought to be the repositories of real-estate titles and the owners of the farms and the homes of the land.

Mr. WM. ALDEN SMITH. Especially in this District, the national capital.

Mr. OLCOTT. Mr. Speaker, I ask for the passage of the bill.

Mr. SIMS. How much time has the gentleman left?

The SPEAKER. The gentleman has forty minutes.

Mr. SIMS. I do not think I will use forty minutes.

Mr. OLCOTT. I yield five minutes to the gentleman from Tennessee.

Mr. SIMS. Five minutes is nothing. I opposed this bill in the committee and all the way through, and it is not possible for me to present the matter in five minutes.

Mr. OLCOTT. I will give the gentleman from Tennessee any reasonable time he wants.

Mr. SIMS. I would not use twenty minutes, but the gentleman knows that interruptions may cause me to use more time than I think will be necessary now.

Mr. OLCOTT. I yield the gentleman fifteen minutes.

Mr. SIMS. Well, then, I may want more.

Mr. OLCOTT. Well, then, you can ask it.

Mr. SIMS. I will trust to the gentleman's generosity. I

hope I may have order and attention. I did not have time to

prepare and submit my views as a member of the minority, nor

do I think it was necessary. In order that the House may

understand this bill, I desire first to state that two or three

years ago we enacted a Code of Laws for the District of Colum-

bia. That Code of Laws had been specially prepared by a com-

mittee of citizens of the District of Columbia, who had charge

of it for more than ten years. That code prohibited the organi-

zation of corporations for the purpose of dealing in real estate.

Now, this bill is to repeal that section of the code of the District

of Columbia prohibiting such corporations which this House

enacted by an almost unanimous vote only a little while ago.

Now, what the effect of it will be has been stated as well as I

can by the gentleman from Michigan, the gentleman from Mas-

sachusetts, and the gentleman from Indiana. It is not a bill to

permit a corporation to buy real estate for the purpose of car-

rying out its corporate business, like a manufactory, or anything

of that sort. It is a bill to permit the organization of a cor-

poration to buy and sell real estate, just like a syndicate, or like

an individual, for purely speculative purposes, in the limited

area of the District of Columbia, one-half of it now owned by

the Government of the United States in public buildings and in

streets, alleys, and parks. You can see how dangerous a propo-

sition of this kind may be when worked out in detail. It

organizes a corporation with a capital of half a million dollars.

It does not have to buy only a half million dollars' worth of

real estate. It can buy it, mortgage it, and with that amount

of capital it can buy up and hold almost all the unimproved

property in the District of Columbia and hold away from the

home builder.

Mr. OLCOTT. Will the gentleman yield for a moment?

Mr. SIMS. Certainly.

Mr. OLCOTT. Under the limitation placed upon them in the

bill they can not borrow more than \$250,000, and they must cap-

italize at \$500,000. Now, how, then, can they buy up all the un-

improved property in the District?

Mr. SIMS. They can buy on a credit, with a lien retained on

all except a small amount.

Mr. OLCOTT. Then they will owe more than \$250,000.

Mr. SIMS. They will be owing a debt on the purchase money,

but not borrowed money.

Mr. OLCOTT. They can not be indebted for more than \$250,000.

Mr. SIMS. You say they can not be indebted for more than \$250,000?

Mr. OLCOTT. They can not be indebted for more than \$250,000, and if they own property with a lien for a greater amount, they violate the statute on which they are created.

Mr. SIMS. Does the gentleman think they can only owe \$250,000?

Mr. OLCOTT. They can not owe more than \$250,000.

Mr. SIMS. With all becoming modesty, I disagree as to that. But if it is only \$100,000, or \$10,000, the object of the bill is vicious. In this limited area, with already more than one-half owned by the United States, and the fact that the Government will have to acquire additional real estate from time to time, this bill will permit a corporation to buy up and hold real estate and force a much higher price with its power and influence, which no individual could exercise for purely speculative purposes. There would then be but little real estate left for the home owner; and we should give the greatest possible opportunity to the home owner to buy and own his own home, and not allow all the land to be acquired by corporations created for no other purpose than to get speculative profits. They can organize as many as they want to. This bill is not limited to one corporation; you can have 20 or 40 or 100 buying and selling real estate and competing with the people who need real estate for homes, however humble they may be.

Every once in a while I see stated in the paper that some association of gentlemen get together and say that "We need a new park somewhere." We need this, that, and the other, and they start in to get Congress to buy up this land, when the property has been bought up for the purpose of unloading it on the Government by action of Congress.

This is one of the possibilities of this legislation, if not its object. It will permit innumerable corporations to be organized here that can buy every available foot of unoccupied territory in this District and force home purchasers or the Government to pay the price they demand. Now, this committee and Congress, which had the code under consideration for many years before it was finally enacted, proceeded with deliberation and wisdom when they prohibited corporations of this kind. And why? In order that three or five or one hundred men may combine together as a corporation and buy and hold real property and keep it out of the market, simply that they may put speculative profits in their pockets. Shall we pass such a bill as this? I say this legislation is vicious. The amassing of large areas of real estate and holding it out of improvement for speculative purposes has been a great injury to this country, and it will damage any country where it is permitted.

Mr. BEDE. Will the gentleman yield to me for a question?

Mr. SIMS. Yes.

Mr. BEDE. I should like to inquire if foreign corporations can now own property here?

Mr. SIMS. You mean foreign in the sense of not being domiciled in the District of Columbia?

Mr. BEDE. Yes.

Mr. SIMS. I understand they can, but not in the sense maintained by the gentleman from New York; but the fact that foreign corporations can come here and buy up real estate and hold it and put upon it an artificial and speculative value is no reason why we should ratify that wrong and enforce it by passing this bill, allowing District of Columbia corporations to do the same thing. In the case of the foreign corporation we have the power to prohibit it.

Mr. KENNEDY of Ohio. Mr. Speaker—

The SPEAKER. Does the gentleman yield?

Mr. SIMS. Certainly.

Mr. KENNEDY of Ohio. I am going to oppose this bill, but I want to ask this gentleman a question. There is a clause in the Constitution which confers upon citizens of the States all the privileges, rights, and immunities of the citizens of the several States. If we pass this bill and give to a citizen of the District of Columbia, to wit, the new corporation, the right to speculate and traffic in land, do we not, by that very act, tie our hands from ever interfering with the corporations from the States coming here and carrying on the same business?

Mr. SIMS. I think so, undoubtedly.

Mr. KENNEDY of Ohio. Is it not true that if we do not confer upon any corporation in the District of Columbia that power, then we can say to the corporations which come here from the various States to do business, "Thus far and no farther shalt thou go," at any time?

Mr. SIMS. I think the gentleman is correct.

Mr. OLCOTT. Will the gentleman yield for a moment?

Mr. SIMS. Yes.

Mr. OLCOTT. Do you mean to say by that that the passage of this bill is going to have any effect on what we may do hereafter with foreign corporations?

Mr. SIMS. I do not think we could organize—

Mr. OLCOTT. Is it not true that you can pass a bill to-day to prevent foreign corporations from having anything to do in the District of Columbia, prohibiting them from running a bank or a trust company or anything of that sort, or to speculate in real estate; but that you can not interfere with the rights that have already been obtained by existing law?

Mr. SIMS. We could not do that unless the law (as nearly all District of Columbia laws provide) contains a provision for the alteration, amendment, or repeal of the statute. In such case we can do as we please.

Mr. OLCOTT. But there is not any law now to prevent foreign corporations operating here?

Mr. SIMS. Well, if there is not, I am certainly in favor of having such a law; I mean to prevent them operating in the way that this bill provides. I should like to see such a law passed at the earliest possible moment.

Mr. OLCOTT. But the gentleman from Tennessee knows that we can not make that law retroactive.

Mr. SIMS. Oh, no, but we can stop encouraging such a practice, and we can refuse to make it legal, or to provide for it in the future, if such is the case.

Mr. OLCOTT. Are you afraid of the moral effect of this law in that regard?

Mr. SIMS. If it has anything but a bad effect or can have anything but a bad effect I am at a loss to know what it is. Mr. Speaker, I do not know what foreign corporations can do or are doing, but I take the word of the gentleman from New York as being correct. Still that does not warrant the passage of this bill.

The District Committee had charge of the code for weeks and months, and the subcommittee of the Judiciary, of which the distinguished gentleman from Wisconsin [Mr. JENKINS] was the chairman, now the chairman of the Committee on the Judiciary, after deliberation—and long deliberation—decided that no such authority should be given, and now we come in here with very little consideration and repeal that provision of the Code of the District of Columbia.

Mr. SAMUEL W. SMITH. Is it not true that with all the consideration given to the code at nearly every meeting of the Committee on the District of Columbia we were asked to amend it?

Mr. SIMS. Oh, undoubtedly, and we always will be so far as that is concerned, because no code of laws can be made perfect.

Mr. SAMUEL W. SMITH. Is not the gentleman mistaken also when he suggests that this matter has not been given most careful consideration by the Committee on the District of Columbia?

Mr. SIMS. I will say "Yes"—I mean consideration of the bill creating the code—at least by the gentleman from Wisconsin, the chairman of the Judiciary subcommittee having charge of it, because they worked for months to my certain knowledge. I was on the subcommittee, but did not do as much work as the gentleman from Wisconsin [Mr. JENKINS] did.

Mr. FITZGERALD. Is the gentleman opposed to permitting corporations to own property at all in the District of Columbia?

Mr. SIMS. Oh, no; they can own it for corporate purposes—for the purpose of manufacturing or performing some function that requires a certain amount of real estate. I do not object to the street car company owning lands for their purposes, but this is a corporation purely speculative. The object and purpose of it is to buy and sell real estate.

Mr. FITZGERALD. In the different States there are corporations organized under similar laws to this, not speculative, that are known as "development companies." They purchase tracts of outlying districts and build houses at a moderate price and place them upon the market under very favorable conditions. People are enabled in that way to buy and eventually own their own homes through the operation of such companies when they could never purchase them in any other way. Is not that a benefit to the community?

Mr. SIMS. I think that undoubtedly is a benefit to any such community, but I desire to say that there is no parallel to be drawn between this narrow contracted piece of land called the "District of Columbia" and a great State having hundreds of square miles of absolutely undeveloped territory.

Mr. FITZGERALD. But these companies, as a rule, do not operate throughout the States. They are confined to simply parts of municipalities, where they go into the undeveloped portions of municipalities and by their actions tend to develop them very much.

Mr. SIMS. That might be true, but this corporation law asked for is general, and does not provide that they shall do anything with the land they buy except to sell it again. It is clear that the object of these corporations is purely speculative, for the purpose of buying and selling real estate for a profit, and syndicates do enough of that here now. They certainly get in the way of the Government enough, and now if we are going to organize corporations innumerable—and you can not limit them—evil effects will surely come. Mr. Speaker, I reserve the balance of my time.

Mr. PALMER. Mr. Speaker, under this act a corporation organized in the District of Columbia would, unless it was restricted by some State legislation, be entitled to do business in any other State in the Union.

Mr. SIMS. I think so.

Mr. WM. ALDEN SMITH. And no State can affirmatively authorize such corporations to act in the District of Columbia.

Mr. PALMER. Yes; no State can authorize anybody to act in the District of Columbia, but inasmuch as all the corporations are in the States by the comity of States, no State would be inclined to prohibit this legislation going into effect or to prohibit any corporation organized under it from doing business in a State, so that in every State in the Union this most vicious legislation would take effect unless prohibited by some positive law.

Mr. OLCOTT. Unquestionably these same corporations would have the same power as foreign corporations.

Mr. PALMER. But States do not organize individuals into corporations for the purposes that they could be organized for under this bill.

Mr. OLCOTT. Practically every State in the Union allows incorporation for the purpose of buying and selling real estate.

Mr. WM. ALDEN SMITH. Does the gentleman from New York recognize any difference between land titles and land interests in the national capital and the District of Columbia and any other State in the Union?

Mr. OLCOTT. Not as far as individual holdings are concerned; no.

Mr. WM. ALDEN SMITH. Does not the gentleman think we ought to guard the holdings in this District more zealously than we would in an ordinary industrial community where the Government is not so largely interested?

Mr. OLCOTT. I think that anything we can do that will enable the people employed in the public service, the people of modest means, to own their own houses is advantageous. I think allowing corporations of the character to be formed for the purpose of improving outlying places and building individual houses is of benefit to the United States and is of benefit to the District of Columbia and a benefit to the residents of the District of Columbia.

Mr. WM. ALDEN SMITH. That is not the purpose of this act.

Mr. OLCOTT. The purpose of this act is to allow people to form corporations to build houses and own real estate.

Mr. WM. ALDEN SMITH. And hold real estate.

Mr. OLCOTT. And hold it, if you choose.

Mr. WM. ALDEN SMITH. That is one of the things I object to.

Mr. OLCOTT. And, as a matter of fact, the experience of all of these real estate corporations, certainly in the city of New York, where I come from, especially in the Bronx and in Brooklyn, has been that the main desire of these corporations has been to build small houses, because in building a hundred houses of a similar character they can build them vastly cheaper, proportionately, than a person can build one. They sell these houses to the people who can not build them themselves, who do not know how to build them, and they benefit the poorer people to a degree that has been positively marvelous in Brooklyn and the Bronx.

Mr. WM. ALDEN SMITH. Well, that is true in industrial communities, but this city, its growth, beauty, and attractiveness is a matter of concern to the people of the whole country.

Mr. OLCOTT. It is true also of communities like the District of Columbia, where there are many clerks employed at a small salary.

Mr. WM. ALDEN SMITH. But it has not been true as to this capital. This capital has found its way to its present proud position against the organized opposition of real estate speculators, whose national pride is limited to a few paltry dollars, regardless of architectural beauty or civic pride.

Mr. OLCOTT. The power and opposition of half-a-million dollar corporations, that can borrow only \$250,000, that could work against the interests of the United States, is a fetich which the gentleman from Michigan knows is not fair.

Mr. WM. ALDEN SMITH. Let me call the gentleman's at-

tention to the fact that the figure on the top of the Capitol faces east, because it was supposed that the city would grow in that direction upon the high land above the Potomac, whereas it went west because the land was held by speculators, who might, if this law had been upon the statute books, have bought the entire District, 10 miles square.

Mr. OLCOTT. I have heard many stories relative to the speculation in land by real estate men in the early part of this century, but I do not understand that there is any such serious speculation as is suggested by the gentleman now.

Mr. PALMER. Mr. Speaker, under this bill any three persons may lawfully conduct or form a corporation—

Mr. OLCOTT. So they can now, except that they can not buy and sell real estate.

Mr. PALMER. Under this bill you could have a corporation carry on a restaurant or saloon.

Mr. OLCOTT. So they can now; this bill does not affect that.

Mr. PALMER. It does affect it.

Mr. OLCOTT. Any three persons can form a corporation to conduct business that any individual can in the District of Columbia, except to buy and sell real estate.

Mr. PALMER. There are very few States in the Union where a corporation exists or can be formed to do business such as this bill gives authority to do.

Mr. OLCOTT. The gentleman must be in error about that.

Mr. PALMER. I am not in error about it.

Mr. OLCOTT. I do not think there is a State in the Union where people can not band together to form a corporation for carrying on business as individuals can.

Mr. PALMER. I think the gentleman is mistaken about that.

Mr. OLCOTT. It is so in New York.

Mr. PALMER. But New York is not the whole United States.

Mr. OLCOTT. I understand that.

Mr. PALMER. There are forty-four other States in the Union.

Mr. OLCOTT. Oh, I understand that. But the District of Columbia has had on its statute books a law authorizing the formation of corporations, allowing people to band together and conduct any business except the buying and selling of real estate. We are seeking to amend that statute and enable real estate to be dealt in as freely and with as little difficulty as anything else can be dealt in.

Mr. BENNET of New York. Will the gentleman allow me?

Mr. OLCOTT. Certainly.

Mr. BENNET of New York. I want to state that by the law of Pennsylvania corporations can buy and sell real estate and hold it to a limit of \$30,000,000.

Mr. OLCOTT. And Alabama \$10,000,000.

Mr. BENNET of New York. And that is the State Mr. PALMER comes from. To-day a corporation can organize in the State of New Jersey under their very liberal laws and come down here to the District of Columbia without any restrictions whatever and buy and sell real estate and lease it.

Mr. SHERLEY. And the answer to the gentleman is, Prevent these corporations that are created for the sake of preying on everybody except the State that creates them from doing business here.

Mr. BENNET of New York. This legislation does not affect that one way or another.

Mr. SHERLEY. No; it simply gives that right to citizens here, and having given that right to your own citizens the citizens of any State can under the Constitution demand that right.

Mr. BENNET of New York. You can not to-day bar them out.

Mr. SHERLEY. Do you mean to say we could not to-day, in the District of Columbia, prohibit corporations from doing business in real estate?

Mr. BENNET of New York. I mean to say corporations in the District of Columbia are to-day doing real estate business.

Mr. SHERLEY. But the gentleman does not answer the question. I am asking him if it is within the power of Congress to prohibit them if it saw fit.

Mr. BENNET of New York. You could not make it retroactive.

Mr. SHERLEY. Of course not, and the suggestion of the gentleman does not reach the case. I do not speak in regard to property they now hold, but as to the right of corporations to do business in the future. In regard to real estate in the District of Columbia, I maintain that this Congress could, if it saw fit, prohibit corporations from trading in real estate, buying and selling, etc.

Mr. BENNET of New York. If it prohibited corporations organized here from doing that, it could in the future prohibit foreign corporations from doing what it prohibited domestic corporations from doing.

Mr. SHERLEY. Now, if it permitted domestic corporations to do a real estate business it could not prohibit a foreign corporation from doing that kind of business. Is not that true?

Mr. BENNET of New York. The question of the gentleman's legal proposition is this, as I understand it: We can prohibit foreign corporations from doing anything in the District of Columbia which we prohibit domestic corporations from doing.

Mr. SHERLEY. Now, I want to state the converse. If you permit domestic corporations, then you are bound to give the same privilege to foreign corporations.

Mr. BENNET of New York. Assuming that to be correct, which I do not deny, that does not affect the existing situation at all. We to-day permit foreign corporations to buy, sell, and lease real estate in the District of Columbia.

Mr. WM. ALDEN SMITH. It is a mere passive permission.

Mr. BENNET of New York. This bill before the House does not affect it in the slightest, and if it passes we give the people of the District of Columbia the same rights that citizens elsewhere have, to organize corporations to deal in and improve real estate in the District of Columbia in which they live, and it seems to me American citizens ought to have that right.

Mr. SULLIVAN of Massachusetts. You can accomplish that equality by defeating this bill and repealing the law which permits foreign corporations to do business here.

Mr. PERKINS. What is the difference between a foreign corporation holding real estate and an individual living, for instance, in New York City?

Mr. SULLIVAN of Massachusetts. When the individual dies the real estate is distributed.

Mr. PERKINS. The trouble is, when the individual dies it is tied up and generally it is impossible to sell the land.

Mr. SULLIVAN of Massachusetts. On the contrary, it is not impossible to sell it.

Mr. SIMS. Mr. Speaker, I move to lay the bill on the table.

Mr. PERKINS. The land has to be partitioned.

Mr. SIMS. I have two minutes remaining. I reserved the balance of my time for the purpose of moving to lay the bill on the table. I will not do that if it is objected to, of course.

Mr. BABCOCK. A parliamentary inquiry, Mr. Speaker. Who has the floor at the present time?

The SPEAKER. The gentleman from Wisconsin is entitled to the floor.

Mr. BABCOCK. Mr. Speaker, I would like to occupy about a minute and a half on this subject before the motion is made to lay the bill on the table.

Now, Mr. Speaker, it seems to me this is a very simple proposition, and that some gentlemen have attempted to make a mountain out of a molehill. For more than twenty-five years I have been in business in my own State of Wisconsin and have handled real estate all over that Commonwealth. Our statutes were taken from New York and were the statutes of many other States in the Union. I have been a member there of perhaps half a dozen different corporations engaged in manufacturing lumber, in manufacturing flour, and engaged in other interests, and each and every one could buy and sell all the real estate they could pay for. There was no limit.

But here in the District of Columbia the committee finds what? That if you want to buy or sell real estate—if any three gentlemen want to get together and go into the real-estate business—rent houses, build houses, or improve the city—what can they do? They can not form a corporation and handle real estate. They can not do it, but they can go to Baltimore, or they can go to New York, or they can go to Virginia or Wisconsin, and form the corporation there and come here in the District of Columbia and buy and sell all the real estate they want or can pay for. And yet you propose to deny to the people of the District of Columbia the same right to handle real estate as a corporate body that practically the citizens of every other State have.

Why, we have limited the capital and indebtedness in this bill, Mr. Speaker, and provide that the capital shall not exceed \$500,000. They can not buy much real estate in the District of Columbia for \$500,000. We have provided further that the liability shall not exceed \$250,000. Under these conditions they certainly can not corner the real estate in the District.

Mr. KENNEDY of Ohio. Will the gentleman yield?

Mr. BABCOCK. Certainly.

Mr. KENNEDY of Ohio. I would like to ask the gentleman why that limit was put on?

Mr. BABCOCK. That is beyond my ability to answer.

Mr. KENNEDY of Ohio. I mean the limit of \$500,000?

Mr. BABCOCK. The limit was put on at the suggestion of a member of the committee to provide for competition and against any corner in real estate, and prevent a real estate company with large capital from organizing and controlling all

the real estate, keeping it so honest so that Members like the gentleman from Ohio [Mr. KENNEDY] and myself, when we come here and buy a little house, are not obliged to pay two prices for it.

Mr. KENNEDY of Ohio. Would it not be true that the passage of this bill would open the door to the unlimited coming of corporations here so that we could not close it, and that we had better not pass this bill?

Mr. BABCOCK. They can come in here now; they can organize in Illinois and in practically any of the States in the Union and come here, and we can not control them at all. Now, we have simply presented a bill providing that citizens of the District of Columbia may organize a limited corporation to buy, sell, improve, and rent real estate. It is a legitimate proposition, and it seems to me, Mr. Speaker, that the opposition to this measure is that there will be something wrong about the corporation with a half a million of dollars of capital. Why, in portions of the city you can only buy single lots for half a million dollars. One lot—

Mr. WM. ALDEN SMITH. You can not do—

Mr. BABCOCK. You paid that for the municipal building lot, namely, a half a million of dollars.

Mr. WM. ALDEN SMITH. Now, you limit the holding of this corporation, but you do not limit the number of corporations that may be organized?

Mr. BABCOCK. Oh, no.

Mr. WM. ALDEN SMITH. The limitation you place does not reach the spot.

Mr. SHERLEY. I would like to ask this question: Does not the gentleman think that the District of Columbia requires a different rule than that in regard to a State? You ought to promote the material development of the States, but I doubt if anyone wants the District to be promoted in a commercial sense. We want to keep it simply as the seat of government.

Mr. BABCOCK. Why, Mr. Speaker, in answer to the gentleman I want to say that I dictated a letter of three pages yesterday in answer—Mr. Speaker, can we have order?

The SPEAKER. The House will be in order.

Mr. PRINCE. I desire to ask the gentleman a question.

Mr. BABCOCK. Let me answer this question first.

Mr. PRINCE. I beg your pardon.

Mr. BABCOCK. I want to say to the gentleman that I do not see any material difference between Washington and Baltimore. But I want to say that I, a day or two since, answered a letter from a distinguished citizen of the District of Columbia in reference to a movement that has recently been initiated to make Washington a manufacturing city—to raise smokestacks in every block, and have iron mills, steel mills, rolling mills, and industries of that kind in the capital city.

Mr. WM. ALDEN SMITH. We have log-rolling mills here now. [Laughter.]

Mr. BABCOCK. I stated to the gentleman, if the people of the District of Columbia wanted to go into a scheme of that kind, that, in my opinion, Congress would reverse its policy of making the city of Washington the most beautiful city of residences and homes in the world. Now, there is one object of manufacturing institutions coming here, and I want to mention it now. I have been officially informed, or intelligently informed, if the manufacturing institutions come here into the District of Columbia they will be away from the conditions of strikes and labor organizations that they would have in the States.

What have you done here? Gentlemen, you have gone to work, and now there is in process of distribution more than \$50,000,000 to be expended in great marble and white granite buildings, the most beautiful on earth; and yet we are met here with a proposition to develop manufactures, and bring in smokestacks and everything that goes with them. Why, we would have to change our laws in the District, we would have to change all conditions, practically, of citizenship, if you mean to furnish plants of that kind that we have in the cities of Milwaukee, St. Louis, and in Detroit and cities of that class throughout the United States.

Mr. SULLIVAN of Massachusetts. Is there any provision in this bill which would prevent one of these real estate corporations from selling land to a manufacturing corporation?

Mr. BABCOCK. I do not think there is anything in this bill that prohibits any citizen doing what he has a right to do under the law.

The SPEAKER. Does the gentleman yield to the gentleman from Illinois?

Mr. BABCOCK. Certainly.

Mr. PRINCE. Mr. Speaker, I think I understood the gentleman to say that Illinois had a law that would permit people to buy and sell real estate under a corporate act. Permit me to

say that Illinois has no such law. Our statute forbids a corporation buying and selling real estate.

Mr. BABCOCK. Possibly there may be no statute in the State of Illinois of that kind now, but I want to say to the gentleman that I have been a stockholder in Illinois in a corporation, and they bought and sold real estate; and it was a manufacturing corporation. That was some two years ago, and the law may have been changed since then. That was in the city of Chicago, and perhaps the city of Chicago is exempt from the operation of the law that other parts of the State would be subject to.

Mr. PRINCE. If you bought real estate other than for purposes of the manufactory—

Mr. BABCOCK. This was a general manufacturing institution.

Mr. PRINCE. That is a company, and you have to have ground to build it on; but if that corporation or any other should buy blocks of property in the city of Chicago for the sole and express purpose of holding the title of it for speculative purposes, that is forbidden by the law.

Mr. BABCOCK. That is a proposition that does not appear in the transaction. Now, if a gentleman has a manufacturing institution that goes to work and buys ground you do not have to define and put on record your purpose and what you are going to do with it. You may intend to build a plant on it. You may fail to negotiate your bonds, and then will have to sell your lot. Then you become a dealer in real estate instead of a manufacturer.

Now, Mr. Speaker, I sincerely hope this bill will pass. It is legitimate, proper, and a business method. I ask for a vote.

Mr. WM. ALDEN SMITH. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WM. ALDEN SMITH. I would like to ask the parliamentary status of this bill. I see it is a Senate bill, and the motion of the gentleman from Wisconsin is to put it upon its passage.

Mr. SIMS. I desire to move to lay the bill on the table.

The SPEAKER. The gentleman at this time has not the floor for this purpose. The gentleman from Wisconsin has six minutes remaining.

Mr. WM. ALDEN SMITH. After the motion to place this bill upon its passage is made, then will it be in order to move to strike out the enacting clause or lay this bill on the table? It is a Senate bill.

The SPEAKER. The Chair will state that the first motion that it would be natural to make would be for the gentleman from Wisconsin to move the previous question. Then it would be in order under the rule for the gentleman to move that the bill lie on the table, and that motion would first be disposed of.

Mr. WM. ALDEN SMITH. I first give notice that we wish to make that motion.

The SPEAKER. Or if the gentleman from Wisconsin does not move the previous question, then any gentleman could be recognized to make any motion that is in order under the rules.

Mr. BABCOCK. Mr. Speaker, my only desire is to bring the House to a vote on this bill. In asking for a vote I mean it as a motion to concur. Now, on that I move the previous question. That will bring it to a vote.

The SPEAKER. The gentleman moves the previous question on the bill and amendments.

Mr. SIMS. And I move to lay the bill on the table.

The SPEAKER. The gentleman from Tennessee moves that the bill do lie upon the table.

The question being taken, the Speaker announced that he was in doubt; and on a division there were—ayes 50, noes 34. Accordingly the bill was ordered to lie on the table.

AUTOMOBILES IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask consideration of the bill (H. R. 16384) regulating the speed of automobiles in the District of Columbia, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That no person shall drive or propel, or cause to be driven or propelled, any automobile, horseless or motor vehicle, bicycle, or horse-drawn vehicle within the fire limits of the District of Columbia, as said fire limits are now defined or may hereafter be defined from time to time in and by the building regulations of said District, upon any street, avenue, alley, or public highway at a greater rate of speed than 12 miles an hour between intersecting streets and avenues; nor across streets on which there are no railroad or street railway tracks at a greater rate of speed than 8 miles an hour; nor at a greater rate of speed than 5 miles an hour across any intersecting streets or avenues on which there are railroad or street railway tracks; nor at a greater rate of speed than 4 miles an hour around the corners of any street or avenue; nor at a greater rate of speed than 4 miles an hour on the east side of Fifteenth street NW., between the south building line of G street and the south curb line of New York avenue; nor on the west side of Fifteenth street NW. between the line which would be the south building line of G street if extended to the west side of Fifteenth street

and from said extended line north to the north curb line of Pennsylvania avenue; nor at the intersection of Ninth and F streets NW., between the building lines of the said streets; nor at the intersection of Ninth and G streets NW. between the building lines of said streets; nor at the intersection of Eleventh and F streets NW. between the building lines of the said streets; nor at the intersection of Eleventh and G streets NW. between the building lines of the said streets; nor on any public roadway, street, avenue, or alley within said District outside of said fire limits at a greater rate of speed than 15 miles an hour; and said vehicles shall at all times be under the control of the driver or operator; and the driver or operator and the owner or proprietor riding thereon or therein violating any of the provisions hereof shall, upon conviction for the first offense, be fined not less than \$5 nor more than \$50, and shall, upon conviction for the second offense within one year from the commission of the first offense, be fined not less than \$10 nor more than \$100, or imprisoned for not less than five days nor more than thirty days, at the discretion of the court; and shall, upon conviction for the third offense within one year from the commission of the first offense, be fined not less than \$50 nor more than \$250, or, at the discretion of the court, be imprisoned in the workhouse for not less than thirty days nor more than six months.

SEC. 2. That prosecutions for violation of the provisions of this act shall be on information filed in the police court of the District of Columbia by the corporation counsel or any of his assistants.

SEC. 3. That this act shall not be held to take away the authority of the Commissioners of the District of Columbia to make police regulations not inconsistent herewith.

The SPEAKER. If there be no objection, the bill will be considered as engrossed, read a third time, and passed, and a motion to reconsider laid on the table—

Mr. GILLETT of Massachusetts. Mr. Speaker—

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

Mr. GILLETT of Massachusetts. I wish to make a few inquiries about this bill.

The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from Massachusetts?

Mr. BABCOCK. Certainly.

Mr. GILLETT of Massachusetts. Mr. Speaker, I sympathize entirely with the purpose of this bill, and yet I think the committee will agree that when the purpose of a bill is, as this is, simply to provide punishment by imprisonment instead of by fine, we want to be very sure that we are not imposing unreasonable obligations. Now, I should like to ask the gentleman in charge of the bill if he thinks it is reasonable to provide, as this bill does on page 2, line 3, that no automobile or horse and wagon shall go around any corner at a greater speed than 4 miles an hour? That, Mr. Speaker, is the rate at which a man can walk. Why, if you take a cab at the railroad station, to ride home, you go at a greater speed than 4 miles an hour around the corners, and you do not want them to stop and walk every time they reach a corner. It seems to me that is an unreasonable proposition, and I should like to offer an amendment to change that 4 miles an hour to 6 miles an hour.

Mr. SIMS. Mr. Speaker—

Mr. BABCOCK. Mr. Speaker, I yield to the gentleman from Tennessee.

Mr. SIMS. Mr. Speaker, in reply to the gentleman from Massachusetts, I will say that the limit of 4 miles an hour going around corners is not new. That is the present police regulation, and has been for three years or longer; and I think it is one of the most necessary and vital parts of the bill, because there is greater danger of taking life or maiming by a great, heavy, 60-horsepower automobile dashing around a corner at 6 miles an hour, or any speed greater than this, than could possibly be by a carriage or horse-drawn vehicle. This law applies to both, because the Commissioners have so recommended; but an automobile turning a corner can not be seen in many cases until it is too late. The fact is that two automobiles might collide. This is the present regulation which has the force of law, and it is well known and is no surprise to any owner of an automobile or other vehicle in the District of Columbia.

Mr. GILLETT of Massachusetts. Mr. Speaker, when the gentleman says this is the law, of course he has not in mind the difference between fine and imprisonment. It is the present regulation, but it does not punish by imprisonment. Now, in the police regulations adopted by the District Commissioners, a violation of which is punished by fine, it may be appropriate that there should be such a provision, that it should be more stringent than necessary; but in enacting that regulation into law and providing for the punishment of it by imprisonment you do not want to make it more extreme than is reasonable. The police regulation, which is punishable by a fine, can be enforced with leniency; but when you provide imprisonment you want to be moderate and reasonable.

In answer to what the gentleman has said, I say that a vehicle going around the corner at a rate of 6 miles an hour is not dangerous. I have run an automobile for years, although I do not know as I can popularly be called an "automobilist," as I never have succeeded in hitting even a chicken, but I can run around the corner more safely with an automobile than you can

with a horse and carriage. The automobile is a great deal more under your control, and you can steer a great deal closer. I very gladly welcome this change of the law which substitutes imprisonment for fine, because I recognize that there are some reckless men that ought to be punished, but the great majority of them are not, and when you come to make a law punishing by imprisonment you want it so reasonable that it ought to be enforced.

I think the House must admit that it is not an unreasonable rate of speed to go around corners at the rate of 6 miles an hour, and it is unreasonable to say that a man shall be punished by imprisonment for going around a corner at a faster rate than 4 miles an hour. You do not want to compel a horse to come down to a walk, and you do not want your automobile to slow down to the slow clutch, which this generally requires.

Mr. SIMS. I wish to state to the gentleman from Massachusetts that imprisonment is only for the second and third offense, and then only at the discretion of the court.

Mr. GILLETT of Massachusetts. But the gentleman knows that neither the horsemen nor automobilists will obey this law. The gentleman does not expect that the driver of a horse will slow down his horse to a walk every time he goes around a corner. I do not object to its remaining in the Code, where it is only punishable by fine. It seems to me that the gentleman ought to be willing to accept the amendment and substitute 6 miles an hour for 4 miles an hour around a corner.

Mr. SIMS. Mr. Speaker, as there may be other questions asked about the bill, I will make a general explanation and then refer to what the gentleman from Massachusetts [Mr. GILLETT] has said. This bill contains the present police regulations with the exception of crossing a street at a rate of 8 miles an hour where there are neither street cars nor steam railways. This is the only change in the speed limit. Four miles an hour around corners—

Mr. GILLETT of Massachusetts. Will the gentleman allow an interruption right there?

Mr. SIMS. Certainly.

Mr. GILLETT of Massachusetts. That will remain the same, whether the bill goes through or not.

Mr. SIMS. Unless the Commissioners desire to change it, yes.

Mr. FITZGERALD. Not if we pass this law.

Mr. SIMS. Then they can not increase it and make it any greater. Now, these regulations have been in force, as I remember, about three years. Everybody is perfectly familiar with them, and I must admit a little surprise that my friend from Massachusetts, who is an automobilist, has been operating a machine here for three years and does not know that he has always been required to go around a corner at no greater speed than 4 miles an hour.

Mr. GILLETT of Massachusetts. The gentleman does not catch my point. I do know it; and I say no matter if it is in the code, nobody lives up to it. The gentleman knows that, and he does not expect them to, and he only wants it in case of some accident that may happen, and then he can hold them by it. But when you come to punish a man by imprisonment, that is a different thing.

Mr. SIMS. The gentleman now admits that he knows it. Does the gentleman expect to try to get the police regulation modified so as to make it 6 miles an hour?

Mr. GILLETT of Massachusetts. No; I do not.

Mr. SIMS. Well, the gentleman is willing to violate the law and run the risk of being made to pay for it. I think that is the best reason on earth why the law should be passed. The gentleman may be willing to violate the police regulations when he is only punished by a fine, but when punished by imprisonment we may be able to secure an enforcement of this regulation.

Mr. GILLETT of Massachusetts. Will the gentleman yield for a question?

Mr. SIMS. Certainly.

Mr. GILLETT of Massachusetts. Does the gentleman think it is dangerous to allow a horse to go around a corner faster than 4 miles an hour?

Mr. SIMS. The distinguished Commissioners and the chief of police and the police officers have established these regulations as the result of experience and observation, and are what they would regard as proper and reasonable. My judgment would stand as nothing against them. And if it was not their judgment, I think they ought not to go around corners at a greater speed than 4 miles an hour.

Mr. GILLETT of Massachusetts. The gentleman does not wish to state his own opinion?

Mr. SIMS. Mr. Speaker, I say if it would strengthen them any they should have my opinion in addition to their own, warranted by experience. It is true there is no law that provides

for anything except punishment by fine in the District of Columbia. As shown by the report of the District Commissioners last year, there were cases of violation of the law by the same person as often as four times within one year, as often as three times by the same individual, and quite a number as often as twice. The great majority of people of the District of Columbia who own automobiles and carriages do not violate the present regulations, but those who do prove themselves a menace to life and limb. There certainly should be a law passed authorizing the judges, after repeated offenses, to inflict imprisonment. It is obedience to the law that we want and not simply the collection of fines. I desire to state to the gentleman from Massachusetts that this law is mild; that it is not at all drastic when compared to some of the laws on the same subject in the different States. I suppose that in the State of New York there are more automobiles, perhaps, in use than in any other State in the Union, and I desire to say to the gentleman that, according to the report of the Commissioners of the District filed herewith, the punishment in the State of New York is, for the first offense, not over \$100; for the second offense, \$50 to \$100 or imprisonment not exceeding thirty days, and for the third offense \$100 to \$250 and imprisonment not exceeding thirty days.

The State of New York, with its great experience, makes the third offense punishable by both fine and mandatory imprisonment. There is no leaving it to the discretion of the court; whereas in this bill, by reason of the advice of the Commissioners, we leave it discretionary, for they believe that the possibility of imprisonment hanging over an offender will prevent repeated violations. All I desire, speaking for myself, is that the speed limitations in the District of Columbia be observed, and that we do not punish any person more than necessary to bring about obedience to the law. I believe that mandatory imprisonment for the third offense within twelve months is reasonable and just, and might be necessary to enforce the law, but the Commissioners believe otherwise, and I am willing to have them try it, and this law, I think, is absolutely demanded. I dislike to refer to matters of which I only have personal knowledge, but since the introduction of this bill the letters I have received on the subject have been of great number. Many have spoken to me personally whom I did not know knew me, and who have advocated the law and who are owners of automobiles. I have only found one gentleman, and he a Member of this House, who said that he thought it was too drastic, but he is making no fight against the bill. These beautiful streets and pavements, the prettiest in the world, are inviting to the pedestrian and inviting to the horse-drawn vehicle, but because of the recklessness of a few people, of a few individuals, the entire city has been made, at least in a measure, dangerous to pedestrians and to horse-drawn vehicles. It is a matter that I do not have to discuss in the House; there is not a Member of the House who has been for twelve months in the city of Washington who will not make a good witness of the necessity of some kind of law. Some autoists seem to think that the streets are made for them and for nobody else. When they come to a crossing they do not slow down. They blow a horn to scatter the pedestrians and run over them if they do not get out of the way. It is shown that by the mechanical contrivance of these machines they are easily stopped. It certainly is and ought to be the duty of any self-respecting lady or gentleman to stop the machine instead of making old and young flee for their lives.

Now, the Commissioners recommend this bill. They think they can enforce it, that it is practical, that it is reasonable, and before introducing any bill I consulted with the chief of police here and told him I did not want any sensation out of this, that all I wanted was only what the necessity of the case required. If there is anything wrong with the bill, it is that it is too mild in its provisions, and for the third offense, as in the State of New York, there ought to be mandatory imprisonment. The present speed limits are well known to the people and we do not take them by surprise by creating new speed regulations.

Mr. Speaker, I do not wish to take up the time of the House further, unless some gentleman wishes to ask some question concerning the bill which I think I can answer. As to the 4-mile limit around corners, that is the very best part of existing regulations, and the very best part of this bill.

Mr. GILLETT of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SIMS. I yield.

Mr. GILLETT of Massachusetts. As I said before, Mr. Speaker, I sympathize with the general purpose of the bill. I agree that a great many automobilists are reckless, and I would be glad to see them punished, but I do not think on that account

we ought to pass a bill which is unreasonable. The gentleman says it is unreasonable to go around a street corner with a horse and wagon or an automobile at a rate exceeding 4 miles an hour. I wish to submit to the judgment of this House whether it is or not. I venture to say that the Members of the House do not believe that and that they will say that for an ordinary wagon to go around a corner at 6 miles an hour or for an automobile, for that matter, is not unreasonable, and is not dangerous. Therefore I wish to offer that amendment, to change four to six, and I move that in line 3, on page 2, to substitute for the word "four" the word "six."

Mr. BABCOCK. Mr. Speaker, I want to say in reference to this bill that the gentleman from Tennessee is the father of the proposition. He has taken a great many chances in coming here to the Capitol mornings to attend committee meetings at 10 o'clock and half past 10 o'clock, dodging corners with automobiles coming around at 4 miles an hour, and he has come up here with a bandana handkerchief wiping the perspiration off his brow and stating he had been chased by an automobile. The committee has appreciated the difficulties that he has labored under in getting to the Capitol, and for that reason, Mr. Speaker, we have made a favorable report on this bill and have reduced the speed down to 4 miles an hour, just about the gait the gentleman from Tennessee tells me that he can dodge in good shape. [Laughter.]

Now, if you go to work and make this 6 miles an hour, he is going to be in the same shape that he was before and we are liable to lose one of the most distinguished members of the District Committee. I really hope, Mr. Speaker, that this 6-mile-an-hour amendment will not be carried just on that account. Now, I am free to say I think I can dodge a 6-mile-an-hour automobile going around a corner if you give me time, but when it is coming right around the corner or across a track I might not want to have it go over 4 miles, and, out of deference and respect to the gentleman from Tennessee, I do hope the House will vote this amendment down and not put him in the position of having a 60-horsepower machine, with loud-blowing horn, coming at him around a corner under a 6-mile-an-hour rate of speed. I think it is wrong. I ask that this amendment be voted down.

Mr. SIMS. I just want to say a word. I do not want any Member of this House to vote for or against the amendment on my account. I admit that I am not a good dodger; not as good as the gentleman from Wisconsin [laughter], but I am willing to take my chances, because there are several others, perhaps, who are not as good dodgers as the gentleman from Wisconsin.

Mr. GILLETT of Massachusetts. Mr. Speaker, on page 2, line 3, I move to strike out the word "four" and insert the word "six."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 3, after the word "than," strike out the word "four" and insert in lieu thereof the word "six."

The question was taken; and the Chair announced the yeas seemed to have it.

On a division (demanded by Mr. GILLETT of Massachusetts) there were—yeas 20, yeas 57.

So the amendment was rejected.

Mr. GILLETT of Massachusetts. Mr. Speaker, will the gentleman yield to me? After that vote I do not suppose there is a possibility of any amendment, reasonable or otherwise, being adopted, but, at the same time, my opinion may be wrong, and there is another suggestion in this bill which I think out to be amended and I am going to offer it.

It says in line 18 that no horseless vehicle or automobile shall travel outside the District fire limits at a greater rate of speed than 15 miles an hour. That means out on the Conduit road or out on Fourteenth street an automobile shall not go faster than 15 miles an hour, or if a man has a horse which can go a three-minute gait he shall not be allowed to speed him. It seems to me that is unreasonable. I recognize that there ought to be some limit. I recognize that when any other vehicle is in the way you ought to slow down. I offer this amendment, that on any public road within said District outside of the fire limits it shall not go at more than 12 miles an hour when meeting or passing a person or vehicle. That limits it; that when any other vehicle or person is in the road they shall slow down the automobile or horse to 12 miles an hour, but if you have got a clear stretch of road there is no reason you should not let your horse or automobile out, and therefore I offer an amendment in line 20, page 2, to strike out the words "15 miles an hour" and substitute in lieu thereof the words "12 miles an hour when meeting or passing a vehicle or person."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 20, amend by striking out the words "15 miles an hour" and inserting in lieu thereof "12 miles an hour when meeting or passing any other vehicle or person."

Mr. SIMS. Mr. Speaker, I would like to say a few words about that. Of course I am not so much interested in the District of Columbia beyond the fire limits, because my observation is not extensive. This is the present bill's regulation—namely, 15 miles an hour beyond the fire limits. This, of course, if it had not been found necessary would not have been made. When you get beyond the fire limits you have got to turn corners, you have got to go around bends of the road, and the District Commissioners do not think the speed ought to be greater than 15 miles after you pass the fire limits. I do not think we ought to adopt this amendment without knowing more about it than we do.

Mr. BABCOCK. Will the gentleman permit me?

Mr. SIMS. Certainly.

Mr. BABCOCK. I suppose that so far as the gentleman from Tennessee is concerned he is not personally interested in the speed on the Conduit road?

Mr. SIMS. I am not personally acquainted with it.

Mr. BABCOCK. The gentleman does not travel that road every morning as he does the road to the Capitol?

Mr. SIMS. That is it.

Mr. BABCOCK. Does the gentleman further understand that if he takes off the speed limit entirely you can go 100 miles an hour under the other limit?

Mr. SIMS. I understood the gentleman to say it was 12 miles an hour.

Mr. BABCOCK. Twelve miles an hour when passing another vehicle.

Mr. SIMS. I misunderstood the amendment. Then, Mr. Speaker, it is only the more objectionable. I do not think it ought to be done, and I do not think it necessary to discuss it further.

Mr. GILLETT of Massachusetts. I can not see what objection there is to letting a horse or an automobile go as fast as you please when you have got the road all to yourself. I would like to know what objection the gentleman can see to that? If there is no other vehicle in the road, why would you not let your horse or vehicle out?

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

The question was taken, and the amendment was rejected.

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

On motion of Mr. BABCOCK, the vote by which the bill was passed was laid on the table.

Mr. SIMS. Mr. Speaker, that means the bill here just reported by the committee as a substitute?

Mr. BABCOCK. What is it?

Mr. SIMS. The bill passed is the bill H. R. 16384, instead of the original bill.

Mr. BABCOCK. It is the substitute reported by the committee.

LONG BRIDGE.

Mr. BABCOCK. Mr. Speaker, I call up the bill H. R. 14897, and after the Clerk reads the title of the bill I would like to make a statement before making the usual motion.

The SPEAKER. The Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 14897) providing for the temporary maintenance of the Long Bridge over the Potomac River, and for other purposes.

Mr. BABCOCK. Now, Mr. Speaker—

Mr. FITZGERALD. Mr. Speaker, this bill should be considered in the Committee of the Whole House on the state of the Union.

Mr. BABCOCK. I wish to make a statement.

The SPEAKER. It is on the Union Calendar, but the gentleman from Wisconsin asks unanimous consent to make a statement about it at this time. Is there objection?

There was no objection.

Mr. BABCOCK. Mr. Speaker, I wish to say to the House that some years ago Congress appropriated money to build a new highway bridge across the Potomac just above the Long Bridge. Previous to this time the Long Bridge had been occupied, and for many years, by the Pennsylvania Railroad Company, the Mount Vernon Electric Railway Company, and used by the public for general travel and traffic. The new bridge itself was completed a short time since and thrown open to the public. The bridge—the iron structure—is 2,600 feet long, the approach on the Virginia side is 2,200 feet long, the approach on the Washington side is 1,250 feet long, making the bridge and the approaches something over 6,000 feet long. The War Depart-

ment, the Commissioners, and especially the people of Virginia, appealed to the Committee on the District of Columbia to keep the old Long Bridge open for traffic on account of the unfinished condition of the approaches to the new bridge. That, in other words, the embankments were so soft that they would not bear the heavy traffic of the brick wagons—and practically all the brick used in Washington comes from Virginia. The committee, after considering the bill at several meetings, finally formulated a bill which provides that the old Long Bridge shall be turned over to and operated and maintained by the District government until the 15th day of next December, when it shall be removed by the Pennsylvania Railroad. Under the contract that the Pennsylvania road has with the Government, it is obliged to remove the bridge now, inasmuch as it has ceased to use it, and they are under no obligation to maintain the bridge, but by request they are maintaining it temporarily until Congress shall determine what course to pursue.

Now, the difficulty, Mr. Speaker, of using the new highway bridge, which, however, is now being used by the Mount Vernon electric road and brings to the District a revenue of about \$8,000 a year for passengers that cross the bridge in its cars, is on account of the condition of the approaches. The fill on the Virginia side, 2,200 feet long, nearly half a mile, has not settled sufficiently to permit granite block pavement being permanently put on; and all say the approaches will not stand the traffic of wagons loaded with brick coming from Virginia.

The committee, in its wisdom, attached to this bill a paragraph specifying that after the 1st of June all wagons weighing, when loaded, more than 2 tons, should be equipped with wheels having tires not less than 4 inches in width. The brick interests, or the representatives of the brick companies, came to me personally and stated that the provision for 4-inch tires was agreeable to them, and that they were in favor of it and believed it should be done to protect the roads. Now, the tires that are in use as a rule are 2 inches wide. The committee supposed when they reported the bill that they were doing something in the interest of the city of Washington and the interest of all concerned, and that 4-inch tires would protect the streets and highways and save the District of Columbia a large sum annually in street repairs. But, I am sorry to say, I have been presented with letters and petitions, which I have here, proving by their statements that a vehicle with a tire 2 inches in width, bearing a load of 3, 4, or 5 tons, will not do a pavement as much harm as a 4-inch tire. Of course it is an entirely new proposition to me, and possibly if the committee will wait a little longer they will be convinced that a tire an inch wide will answer the purpose better than a 4-inch tire. Now, here are petitions and letters from business men, contractors, paving companies, and one from the Brennan Construction Company, from which I wish to read an extract to show how ignorant Congress has been on this subject:

It is a well-known fact to men in the paving business that diversified travel is essential for the life of an asphalt pavement, and where there is no travel the asphalt will, within two or three years, disintegrate.

As evidence of this an asphalt pavement laid on Tunlaw road, where there never is any travel, has completely disintegrated.

Mr. Speaker, the statements presented here would indicate that the narrower the tire and the heavier the load the better it will be for the condition of the streets.

Now, Mr. Speaker, this petition is a request for a hearing on that portion of this bill which provides for 4-inch tires, and I submit it, so far as I am personally concerned, to the House, and I yield to the gentleman from Tennessee, who desires, I believe, to make a motion.

Mr. SIMS. Mr. Speaker, in view of what the gentleman from Wisconsin said, which seems to be the view of the committee, I move that the bill be recommitted to the Committee on the District of Columbia.

The SPEAKER. The gentleman from Tennessee moves that the bill be recommitted to the Committee on the District of Columbia.

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

REMOVAL OF SNOW AND ICE IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask consideration of the bill H. R. 14582.

The bill was read, as follows:

A bill (H. R. 14582) for the removal of snow and ice from the paved sidewalks of the District of Columbia, and for other purposes.

Be it enacted, etc., That the tenant or occupant of any building or lot of land, or in case there shall be no tenant or occupant, the owner of any building or lot of land fronting or abutting on any paved sidewalk within the fire limits of the District of Columbia, and in the case of any building or lot of land owned by any corporation, joint stock company, or syndicate, the superintendent, manager, or other person in charge or control of such building or lot of land, shall, within the first four hours

of daylight after the ceasing to fall of any snow, cause the same to be removed from such sidewalk; and in case ice has formed upon such sidewalk, the tenant, occupant, owner, superintendent, manager, or other person in charge or control of such building or lot of land, as above set forth, shall, within the first four hours of daylight, after the same has formed, cause the same to be sprinkled with ashes, or some other suitable substance. Any violation of any of the provisions of this act shall subject the person so offending to a fine of not more than \$5, or, in default of the payment of such fine, to imprisonment in the workhouse of the District of Columbia for not more than five days.

Sec. 2. That in the event the owner or owners of any building or lot of land mentioned in the preceding section of this act be a non-resident or nonresidents of the District of Columbia, and there be no tenant or occupant of the same, and the requirements of the preceding section of this act are not complied with, or if such building or lot of land be owned by any nonresident corporation, joint stock company, or syndicate, and the superintendent, manager, or other person in charge or control thereof shall fail to comply with the requirements of the said preceding section of this act, or if there be no such superintendent or other person in charge or control of such building or lot of land so owned by any nonresident corporation, joint stock company, or syndicate and the requirements of the preceding section of this act are not complied with, it shall be the duty of the Commissioners of said District in every such case to cause the snow or ice to be removed, or to cause the same to be sprinkled as mentioned in said preceding section of this act, and for every such removal or sprinkling by them they shall assess the sum of 3 cents per front foot against each such lot, and, in the case of corner lots, an additional charge of 3 cents per running foot for the depth of the property abutting on the intersecting street, and every such assessment so levied for removal by said Commissioners of such snow or ice, or the sprinkling as herein provided shall be a lien on said lot of land, and shall become due and payable and be collected as general taxes on real estate in said District are due, payable, and collectible.

Mr. BABCOCK. I now yield to the gentleman from Pennsylvania [Mr. KLINE], who reported the bill.

Mr. KLINE. Mr. Speaker, this bill (H. R. 14582) contemplates legislation to regulate the removal of snow and the accumulations of ice from the sidewalks in the District of Columbia, and to punish those who may offend against the provisions thereof. It may seem strange and possibly surprising to the membership of this House that there is no existing law or enforceable regulation to compel the property owners in the District of Columbia, or their tenants, to clear the sidewalks in front or along their property of snow or ice. In all northern cities where the vigors and inclemencies of snow and ice prevail there are regulations for the removal of the snow and the accumulations of ice.

Congress has previously attempted to legislate on this subject, but hitherto was unable to place on the statute book a law which could stand the scrutiny and judicial interpretation of the appellate courts on constitutional grounds. The laws heretofore passed were prominent for their absence of uniformity, equality, and for their want of discriminations between those property owners which were intended to be reached by the contemplated legislation. On March 2, 1895, Congress passed an act for the removal of snow and ice from the sidewalks, cross walks, and gutters in the cities of Washington and Georgetown, and for other purposes, which act was declared to be insufficient; and again, on March 2, 1897, Congress passed another act on the same lines for the same purposes. That act was declared unconstitutional in the case of *Holtzman v. United States* (14 App. D. C., 454), in which it was held by the court "as to the special feature that differentiated it from the act of 1895, that it was unconstitutional, null, and void," and at the same time pointed out various crudities, inconsistencies, and inequalities that tended to discredit it in its entirety. Nothing further was done to enact this class of legislation from 1897 until February 10, 1904, when an act on the same subject was passed by this House, which, in the case of *McGuire v. The District of Columbia*, reported in 24 Appeal Cases, D. C., page 22, was also declared unconstitutional and void, as imposing unequal burdens upon and discriminating between citizens similarly situated and equally entitled to bear the same burden. In the latter cited case the court also laid down the rule that "the prime requisite of such legislation is that it should be uniform and capable of universal enforcement."

It thereupon dawned upon the minds of the District Commissioners that they, under some old power conferred upon them, were empowered to pass or promulgate a regulation by which the tenants and occupants of property along the several sidewalks could be compelled to remove snow and ice. They did promulgate such a regulation, and the matter was immediately taken before the courts of the District, and it was again declared, in *Coughlin v. District of Columbia*, a case reported in 25 Appeal Cases, D. C., page 251, that the District Commissioners were not empowered with such authority, and that their act was null and void.

In my judgment, this is a duty which should be imposed upon the property owners of the District, and that the municipality should not be charged with this burden.

The Commissioners, in a communication directed to the chairman of the District Committee on this subject and the im-

practicability of forcing the municipality to do this work, said this:

Any measure which proposes the removal of snow and ice by the municipality, with the cost thereof assessed against abutting property, presents almost insuperable obstacles, owing to the fact that there are 550 miles of paved sidewalks within the fire limits of the District of Columbia, equalling 2,904,000 linear feet. It is estimated that under ordinary conditions, with an average depth of snow of 6 inches and with a ridge in the center of the sidewalk packed down by pedestrians, one man could clean 30 feet of walk and open the gutter in one hour. In an eight-hour day this would require 12,160 men and cost, at \$1.50 each per day, an aggregate of \$18,150, a sum which would reach fully \$20,000 when tools, supervision of gangs, etc., are taken into consideration.

Mr. Speaker, the removal of snow and ice is a duty or obligation which the property owner should perform. He should do it without protest or compulsion. The Washington property owner has so many privileges, advantages, and exemptions of onerous burdens that this burden of removing snow and ice should be cheerfully borne by him. If this burden is to be placed on the municipality at the expense of the Government, by the sanction of the citizens or direction of the court, I should not be much surprised some day to hear that Congress be asked to exempt the citizens of the District of Columbia of many other obligations which they are required to bear at this time.

That Congress has been unable heretofore to pass a law that was enabled to stand the interpretation of the courts is, in my judgment, no credit to the wisdom and judicial acumen of the solons of either House of Congress.

Mr. CRUMPACKER. Will it interfere with the gentleman's argument if I ask him a question or two?

Mr. KLINE. Not at all.

Mr. CRUMPACKER. I am somewhat interested in the law question involved in this bill, and am also interested that there should be proper care taken of the streets and walks of this city. This bill, as I understand it, makes it a misdemeanor for a property owner to fail to remove snow and ice from the walks in front of his premises.

Mr. KLINE. Yes.

Mr. CRUMPACKER. Does the gentleman know of a case or an instance in this country where the courts have upheld legislation of that kind? The theory, I think, generally is that the care of the public streets and walks is a public charge, and while for special reasons construction and maintenance of walks may be charged against the adjoining property owner, my recollection is that in every instance where an attempt has been made to impose a penalty on the property owner for his failure to perform that duty the courts have set aside the law and declared it to be invalid. Does the gentleman know of a single instance in this country where such a law has been upheld in a court of last resort?

Mr. KLINE. I can not cite any particular instance or case at this time. I know that such a law has been upheld by the subordinate courts in Pennsylvania. I could not state whether the question was ever taken to the appellate courts of that State or not.

Mr. CRUMPACKER. My impression is that the courts have uniformly declared such laws invalid, because it is not within the constitutional power of the legislature to impose a duty of this kind upon an individual, a duty that is essentially public, and to enforce its performance by a penalty.

While I should like to see proper legislation to protect the public against bad sidewalks, I fear that this bill, if enacted into law, will be set aside by the courts at the first opportunity.

Mr. WILEY of New Jersey. I can give the gentleman some information on that subject.

Mr. KLINE. I was just going to say that this bill provides that the party offending may be punished by summary proceedings. On page 2 of the bill it is provided that any violation of any of the provisions of this act shall subject the person so offending to a fine of not more than \$5, or, in default of the payment of such fine, to imprisonment in the workhouse of the District of Columbia for not more than five days.

Mr. CRUMPACKER. My friend from New Jersey [Mr. WILEY] tells me that he knows of instances where such legislation has been upheld.

Mr. WILEY of New Jersey. That law is in force in New Jersey—in Essex County, where I live.

Mr. CRUMPACKER. By a criminal process?

Mr. WILEY of New Jersey. I do not think they have waited for that.

Mr. KLINE. Do I understand the gentleman from New Jersey—that legislation of this character has been upheld by the courts of New Jersey?

Mr. WILEY of New Jersey. The legislation is in force, and has been for years. I know it, because I was an executor of an estate and fined \$5 because the man did not clean the snow off from the walk, and I had to pay it.

Mr. KLINE. On the other hand, I know that courts have been known to reverse themselves and sometimes in a few instances did not know the law themselves. I will not venture to say that the present bill will be construed to be constitutional and enforceable. It is an improvement on former bills on the same subject. It was prepared by the Commissioners, considered by the subcommittee and the general Committee on the District of Columbia in the light of judicial criticism on the subject and in the light of the authorities which I have cited in the course of my remarks. I say it is not certain that the courts will uphold the law, but the Commissioners are anxious to exhaust all means of securing an effective ice and snow law before they are compelled to appeal to Congress for an appropriation.

I ask that said bill be passed without amendment.

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

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

AMERICAN HOMEOPATHIC INSTITUTE FOR DRUG PROVING.

Mr. SAMUEL W. SMITH. Mr. Speaker, I call up the bill (H. R. 12904) to incorporate the American Homeopathic Institute for Drug Proving.

The Clerk read the bill, as follows:

A bill to incorporate the American Institute for Drug Proving.

Be it enacted, etc., That the following-named persons, to wit, J. B. Gregg Custis, of Washington, D. C.; George Royal, of Des Moines, Iowa; Charles Mohr, of Philadelphia, Pa.; Willis A. Dewey, of Ann Arbor, Mich.; Benjamin F. Bailey, of Lincoln, Neb.; John P. Sutherland, of Boston, Mass., and Edwin H. Wolcott, of Rochester, N. Y., their associates and successors, duly chosen, are hereby incorporated and declared to be a body corporate by the name of the American Institute for Drug Proving, and by that name it shall be known and have perpetual succession.

SEC. 2. That the objects of the corporation shall be—

(a) To study the effects of drugs upon animals and healthy persons and to preserve a record of such experiments and the results thereof in such form and manner as shall make them available and useful in the treatment and cure of disease.

(b) To disseminate the knowledge of the results of such experiments by lecture, printed documents, or otherwise, as may be deemed best.

(c) To purchase such property, real and personal, and to provide and maintain or aid in the equipment of such laboratories as may be necessary to carry on the work of the corporation.

(d) In general to do and perform all things necessary to promote the objects of the institute.

SEC. 3. That the direction and management of the affairs of the corporation and the control and disposal of its property and funds shall be vested in a board of trustees, seven in number, to be composed of the following individuals, to wit: J. B. Gregg Custis, George Royal, Charles Mohr, Willis A. Dewey, Benjamin F. Bailey, John P. Sutherland, and Edwin H. Wolcott, who shall constitute the first board of trustees and who shall hold office until their successors in office shall be chosen, as may be provided by the by-laws of said corporation. The board of trustees shall have power from time to time to increase its membership to not more than fifteen members: *Provided always*, That a majority of the board of trustees shall be composed of members of the American Institute of Homeopathy. Vacancies occasioned by death, resignation, or otherwise shall be filled by the remaining trustees in such manner as the by-laws shall prescribe, and the persons so elected shall thereupon become trustees and also members of the said corporation. The principal executive offices and repository for the records of said corporation shall be located in the city of Washington, D. C.

SEC. 4. That such board of trustees shall have full power from time to time to adopt a common seal, to appoint such officers, members of the board of trustees or otherwise, and such employees as may be deemed necessary in the carrying out of the objects of the corporation, at such salaries or with such remuneration as they may deem proper, and with full power to adopt by-laws from time to time and such rules and regulations as they may deem necessary to secure the convenient transaction of the business of the corporation, with full power and discretion to deal with and expend the income or funds of the corporation in such manner as in their judgment will best promote the objects herein set forth, and in general to have and use all the powers and authority necessary to promote such objects. Said corporation shall report annually the result of its scientific experiments and its receipts and expenditures to the American Institute of Homeopathy.

SEC. 5. That the said corporation may take and hold donations, grants, devises, and bequests which may be made to it in support of the said corporation.

SEC. 6. That as soon as may be possible after the passage of this act a meeting of the trustees hereinbefore named shall be called by the said J. B. Gregg Custis, George Royal, Charles Mohr, Willis A. Dewey, Benjamin F. Bailey, John P. Sutherland, and Edwin H. Wolcott, or any three of them, at the city of Washington, D. C., by notice served in person or by mail to each trustee at his place of residence, and the said trustees, or a majority of them, being assembled, shall organize and proceed to adopt by-laws, to elect officers, and appoint committees, and generally to organize said corporation, and thereafter the board of trustees shall once a year, or oftener at their election, meet in the said city of Washington, or elsewhere as they may by resolution of the board or by the consent in writing of a majority of the board determine, such consent in writing to be recorded, together with the names of the trustees giving such consent, in the records of the corporation.

SEC. 7. That Congress may from time to time alter, repeal, or modify this act of incorporation, but no contract or individual right, made or acquired, shall thereby be divested or impaired.

SEC. 8. That this act shall take effect immediately.

With the following committee amendments:

Page 1, line 11, insert after the word "American" the word "Homeopathic."

Page 3, line 13, after the word "power," insert the words "in said board."

Page 3, line 17, after the word "discretion," insert the words "in said board."

Amend the title so as to read: "A bill to incorporate the American Homeopathic Institute for Drug Proving."

Mr. FITZGERALD. Mr. Speaker, I would like to know something about this bill before action is taken on it.

Mr. SAMUEL W. SMITH. I will yield to the gentleman from New Jersey [Mr. WILEY].

Mr. WILEY of New Jersey. Mr. Speaker, this bill was introduced by request. I am not a homeopath and therefore it is an act of great magnanimity on my part. It is a benevolent organization with a view to obtaining contributions and using them for the purposes stated in the bill and to report the results for the benefit of humanity generally.

Mr. FITZGERALD. I would like to know what this provision means: "To study the effects of drugs upon animals and healthy persons and to preserve a record of such experiments." I will call attention to several provisions in the bill, as it may be that the gentleman will explain them all.

This act of incorporation is different from every other one the District Committee has reported. Heretofore it has made these corporations in the District of Columbia, but there is no such restriction in this bill. More than that, there is a provision on page 3, at the bottom of the page, that I would like the gentleman to explain, in which this corporation is required to report the result of these scientific experiments, its receipts and expenditures, to the American Institute for Homeopathy. What branch of the Government is that and what right has the Government or why should Congress incorporate a drug-proving concern and direct it to report to some other institution, philanthropic or otherwise? I hope the gentleman will make a full explanation of this bill.

Mr. WILEY of New Jersey. I think the language of the bill is sufficiently clear. I do not see what explanation the gentleman wants, but—

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

Mr. WILEY of New Jersey. Certainly.

Mr. GARRETT. What powers are given to this institution by incorporation here that it could not obtain by incorporation under the general statutes of the District?

Mr. WILEY of New Jersey. That is a legal question, and as I am not a lawyer I will allow the gentleman from Pennsylvania, Mr. KLINE, to answer it.

Mr. GARRETT. Would there be any objection to inserting, in line 10, after the word "corporate," the words "of the District of Columbia?"

Mr. SAMUEL W. SMITH. No objection whatever.

Mr. GARRETT. I think unquestionably that ought to be done. I do not think this institution after being incorporated would have any legal standing if these words were not inserted so as to create it a corporation of the District of Columbia. That the Congress can create a corporation for the purpose of carrying out any of the delegated powers of Congress is perhaps not now to be questioned, but that the Congress can create a corporation for performing any work or engaging in any business that is not for the purpose of carrying out some one of the expressly delegated powers seems to me to be beyond the scope of constitutional power. I take it there is no doubt, however, of the power of Congress to create a corporation in the District of Columbia, though I do doubt the policy of these special acts. I do not think they ought to pass at all. The provisions of the general law are full and ample, and there is danger in these special acts.

Mr. SAMUEL W. SMITH. Mr. Speaker, if the gentleman will offer an amendment, we will accept it. The committee has no pride in this matter whatever.

Mr. GARRETT. Mr. Speaker, I offer that amendment.

The SPEAKER. Does the gentleman from Michigan yield for that purpose?

Mr. SAMUEL W. SMITH. Yes.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 10, after the word "corporate," insert "of the District of Columbia."

The SPEAKER. Does the gentleman desire a vote upon his amendment at this time?

Mr. GARRETT. Mr. Speaker, at any time that it is in order. I understood the committee would accept the amendment, the gentleman from Michigan [Mr. SAMUEL W. SMITH] saying there was no objection to it. If the bill must pass, though I hope it will not, that provision should certainly be in it. I hope, however, that whether so amended or not the bill will not pass.

The SPEAKER. The Chair will put the question now. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

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

Mr. CLARK of Missouri. Mr. Speaker, at some time I would like a chance to interrogate the gentleman who is in charge of the bill.

The SPEAKER. Does the gentleman yield?

Mr. SAMUEL W. SMITH. Certainly, I yield to the gentleman.

Mr. CLARK of Missouri. Is there not a general law by which anybody in the District of Columbia who desires to be incorporated can apply to some established authority and secure an incorporation, as one can in the State from which the gentleman comes or in the State from which I come?

Mr. SAMUEL W. SMITH. Mr. Speaker, I understand that these gentlemen do not consider that the present law in the District is sufficient for them to incorporate in the manner in which they desire to be incorporated.

Mr. CLARK of Missouri. I would like to have a minute or two. Will the gentleman yield?

Mr. SAMUEL W. SMITH. Certainly, I yield.

Mr. CLARK of Missouri. Mr. Speaker, several times I have suggested to the House a plan which seems to me to be in the interest of transacting the public business, and that is that we have on hand three sorts of business to which we devote a great deal of time, with which we ought not to have anything to do at all. One of them is respecting private claims. There ought to be some kind of a tribunal to which these private claims can be referred. I take it that nearly every man in the House would make a fairly good trial judge, if he were elected or appointed a trial judge, and if it were his business to hear evidence in a case he would give a fairly correct decision; but what is everybody's business is nobody's business. Sometimes we spend two or three hours here, 386 of us, passing on a claim of less than \$100, and nobody, except the particular member of the Committee on Claims who passed on that claim, knows anything about it. The proceeding is ridiculous. In the second place, we ought to get rid of private pension bills. The pension laws, if they are not sufficiently liberal now, ought to be liberalized so that we may get rid of the business to which I refer. All the old soldiers ought to stand on the same plane and be treated impartially. In the third place, we ought to get rid of this entire batch of District of Columbia business. With all due respect to everybody connected with it, I say that it is a nuisance in this House. It is not a very violent presumption that any Member of this House or member of the United States Senate would be competent to sit in the common council for the city of Washington, if he lived here and were familiar with facts and environments; but we come here one day out of every two weeks and we must either follow the gentleman from Wisconsin [Mr. BABCOCK] or some of his lieutenants on faith, or we have to fight them on faith. So far as I am concerned, I generally vote against them on faith. [Laughter.] Now, we ought to be getting rid of this business instead of enlarging it. What is happening here? I will tell you exactly. Everybody in the District of Columbia who wants a corporation created, instead of going to the authority in the District which has power to incorporate, as I presume it has—

Mr. SHACKLEFORD. Mr. Speaker, may I interrupt the gentleman right there?

The SPEAKER. Does the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. SHACKLEFORD. I do not know how this bill ever got into the hands of the Committee on the District of Columbia anyway, because it is incorporating a lot of people who do not even live here.

Mr. CRUMPACKER. Mr. Speaker, there is no question about there being power under the general statutes to create corporations of this kind.

Mr. CLARK of Missouri. Does the gentleman mean by Congress or by somebody in the District of Columbia?

Mr. CRUMPACKER. By somebody in the District of Columbia. Authority already exists. We had a bill up for consideration not an hour ago to amend that law, and it is sufficiently broad in its terms to include this kind of corporations, but this institution or association, like a great many others, desires to get the prestige of incorporation by special act of Congress.

Mr. SHACKLEFORD. I do not think that is quite true, because these people could not be incorporated under the laws of the District and ought not to be incorporated by act of Congress. They are not residents of the District.

Mr. CRUMPACKER. I do not think the laws require them to be residents.

Mr. CLARK of Missouri. Well, I do not care much about this particular bill one way or another; I have no prejudice against anybody connected with it; but I want to explain to the House what we are coming to. Now, on the last District of

Columbia day, two weeks ago, we spent nearly the whole day jowling about corporations here in the District of Columbia. If we go on a month or two longer granting these incorporations by acts of Congress everybody who wants to be incorporated in the District of Columbia, instead of going down here to get an incorporation in the proper and legal manner, as the gentleman from Indiana [Mr. CRUMPACKER] says they can, will be here applying for incorporation. I will tell you why. As he said, it gives prestige to the corporation.

Now, we had one for the Daughters of the Revolution. Everybody wants to be pleasant with the women. Then we had one to incorporate the Eastern Star, and two brethren here fell foul of each other—one was a Mason and the other was not a Mason, and the thing seemed to go off on that. I am a thirty-second-degree Mason. There is only one degree higher, and I can not get that unless I devote most of my time to the work of the order, which I am not going to do. These institutions were incorporated as a matter of sympathy and sentiment. The other day some very estimable ladies sent for me to come out and see about incorporating an educational institution to operate in the country generally. I asked them what was the reason they did not go down to the District of Columbia building and go to the proper authorities and get the incorporation. They said very frankly they wanted the prestige of a Congressional bill. Now, this bill comes up and it is proposed to incorporate a drug company. If you can incorporate a drug company—of course, I do not care anything about what school of medicine it is, one way or the other—but if we are going into the business of incorporating drug companies to give them prestige, why not go into the business of incorporating a grocery company to give it prestige over other competing grocery companies in the District of Columbia? Why not pass a bill here incorporating some particular shoe house or a particular dry-goods store? In England I understand the fact to be—I have never been over there—that certain men carry on their cards and on their signs "Hatters to the King." You have been over there—

Mr. WILLIAMS. Yes.

Mr. CLARK of Missouri. And "Haberdashers to the King" and "Wine merchants to the King," and half of them never sold the King a hat or a quart of wine or any haberdashery at all. What they want is the prestige that the sign gives them. They pay for it, as the gentleman near me [Mr. SULLIVAN of Massachusetts] suggests. It is for mere advertising purposes over there, and that is what all of these incorporations are desiring here, a mere matter of advertisement for the concerns which are incorporated; and if we go into this business I give you fair warning now, instead of having one District day every two weeks you will have to have one District day every week, and this is as good a time as we are ever going to have to stop it now—that is, to beat this bill without any reference as to who it is who wants to be incorporated or what it is except it is a drug bill. [Applause.]

Mr. KLINE. Has the gentleman from Missouri any opposition to the features of this bill?

Mr. CLARK of Missouri. I do not know whether I have or not.

Mr. KLINE. I will inform the gentleman this corporation could not be incorporated under the general law—

Mr. CLARK of Missouri. Then change the general law.

Mr. KLINE. Well, we have not come to that yet, because the majority of these incorporators are not residents of the District of Columbia.

Mr. CLARK of Missouri. Why did they not go to New Jersey to get incorporated? That is the great home of corporations.

Mr. KLINE. I do not know; but they have chosen this forum.

Mr. SULLIVAN of Massachusetts. Can not they get proxies under the law?

Mr. CLARK of Missouri. I know how we settled this corporation business in Missouri about getting incorporation papers. The legislature passed a general law and took it out of the hands of the legislature. Up to that time it was "Pull Dick, pull devil," as to who would get incorporation bills passed by the Missouri legislature. At last they passed a general law authorizing the circuit court to issue incorporation papers in certain cases and the secretary of state to issue them in others, and charged them to inquire into the character and business of the parties who were seeking incorporation for the purposes of a corporation. Since that we have had no trouble about incorporating companies. I repeat that I have no prejudice whatever against the estimable persons asking by this bill for incorporation. I am simply and steadfastly opposed to Congress going into the general incorporating business.

Mr. CRUMPACKER. My recollection is that the statute gov-

erning corporations in the District of Columbia does not require the stockholders nor all of the directors to be residents of the District. It requires some of the directors and perhaps the main office to be in the District of Columbia.

Mr. SHACKLEFORD. I think, if the gentleman will permit me to say so, it requires at least three of them to be residents of the District of Columbia. Why should a lot of strangers come here, over whom this District government has no jurisdiction, and be incorporated under the District law? It ought to be under general law, it ought to be by the citizens of the State where it is incorporated, and there ought to be some restrictions and limitations in the general law thrown around these corporations that come in here like a newborn jaybird.

Mr. CRUMPACKER. It is true that in some of the States they require some of the directors to be residents of the State authorizing the incorporation, and to maintain the principal office in the State, so as to bring the corporation under the jurisdiction of the courts, and I think that is the provision in the District of Columbia. Now, the State of New Jersey does not require a stockholder or a director or a member of a corporation to reside in the State of New Jersey, but it does require the appointment of a resident agent, upon whom civil process may be served; but I think the general laws here cover this class of corporations. If they do not you can change the provision as to incorporators and include two or three who reside in the District. I agree with the gentleman from Missouri [Mr. CLARK] that the time has come to vote down this class of corporations. I do not think there is any public need for granting special charters by act of Congress.

Mr. SHACKLEFORD. I would like to ask the gentleman from Indiana if there is anything in the proposed corporations requiring that they should have a charter in any State or Territory anywhere in the world?

Mr. CRUMPACKER. I do not know that there is.

Mr. SHACKLEFORD. They desire it, as my colleague has said, because it gives them the grandiloquence of a special Federal charter and without any limitations whatever. Every corporation ought to have some limitation thrown around it. These special corporations appear here in the twinkling of an eye, without the consideration of anybody except the committee from which they come, with no sort of limitations, with no sort of restrictions, no sort of control, and I have protested as they have been presented from various committees in this House that Congress ought not to go into the business of granting special charters to special corporations in any instance.

Mr. CRUMPACKER. I am unable to determine whether the character of the corporation desired to be created is scientific, humanitarian, or commercial. I think it is a combination of the three.

Mr. SHACKLEFORD. I think it is. I will say in this connection while I have the floor, although not entitled to it, there is another objection to having the Congress give charters of this kind. It is not to transact business within the District of Columbia. These Federal corporations will go into all of the States and do business. Probably they would not be subject to State taxation, and certainly not subject to State control. So here we are instituting a series of corporations to go into the States and do business, sitting over and above and beyond the power of the State to control or regulate or tax them.

Mr. FITZGERALD. Mr. Speaker, I make the point of order that this is a private bill, and the committee has no jurisdiction of the same.

Mr. SAMUEL W. SMITH. Mr. Speaker, I call for a vote.

Mr. FITZGERALD. Well, I do not think the gentleman from Michigan will question the point.

Mr. SAMUEL W. SMITH. Let me say to the gentleman I think we can dispose of the matter in just a moment if he will allow it to go to a vote.

Mr. FITZGERALD. If the gentleman will ask that the bill be laid upon the table, I will withdraw the point of order.

The SPEAKER. The Chair takes it for granted that the gentleman's point of order is that it is a private bill; that the committee has no jurisdiction of the bill, and it should be re-committed with a view to giving it proper reference. The Chair calls the attention of the gentleman to the status of the bill now. That point of order, if it could be considered at all, would have to be considered, in the opinion of the Chair, before the House had entered upon its consideration. So the Chair is not required to rule whether it is a private bill or not. Whether it be proper or not, the committee has been considering it for thirty minutes, and the Chair for that reason—

Mr. FITZGERALD. I will move that the bill be laid on the table at the proper time. I simply wish time to call attention to some of the provisions of this bill.

The SPEAKER. The Chair understands the gentleman from Michigan, having the floor, yields it for that purpose?

Mr. SAMUEL W. SMITH. I only wish the gentleman would allow us to take a vote upon the bill, and I call for a vote, Mr. Speaker.

The amendment recommended by the committee was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. CRUMPACKER. Mr. Speaker, has there been a motion to lay the bill on the table?

The SPEAKER. No.

The question was taken on the engrossment for a third reading; and the Speaker announced that the yeas seemed to have it.

Mr. FITZGERALD. I move that the bill lie on the table.

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

Mr. SMITH of Iowa. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill S. 51.

The SPEAKER. Pending that motion, the Chair desires to lay before the House, if there be no objection, the following message from the President of the United States.

SITTINGS OF THE UNITED STATES COURTS AT MIAMI, FLA.

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

I return herewith, without approval, House bill No. 10080, for the reasons set forth in the following letter from the Acting Attorney-General:

"I have the honor to reply to your communication of March 8, asking that you be informed whether I know of any objection to the approval of the inclosed bill—H. R. 10080, entitled 'An act to provide for sittings of the United States circuit and district courts of the southern district of Florida at the city of Miami, in said district.'

"Replying to a request from the Committee on the Judiciary of the Senate for information showing the desirableness or otherwise of the proposed legislation, I advised them:

"Terms of court are now held in said district at Tampa, Jacksonville, Key West, and Fernandina. From information obtained in the examination of accounts of court officials for said district it appears that very little business arises in the vicinity of Miami, and that there is no real necessity for terms of court at that place in addition to terms at the other places above mentioned.

"Further consideration confirms the opinion that there is nothing to demand a term of court at that place. It will entail considerable expense on the Government, and the public interest will not be subserved thereby.

"The proviso in the bill 'that suitable rooms and accommodations shall be furnished for the holding of said court at said place, free of expense to the Government of the United States,' is objectionable. If a term of court is needed it should not depend on whether accommodations therefor are gratuitously supplied. Conditions of this character appear to me to conflict with the public interests; and they are used, of course, in many cases to secure the passage of bills which should not otherwise command adequate support.

"I am of the opinion that the bill ought not to become law."

THEODORE ROOSEVELT.

THE WHITE HOUSE, March 12, 1906.

Mr. CLAYTON. Mr. Speaker, I move that the bill and message be referred to the Committee on the Judiciary.

The motion was agreed to.

OPIUM TRAFFIC IN THE PHILIPPINE ISLANDS.

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

To the Senate and House of Representatives:

I transmit herewith, for the information of Congress, the report of the committee appointed by the Philippine Commission to investigate the use of opium and the traffic therein, and the rules, ordinances, and laws regulating such use and traffic in Japan, Formosa, Shanghai, Hongkong, Saigon, Singapore, Burma, Java, and the Philippine Islands.

I also inclose a letter from the Secretary of War, submitting the report for transmission.

THEODORE ROOSEVELT.

THE WHITE HOUSE, March 12, 1906.

SAMOAN CLAIMS.

The SPEAKER also laid before the House the following message from the President of the United States:

To the Senate and House of Representatives:

I transmit herewith a report by the Secretary of State concerning this Government's obligation to pay to that of France the sum of \$3,391,133, under the convention between the United States, Germany, and Great Britain, for the settlement of Samoan claims, signed at Washington on November 7, 1899.

Prompt action should be taken to discharge this obligation.

THEODORE ROOSEVELT.

THE WHITE HOUSE, March 12, 1906.

The message, with accompanying documents, was ordered to be printed, and referred to the Committee on Appropriations.

Mr. SAMUEL W. SMITH. Mr. Speaker, I withhold my motion in order that the gentleman from Ohio [Mr. GROSVENOR] may be recognized.

GOVERNMENT HOSPITAL FOR THE INSANE.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent for the present consideration of a bill which I send to the

Clerk's desk, being the bill (H. R. 15643) to authorize the board of visitors of the Government Hospital for the Insane to summon and examine witnesses under oath, and making it a misdemeanor for any such witness to refuse to attend or testify or produce books or papers when summoned.

The SPEAKER. The gentleman from Ohio asks unanimous consent for the present consideration of a bill which will be reported by the Clerk.

The Clerk read the title of the bill.

The SPEAKER. The bill has already been read at a previous session.

Mr. CLAYTON. Mr. Speaker, this is the bill to which I objected the other day when it first came up. I no longer desire to object, but the gentleman from Florida [Mr. CLARK] has several amendments that he desires to offer to the bill; and if there be no objection, I should like to have his amendments read and considered en gross.

Mr. GROSVENOR. Mr. Speaker, while I shall not oppose the amendments, I prefer that they be considered separately.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. CLARK of Florida rose.

The SPEAKER. Does the gentleman yield?

Mr. CLAYTON. Yes; I yield to the gentleman from Florida.

Mr. CLARK of Florida. Mr. Speaker, I offer the amendments which I send to the Clerk's desk.

The SPEAKER. The gentleman from Florida offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Amend by striking out of line 1, page 2, the word "secretary" and inserting in lieu thereof the word "president."

Mr. GROSVENOR. I see no objection to that amendment.

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment offered by the gentleman from Florida.

The Clerk read as follows:

Amend by striking out of lines 1 and 2 the words "or any member thereof."

The SPEAKER. Does the gentleman desire to be heard on that amendment?

Mr. GROSVENOR. That is all right. There is no objection to that.

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment offered by the gentleman from Florida.

The Clerk read as follows:

Amend by striking out, in line 11, on page 2, the word "relating" and by inserting, after the words "shown to be in his custody or control," "relevant."

Mr. GROSVENOR. I have no objection to that.

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment offered by the gentleman from Florida.

The Clerk read as follows:

Amend by inserting after the word "both," in line 15, on page 2, the following:

"That any person or persons, or association of persons, making or preferring charges of any kind against the management of such Government Hospital for the Insane, or against any officer or officers, or against any employee of attaché thereof, shall have the right to attend at all times the investigation of the same and to be attended and represented by counsel, and by such counsel to examine and cross-examine any and all witnesses who may testify as to the subject-matter of the charges preferred, and to have summoned by said Board of Visitors such witness or witnesses as such counsel may designate, and to have produced such books or papers as such counsel may call for, relevant to the subject-matter of the investigation; and that all matters included in such charges shall be inquired into, unless admitted by the person or persons charged, or waived by the person or persons preferring the same."

The amendment was considered and agreed to.

Mr. CLARK of Florida. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Add at the end of section 1 the following:

"Provided, That all such investigations shall be public and shall be conducted at some suitable place in the city of Washington—unless, when an examination of the conditions of the hospital premises are being conducted—to be designated by the Secretary of the Interior; and all testimony taken shall be reduced to writing and transmitted to Congress by the Secretary of the Interior at the session of Congress next held after the completion of such investigation; that the proceedings shall be governed, so far as possible, by the ordinary rules of evidence, and where answers are refused upon ground that the questions are irrelevant, incompetent, or immaterial, they shall be certified to the chief justice of the supreme court of the District of Columbia for his decision, as is the practice in equity causes in said District.

"Provided further, That a majority of said board of visitors shall be in attendance at all of such investigations; that no person directly or indirectly involved or affected by any charge or charges made the subject-matter of such investigation shall act as an officer or member of such board of visitors during such investigation, and that no em-

ployee or inmate of said Government Hospital for the Insane shall be in any way prejudiced by any testimony he or she may give during any such investigation."

The amendment was considered and agreed to.

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

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

REPRINT OF A BILL.

Mr. POLLARD. Mr. Speaker, I ask unanimous consent for the reprint of the bill (H. R. 15346) to apply a portion of the proceeds of the public lands to the State normal schools of the United States for the advancement of instruction in agriculture.

The SPEAKER. The gentleman from Nebraska asks unanimous consent for the reprint of the bill which he refers to. Is there objection?

There was no objection.

JUVENILE COURT, DISTRICT OF COLUMBIA.

Mr. SAMUEL W. SMITH. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (S. 51) to create a juvenile court in and for the District of Columbia.

The motion was agreed to.

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

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill (S. 51) to create a juvenile court in and for the District of Columbia, and the Clerk will read the bill.

The Clerk began the reading of the bill.

Mr. SAMUEL W. SMITH. Mr. Chairman, I think it would save time and I move to dispense with the first reading of the bill.

The motion was agreed to.

Mr. SAMUEL W. SMITH. I now yield to the gentleman from Ohio [Mr. TAYLOR].

Mr. TAYLOR of Ohio. Mr. Chairman, this bill was passed by the Senate in December last. The only amendment that has been made to the Senate bill is the one made by the committee repealing all laws and parts of laws inconsistent with this act and fixing a definite time when this law shall go into operation. That was overlooked in the draft of the original bill.

The bill provides for a separate court, specially officered, having jurisdiction over crimes and offenses of persons under 17 years of age committed against the United States in the District of Columbia, as well as against the District itself. It gives the juvenile court sole jurisdiction in all cases of delinquent and dependent children, and provides for the punishment of adults who aid and abet delinquency in a child. It gives to the court the control of admission to all juvenile reformatories or asylums supported wholly or in part by Congressional appropriation, as well as parole or transfer therefrom.

In drawing this bill those who are interested in this matter tried to avoid all experimental features and only included such provisions as have been demonstrated by experience to be practical in other States where similar courts are in operation. Washington for some reason is the only large city in this country which has no definite provision for the formation of character of juveniles. Juvenile courts are in existence in a great number of cities of the country and in nearly every State. The most noticeable development in the last five years has been in the introduction and establishment of these courts. They began in Chicago in 1899 and are now in existence in nearly every city and State. The juvenile court has proven to be a life-saving institution, and its true function is educational. It has been demonstrated that the juvenile court has already passed beyond the stage of experiment and is accomplishing substantial results, and that it is an economical as well as modern method of caring for delinquent and dependent children. One authority has said that no child should be punished for the purpose of making an example of him, but the idea of the judge should be that of formation and not reformation. The parental authority of the State should be exercised instead of the criminal power.

By this bill it is intended that the care and custody and discipline of the child may approximate as nearly as possible that which should be given by its parents and only as a last resort the child is placed in a reformatory institution. One of the most important things provided for is the probation system or the parole system—so that the judge may in every case, if he sees fit, put the child on probation and under parole under the direction and supervision of his probation officers. To give an illustration of how thoroughly the criminal power has been

superceded by the parental authority of the States where similar laws are in operation, I have in this report statistics from fifteen of the largest cities in the country, which show that for two years prior to the introduction of those courts in those cities there were 6,052 children incarcerated in jail, whereas since the law was put in operation there have been only about 1,200 children incarcerated, or about one-sixth as many as were incarcerated before such laws were put in operation.

It is now the exception in most jurisdictions to have a child committed to jail. Statistics show that the number of commitments to reformatories and other institutions have greatly decreased, and in every possible case the child is placed in an approved home under the control and supervision of the probation officers. The only expense provided for is the salary of the judge, clerk, and the probation officers—the judge at \$3,000 a year, a clerk at \$2,000 a year, and the probation officers, one at \$1,500 and the other at \$900 a year. Juvenile courts are economical in that they save the cost of maintaining thousands of children in public institutions, and with these small items the cost ought not to have much consideration at the hands of this House. There have been in Washington for the year ending June 30, 1905, 1,762 children charged with offenses which will now come under the jurisdiction of the juvenile court if this bill becomes a law. It is quite evident that the time of one judge, his clerk, and his assistants would be well taken up in handling this sort of cases.

Mr. MADDEN. Mr. Chairman, I would like to ask the gentleman whether it would not be possible for one of the present presiding judges to act as the juvenile judge?

Mr. TAYLOR of Ohio. It might be possible, but it is not advisable. We have discussed and investigated that question, and we find here that the police judges of this District are working all of their time, and even after court hours, when they endeavor to hold a sort of juvenile court without any legal authority particularly, and they can not be successfully conducted. The great feature of this juvenile court procedure, and the underlying principle, is to divorce the child from a criminal procedure. We do not want to bring the child into the criminal or the police courts, because they are demoralizing in their atmosphere. We want to take them out of that atmosphere, and I believe it is right they should be taken out of it.

Mr. MADDEN. The point I wanted to make is this: That where this character of proceeding was first instituted was in Chicago—

Mr. TAYLOR of Ohio. Yes.

Mr. MADDEN. And there one of the judges required is assigned to the trial of cases of this character, and we find that it is no hardship on the court or its time to designate one of the judges to do this sort of work. We were not obliged to create a special court for that purpose.

Mr. TAYLOR of Ohio. Is it not true that that judge who has been designated as a juvenile-court judge in Chicago devotes his whole time to the juvenile court?

Mr. MADDEN. No.

Mr. TAYLOR of Ohio. I have been informed that he does.

Mr. MADDEN. He only devotes one day in a week, not to exceed two days in any week.

Mr. TAYLOR of Ohio. With the statistics before me—and we can not expect children to grow any better in anticipation of this law—it would seem that this one man is compelled to look after, try, and arrange for the future of 1,762 children in a year; his whole time will be taken up if he attends to his business and proposes to do any good. For that reason we advocate the creation of this office at the very reasonable salary of \$3,000 a year.

Mr. CLARK of Missouri. Mr. Chairman, I would like to ask the gentleman a question for information.

The CHAIRMAN. Does the gentleman yield?

Mr. TAYLOR of Ohio. Yes.

Mr. CLARK of Missouri. What is the minimum age in the District of Columbia at which a person can be sent to the penitentiary for felony?

Mr. TAYLOR of Ohio. I think 16 years; but I am not certain about that.

Mr. CLARK of Missouri. Now, where does this new judge's jurisdiction begin as to age, and where does it end?

Mr. TAYLOR of Ohio. It begins at any age, and ends with 17.

Mr. CLARK of Missouri. Is there any appeal from his decision at all?

Mr. TAYLOR of Ohio. Yes; an appeal is provided for in section 22 of the bill.

Mr. CLARK of Missouri. Who has been discharging the duties that it is proposed to assign to this juvenile judge heretofore?

Mr. TAYLOR of Ohio. The police magistrates, in large part. Mr. CLARK of Missouri. On page 6, lines 8, 9, 10, 11, and 12, I find this language:

And no child once committed to any public institution by the order of the juvenile court shall be discharged or paroled therefrom or transferred to another institution without the consent and approval of said court.

Mr. TAYLOR of Ohio. Yes.

Mr. CLARK of Missouri. That seems like cutting off the chance of a review by any other court.

Mr. TAYLOR of Ohio. It is not so intended. The idea of that is the juvenile-court judge, having studied this case out and decided where to place the child, should not be disturbed by outside jurisdiction in his control of the child as long as the child is in the probationary period. I will say to the gentleman that I wrote to several gentlemen interested in this work in reference to this very portion of the bill which has just been read, and each one of them urged that that should remain in the bill. It was the custom in other States, and although at first I thought it was rather a harsh and arbitrary provision, I believe now, from their explanation, it is proper, because whoever may be selected as juvenile judge is supposed to be a man of sound judgment, which he will exercise in dealing with the children brought before him.

Mr. CLARK of Missouri. Of course that would be the presumption, and the chances are that would be the case, and yet you never can tell what kind of an influence unlimited power is going to have on a man's mind. Now, it is stated as a historical fact that Robespierre when he was a young man resigned the position of criminal judge because he would not pass sentence of death on one man, and yet he lived long enough so he could order 300 to death before breakfast without a qualm of conscience. Now, it seems to me there ought to be some chance for one of these juvenile offenders to reform, and as soon as he reforms to get him out of the tutelage of this judge of the juvenile court.

Mr. TAYLOR of Ohio. As soon as ever he reforms the judge is supposed to release him from under his jurisdiction.

Mr. CLARK of Missouri. But suppose you happen to get a judge who seemed to think that nobody would ever reform?

Mr. TAYLOR of Ohio. Then that would be a very unfortunate position, and we have to rely upon the appointing power, which is the President of the United States, to select a man who will not be of such character. Now, the offenses which come under this jurisdiction would, of course, primarily be under police jurisdiction.

Mr. CLARK of Missouri. Let me ask a couple more questions. How long a term has this judge?

Mr. TAYLOR of Ohio. Six years.

Mr. CLARK of Missouri. Is there any machinery for removing him?

Mr. TAYLOR of Ohio. I do not think the bill provides any machinery. He serves six years. I presume the judge, like any other judge, is subject to impeachment.

Mr. CLARK of Missouri. But impeachment proves to be an absolute and total failure. They never convicted but one man on impeachment, and he was crazy.

Mr. TAYLOR of Ohio. There is nothing in the bill providing for removal of the judge. It provides for removal of the clerk, who is to be appointed at the pleasure of the judge, and—

Mr. CLARK of Missouri. I think there should be a provision in there in regard to the removal of the judge.

Mr. SAMUEL W. SMITH. If there are no further questions, Mr. Chairman, I ask to have the bill read for amendment.

The CHAIRMAN. The Clerk will read the bill by paragraph. Mr. SAMUEL W. SMITH. I might say, Mr. Chairman, that unless there is some one who desires to offer an amendment to the bill we do not—

Mr. MADDEN. I would suggest, Mr. Chairman, there ought to be a provision in the bill authorizing the removal of the judge for cause by the appointing power.

The CHAIRMAN. Does the gentleman request the reading of that portion of the bill?

Mr. TAYLOR of Ohio. What amendment have you?

Mr. MADDEN. I suggest an amendment providing for the removal of the judge for cause by the President.

Mr. TAYLOR of Ohio. I have no objection to the amendment coming in after where it says, "who shall be appointed by the President of the United States and confirmed by the Senate. What language would the gentleman suggest?"

Mr. MADDEN. You can make any language you suggest.

Mr. TAYLOR of Ohio. What is your point?

Mr. MADDEN. I would like to have the language made so the judge may be removed by the President for cause.

Mr. TAYLOR of Ohio. Then, after the words "United States" you would insert "subject to removal for cause."

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

The Clerk read as follows:

Page 1, line 8, after the words "United States," insert "subject to removal for cause."

Mr. CLAYTON. Subject to removal for cause, by whom? Ought you not to say "by the President?"

Mr. TAYLOR of Ohio. I will accept the suggestion, and add the word "President."

The Clerk read as follows:

On page 1, line 8, after the words "United States," add "subject to removal by the President for cause."

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

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

Mr. SAMUEL W. SMITH. Mr. Chairman, if there are no further amendments, I move that the committee rise and report the bill back to the House with amendments, with a recommendation that it do pass.

Mr. CLARK of Missouri. Mr. Chairman, I would rather have the bill read, so that we can get at it. I do not know that I will object to anything in it, except that which has been amended, but it is a very important matter to turn all of the children in the District of Columbia over to the tutelage and care of one man, I do not care a straw who he is.

The CHAIRMAN. Objection having been made, the bill will be read by the Clerk by paragraphs.

The Clerk read as follows:

SEC. 3. That in cases of sickness, absence, disability, expiration of term of service, or death of the judge of the juvenile court, any one of the justices of the supreme court of the District of Columbia may designate one of the justices of the peace to discharge the duties of said judge of the juvenile court until such disability be removed or vacancy filled, and the justice of the peace so designated shall, before entering upon his duties as such acting judge, take the oath prescribed for judges of courts of the United States; and said acting judge shall receive \$5 per day in addition to his salary as justice of the peace for the term that he shall serve, to be paid in the same manner as the salary of the judge of the juvenile court.

Mr. PERKINS. Mr. Chairman, I move to strike out the last word. I would like to ask a question, which I should have asked at the close of the previous section, in reference to section 2. It reads:

Said judge shall receive an annual salary of \$3,000, and he shall be entitled to thirty days' leave of absence during each calendar year.

I think usually when the salary is fixed at an annual salary, it is not customary to say that if a man takes a vacation he shall take it on pay. And whether there will be any possibility of a construction that he was entitled to pay for those thirty days in addition to his annual salary, I would suggest to the gentleman in charge of the bill—

Mr. TAYLOR of Ohio. That was not the intention. The intention was simply to provide for \$3,000 salary and allow a vacation. In some jurisdictions, when a judge takes a vacation, and especially police-court judges, the mayor or other authority appoints a temporary judge who receives the pay of the judge who is off on his vacation. I presume that language is put in the bill for that reason by the person who drew it. Any suggestion that the gentleman has that will do away with any doubt we will accept.

Mr. PERKINS. My suggestion is that it might be printed so as to read:

Said judge shall receive an annual salary of \$3,000, and he shall be entitled to thirty days annual leave.

With that provision there will be no doubt that he will get the \$3,000, and there will be no reduction of salary.

Mr. SAMUEL W. SMITH. Could we not say, "Not to exceed \$3,000," and that would save the whole trouble? Then this question of vacation would not enter into it at all.

Mr. PERKINS. That would not make any difference. It would not change it.

Mr. TAYLOR of Ohio. Does the gentleman from New York [Mr. PERKINS] offer that as an amendment?

Mr. PERKINS. If it is acceptable.

The CHAIRMAN. The gentleman from New York [Mr. PERKINS] offers an amendment, which the Clerk will read.

The Clerk read as follows:

On page 1, line 14, after "absence," strike out "with pay during each calendar year," and insert "without deduction from salary."

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

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

Mr. HAY. Mr. Chairman, in line 8, the language of the bill is that this judge "shall be appointed by the President of the United States and confirmed by the Senate." The usual and

the proper language is "by and with the advice and consent of the Senate."

Mr. SAMUEL W. SMITH. The committee accepts that amendment.

Mr. HAY. I move to amend the bill by inserting after the word "States," in line 8, the words "by and with the advice and consent of the Senate."

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

In line 8 strike out the words "confirmed by" and insert the words "by and with the advice and consent of the Senate."

The CHAIRMAN. Without objection, the amendment will be considered as agreed to.

There was no objection.

Mr. DAVIS of Minnesota. Mr. Chairman, I would like to say to the gentleman in charge of the bill that I understand him to say that the judge of this juvenile court is to be an exceptionally fine gentleman and one well versed in the law, and so forth.

Mr. TAYLOR of Ohio. He should be.

Mr. DAVIS of Minnesota. And he probably would be.

Mr. TAYLOR of Ohio. I certainly think he probably will be. Mr. DAVIS of Minnesota. I notice in section 3, however, that in case of sickness, absence, or disability one of the justices of the supreme court of the District may designate a justice of the peace to discharge the duties of the judge.

Mr. TAYLOR of Ohio. Yes, sir. That is in case there is sickness.

Mr. DAVIS of Minnesota. Without saying anything derogatory of the justices of the peace, is the gentleman informed as to the caliber of the justices of the peace in the District of Columbia, as to their legal ability, and so forth?

Mr. TAYLOR of Ohio. I made inquiries at the time of our hearings as to the character of men who occupy these positions, and found that they are men of good character. They get \$3,000 a year, and are men who would successfully fill the position, if they were called upon to do so, during the temporary absence or sickness of the regular judge.

Mr. DAVIS of Minnesota. Ordinarily justices of the peace throughout the several States are not considered to be men of eminent legal ability.

Mr. TAYLOR of Ohio. I believe that fact can be proved in many jurisdictions, and there may be some men of that kind here, but generally these men are said to be of excellent character and ability.

Mr. DAVIS of Minnesota. If the gentleman is at all firmly convinced in his mind as to the justices of the peace being men of sufficient legal attainments and ability to fill this office, I will ask what justice of the peace the judge of the supreme court is going to appoint?

Mr. TAYLOR of Ohio. I can not answer that. I refer you to the language in the bill:

Any one of the justices of the supreme court of the District of Columbia may designate one of the justices of the peace.

Mr. DAVIS of Minnesota. Is that justice of the peace supposed to now reside here?

Mr. TAYLOR of Ohio. Yes; there are five or six of them, any one of whom could be designated, and they are all appointed by the President.

Mr. DAVIS of Minnesota. I would move to amend the bill by inserting after the word "peace," in line 7, page 2, the words "of said District."

The CHAIRMAN. The gentleman from Minnesota offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Line 7, page 2, after the word "peace," insert the words "of said District."

Mr. DAVIS of Minnesota. The object, I will say, Mr. Chairman, is to define the locality of the justice of the peace who is going to be designated.

Mr. TAYLOR of Ohio. I will say to the gentleman that the amendment is not necessary; but I will not object to it.

Mr. SAMUEL W. SMITH. Does the gentleman from Minnesota believe that any of the justices of the supreme court of the District is going to appoint some justice of the peace of Virginia or Maryland?

Mr. DAVIS of Minnesota. There is nothing here to prevent him.

Mr. SAMUEL W. SMITH. Of course I have no objection to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Sec. 4. That the said court shall also have power to appoint two discreet persons of good character as probation officers, one male and one female, and one shall be designated as chief probation officer, who shall receive an annual salary of \$1,500, and the other shall be desig-

nated as assistant probation officer, who shall receive an annual salary of \$900. Such probation officers shall perform such duties and be governed by such regulations as may be prescribed by the presiding judge.

Mr. CLARK of Missouri. I would like to ask the gentleman in charge of the bill about the last sentence of section 4:

Such probation officers shall perform such duties and be governed by such regulations as may be prescribed by the presiding judge.

How do you come to devolve that duty, the power and duty of prescribing the duties of these probation officers?

Mr. TAYLOR of Ohio. The probation officers are obligated to look after the welfare and conduct of such children as have been put upon probation by the judge. As they have to report to him, he is to make such regulations for the conduct of the officers themselves in looking after these children.

Mr. CLARK of Missouri. What are they supposed to do, in a general way?

Mr. TAYLOR of Ohio. In a general way they are supposed to go out and look over the situation. When a complaint comes to the judge as to a delinquent or dependent child they are to prepare his case for him. If the court finds the child is delinquent and decides that it has to be taken care of they are supposed to see the home provided by the court for the child is at a proper place and the persons in control exercise a good moral influence. In a general way they have general supervision over the conduct of the child so long as the probationary period shall last, and are practically guardians of the children.

Mr. CLAYTON. Mr. Chairman, I move to make this amendment: After the word "judge," in line 24, insert "and such presiding judge is authorized to remove said probation officers, or either of them, at any time for cause."

Now, unless that power is in the bill elsewhere, I think it better be put in there. I have not had time to examine the bill.

Mr. TAYLOR of Ohio. I think it has not been put in the bill and I have no objection to the amendment.

The Clerk read as follows:

Page 2, line 24, after the word "judge," insert "and such presiding judge is authorized to remove such probation officers, or either of them, at any time for cause."

The CHAIRMAN. Without objection, the amendment will be considered as agreed to.

There was no objection.

The Clerk read as follows:

Sec. 5. That the said court shall also have power, and is hereby authorized, to defer sentence, at its discretion, in the case of any juvenile offender under the age of 17 years, and parole such child under the care of the chief probation officer for a probation period discretionary with him, and who shall cause said child to return to court at the end of such term either for sentence or dismissal. Such paroled child shall be under the jurisdiction of the juvenile court for such period and shall be subject to such reasonable rules and regulations touching the welfare of the child as may be prescribed by it. In case such paroled child shall fail to keep or shall disregard the terms of his or her parole the said court shall have full power to cause such child to be brought before it for further proceedings.

Mr. CLARK of Missouri. Mr. Chairman, in line 4 the word "and" ought to be stricken out before the word "who." Whoever wrote this bill seems to have been particularly stuck on putting in the word "and" at the end.

Mr. TAYLOR of Ohio. That is correct.

The Clerk read as follows:

Page 3, line 4, strike out the word "and" before the word "who."

The amendment was agreed to.

The Clerk read as follows:

Sec. 6. That the said court shall have power to appoint a clerk at a salary of \$2,000 per annum, and who shall hold his office during the pleasure of the court.

Mr. HAY. Mr. Chairman, I move to amend line 15 by striking out the word "and" at the end of the line.

The amendment was agreed to.

The Clerk read as follows:

Sec. 8. That the juvenile court of the District of Columbia shall have original and exclusive jurisdiction of all crimes and offenses of persons under 17 years of age hereafter committed against the United States, not capital or otherwise infamous, and not punishable by imprisonment in the penitentiary, committed within the District of Columbia, except libel, conspiracy, and violations of the post-office and pension laws of the United States, and also of all offenses of persons under 17 years of age hereafter committed against the laws, ordinances, and regulations of the District of Columbia, and shall have power to examine and commit or hold to bail all persons under 17 years of age, either for trial or further examination, in all cases, whether cognizable therein or in the supreme court of the District of Columbia. Said juvenile court shall have all the powers and jurisdiction conferred by the act entitled "An act for the protection of children, and so forth," approved February 13, 1885, upon the police court of the District of Columbia, and shall also have original and exclusive jurisdiction of all cases involving the legal punishment of children under the provisions of "An act to provide for the care of dependent children in the District of Columbia and to create a Board of Children's Guardians," approved July 26, 1892 (27 Stat., p. 268), and of the acts amendatory thereof; also of all cases under the provisions of "An act to enlarge the powers of the courts of the District of Columbia in cases involving delinquent children, and for other purposes," approved March 3, 1901 (31 Stat., p. 1093), and said juvenile court may hereafter, concur-

rently with the criminal court, have and exercise all the powers and jurisdiction conferred by said last-mentioned act upon the police court of the District of Columbia in the case of parents or guardians who shall refuse or neglect to provide food, clothing, and shelter for any child under the age of 14 years: *And it is further provided*, That the court may impose conditions upon any person found guilty under the said last-mentioned act, and so long as such person shall comply therewith to the satisfaction of the court the sentence imposed may be suspended, and of all cases of dependent or delinquent children cognizable under existing laws in any court of the District of Columbia, except in the cases hereinbefore already excepted; and the said juvenile court may also hear, try, and determine all cases of persons less than 17 years of age charged with habitual truancy from school, and in its discretion to commit them to the Board of Children's Guardians, who are hereby given the care and supervision thereof when so committed. No person under 17 years of age shall hereafter be placed in any institution supported wholly or in part at the public expense until the fact of delinquency or dependency has been first ascertained and declared by the said juvenile court. All children of the class now liable to be committed to the Reform School for Boys and the Reform School for Girls shall hereafter be committed by the juvenile court. All other children delinquent, neglected, or dependent (with the exceptions hereinbefore stated) shall hereafter be committed by the juvenile court to the care of the Board of Children's Guardians, either for a limited period on probation or during minority, as circumstances may require, and no child once committed to any public institution by the order of the juvenile court shall be discharged or paroled therefrom or transferred to another institution without the consent and approval of the said court.

Mr. PERKINS. Mr. Chairman, I move to strike out the last word. I should like to ask the gentleman in charge of the bill what is the meaning of lines 14, 15, and 16, on page 5? It does not seem to me that those words express anything in good English. I can not understand what is intended to be provided by them.

Mr. TAYLOR of Ohio. Lines 14, 15, and 16?

Mr. PERKINS. Yes. It says:

The court may impose conditions upon any person found guilty under the last-mentioned act, and so long as such person shall comply therewith to the satisfaction of the court the sentence imposed may be suspended.

That is all right. Then it says:

And of all cases of dependent or delinquent children cognizable under existing laws in any court of the District of Columbia.

There is nothing that comes in connection with that.

Mr. TAYLOR of Ohio. The court may impose conditions in all cases of dependent and delinquent children.

Mr. PERKINS. It does not say so. It says they may impose conditions upon a person who is guilty under a certain act. If you mean "and of all cases," I think you ought to amend the wording.

Mr. TAYLOR of Ohio. What is your suggestion?

Mr. PERKINS. I should say change the word "of," in line 14, to the word "in," so that it will read "and in all cases."

Mr. TOWNSEND. "And upon," it seems to me, is the wording which will make it agree with the others.

Mr. PERKINS. I think the word "in" is more appropriate than the word "upon."

Mr. CLAYTON. Let the Clerk report the proposed amendment.

Mr. PERKINS. I move, in line 14, to strike out the word "of" and to insert in place thereof the words "may impose similar conditions in." As it is now I do not think it makes sense.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 14, page 5, strike out the first word "of" and insert "may impose similar conditions in;" so that it will read: "and may impose similar conditions in all cases of dependent or delinquent children."

Mr. PERKINS. I think it reads all right with that amendment.

Mr. CLARK of Missouri. That is all right.

The CHAIRMAN. The question is upon the adoption of the amendment.

The amendment was agreed to.

Mr. CLARK of Missouri. Now, I want to ask the gentleman in charge of the bill another question. On page 5, in line 14, are the words "dependent or delinquent children."

Mr. TAYLOR of Ohio. Yes.

Mr. CLARK of Missouri. And on page 6, in line 4, "delinquent, neglected, or dependent." Now, I want to know what you mean by "delinquent children?"

Mr. TAYLOR of Ohio. The act itself defines them, in section 9.

Mr. CLAYTON. On page 6, line 21.

Mr. TAYLOR of Ohio (reading)—

The term "delinquent child," or children, as used in this act, shall be held to mean and include any child who has been convicted more than once of violating any law of the United States, or any laws, ordinances, or regulations in force in the District of Columbia.

And "dependent or neglected" is defined in the first part of the section. These definitions, I am informed, are in accordance with the usual definitions in such acts.

Mr. HAY. I move to amend the bill, in line 4, page 6, after the word "court," by inserting the words "to said schools, respectively."

As the bill now reads, while it gives the juvenile court the power to commit these children, it does not say to what school they shall be committed.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 6, in line 4, after the word "court" insert "to said schools, respectively."

The amendment was agreed to.

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

SEC. 14. That the jury for service in said court shall consist of twelve men, who shall have the legal qualifications necessary for jurors in the supreme court of the District, and shall receive a like compensation for their services, and such jurors shall be known and selected under and in pursuance of the laws concerning the drawing and selection of jurors for service in said court. The term of service of jurors drawn for service in said juvenile court shall be for three successive monthly terms of said court, and in any case on trial at the expiration of such time until a verdict shall have been rendered or the jury shall be discharged. The said jury terms shall begin on the first Monday in January, the first Monday in April, the first Monday in July, and the first Monday in October of each year, and shall terminate, subject to the foregoing provisions, on the last Saturday of each of said jury terms. When at any term of said court it shall happen that in a pending trial no verdict shall be found, nor the jury otherwise discharged before the next succeeding term of the court, the court shall proceed with the trial by the same jury as if said term had not commenced.

Mr. PERKINS. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman in charge of the bill a question. I do not understand the bill, although it may be right. You have defined the jury terms, and you say the jury terms shall begin on the first Monday of January, etc., and shall terminate on the last Saturday of each of said jury terms. You are defining the jury terms, saying when they shall begin, and saying that they shall end on the last Saturday of the term, but when is that?

Mr. TAYLOR of Ohio. The Saturday before the first Monday in January, April, July, and October of each year.

Mr. PERKINS. Where does it say that?

Mr. TAYLOR of Ohio. Why it says that the terms shall begin on the first Monday in January, the first Monday in April, the first Monday in July, and the first Monday in October.

Mr. PERKINS. But the term of court does not necessarily have to run three months.

Mr. TAYLOR of Ohio. I presume the object of the language is to insure three months' time.

Mr. PERKINS. It does not say so.

Mr. TAYLOR of Ohio. What is the gentleman's suggestion?

Mr. PERKINS. Is it the idea to have a continuous term?

Mr. TAYLOR of Ohio. Yes, practically.

Mr. PERKINS. Then I would suggest that it read the last Saturday prior to the beginning of the following term.

Mr. TAYLOR of Ohio. I will accept that amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the words in lines 8 and 9 "of each of said jury terms" and insert in place thereof "prior to the beginning of the following term."

Mr. SMITH of Kentucky. Mr. Chairman, I would like to hear that amendment read again.

The Clerk again read the amendment.

Mr. PERKINS. I would suggest also, Mr. Chairman, to strike out the word "last," in line 8, so that it will read, "On the Saturday prior to the beginning of the following term."

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Strike out the word "last," in line 8, and the words "of each of said jury terms," in lines 8 and 9, and insert in place thereof the words "prior to the beginning of the following term."

The amendment was agreed to.

The amendment recommended by the committee was agreed to.

Mr. SAMUEL W. SMITH. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House with the recommendation that the amendments be agreed to and the bill pass.

The motion was agreed to.

So the committee determined to rise; and the Speaker having resumed the chair, Mr. HINSHAW, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 51) to create a juvenile court in the District of Columbia and had directed him to report the same back with several amendments

with the recommendation that the amendments be agreed to and that the bill do pass.

The SPEAKER. Is a separate vote desired on any amendments?

Mr. SMITH of Kentucky. Mr. Speaker, there is one amendment that I think would be well to give a little attention to. I am not sure but that the committee got a little mixed up on it. It is the amendment to section 14, and I ask that a separate vote be had on that amendment.

The SPEAKER. A vote will be taken on all the other amendments.

The other amendments were considered and agreed to.

The SPEAKER. The Clerk will report the amendment to section 14.

The Clerk read as follows:

On page 9, lines 8 and 9, strike out the word "last" in line 8 and the words "each of said jury terms" and insert, after "Saturday," "prior to the beginning of the following term;" so that it will read: "On the Saturday prior to the beginning of the following term."

Mr. SMITH of Kentucky. What I wish to call attention to, Mr. Speaker, is that section 19 provides that said court shall hold terms on the first Monday of every month and continue the same from day to day as long as it may be necessary for the transaction of its business. Now, if the court concludes its business in one week, it then adjourns until the next term, the first Monday of the next month. And yet this provision in reference to the jury—as it stands, you will have your court in a state of adjournment and your jury in session.

That would be a very anomalous condition.

Mr. PERKINS. Mr. Speaker, it does not seem to me that the gentleman is quite correct in that. The court holds so long as it shall have business, and of course the gentleman will realize that business will come up from time to time. We will suppose they dispose of such business as they have, say, in the first week, and then in two or three weeks later there is some other juvenile offender brought before the court. The court would then direct the jurors to be drawn in to attend the case, as it seems to me.

Mr. SAMUEL W. SMITH. It seems to me that is correct.

Mr. PERKINS. And while the court and jury is in legal existence for the term of three months, yet when the judge is not holding court, there are no jurors there and they are not required to be there, but they are subject to the power of the court to call them in when they are required. When a man is required, if he is on the panel, he is called in, and when the court has no business he goes about his own business. It does not seem to me there would be any trouble about that.

Mr. SMITH of Kentucky. I do not think the language is quite clear as to that. That may be the proper construction, but the language of the bill I apprehend leaves some ground for confusion.

Mr. PERKINS. I think the gentleman is right in saying that the language of the bill will leave some ground for confusion, and that on a good many questions, but it seems to me that this amendment, so far as it goes, is all right.

Mr. SMITH of Kentucky. I simply desire to call the attention of the committee to it, because it is not in the shape I should desire to see it if I had charge of the bill.

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

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

The SPEAKER. The question now is on the engrossment and third reading of the bill.

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

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

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States, for his approval, the following bills:

H. R. 13538. An act to incorporate The Carnegie Foundation for the Advancement of Teaching;

H. R. 6385. An act granting an increase of pension to Henry Hastings;

H. R. 9944. An act granting an increase of pension to Thomas J. Martin; and

H. R. 8977. An act to create a new division of the western judicial district of Texas, and to provide for terms of court at Del Rio, Tex., and for a clerk for said court, and for other purposes.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. HOAR to withdraw from the files of the House, without leaving copies, the papers in the case of Bridget P. Elliott, Fifty-ninth Congress, no adverse report having been made thereon.

ORDER OF BUSINESS.

Mr. PRINCE. Mr. Speaker, I call for the regular order.

The SPEAKER. The gentleman from Illinois demands the regular order.

Mr. BONYNGE. Mr. Speaker, I submit the regular order is the consideration of the bill (H. R. 15442) to establish a Bureau of Immigration and Naturalization.

Mr. PAYNE. Does the gentleman from Colorado desire to go on with that bill at this late hour?

Mr. BONYNGE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House for the further consideration of the bill (H. R. 15442) to establish a Bureau of Immigration and Naturalization.

Mr. PRINCE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PRINCE. I would like to ask if the House refused to go into Committee of the Whole House on the state of the Union for the consideration of this bill, if it would then be in order to take up the call of committees, which rests at the present time with the Committee on Military Affairs?

The SPEAKER. Presumably so, although the Chair can not answer definitely. The business called up by the gentleman from Colorado [Mr. BONYNGE] is a privileged order and is now in order. Of course, if the motion to go into Committee of the Whole be voted down and nothing else came up of similar privileged character, the gentleman demanding the regular order, being the call of committees, it would rest with the Committee on Military Affairs. The gentleman from Colorado moves that the House resolve itself into the Committee of the Whole House on the state of the Union.

Mr. SULLIVAN of Massachusetts. Pending that motion, Mr. Speaker, I would ask unanimous consent to put a question to the gentleman from Colorado [Mr. BONYNGE].

The SPEAKER. If there be no objection, the gentleman may proceed.

Mr. BONYNGE. And pending my motion, Mr. Speaker, I would now ask if we can not make some agreement respecting the time for general debate?

Mr. SULLIVAN of Massachusetts. Mr. Speaker, I was about to ask the gentleman if he intended to take up the reading of the bill to-night, or if he would be content merely to debate it?

Mr. BONYNGE. If there is to be no further general debate I, of course, would ask to go on with the reading of the bill as far as we could.

Mr. SULLIVAN of Massachusetts. In view of that, Mr. Speaker, I think I ought to suggest to the gentleman that the bill is of such far-reaching importance that it ought not to be considered by a House of these slender proportions, and perhaps I would have to make some motion under those circumstances.

Mr. BONYNGE. Does the gentleman desire to debate it in general debate. There is no minority report, but if I could have an agreement with anybody who is opposed to the bill, if that is in order, I am perfectly willing to agree to some general debate, putting a limit on the time.

Mr. STEENERSON. Mr. Speaker, I desire to be heard on the bill.

Mr. PAYNE. Mr. Speaker, the House being so thin, I do not think the gentleman ought to seek to close general debate by unanimous consent.

Mr. BONYNGE. I do not seek to close it, but to put a limit upon it.

Mr. PAYNE. The debate the other day developed the fact that some gentlemen desire to be heard on different features of the bill, and I do not think we should cut off debate or close it to-night.

Mr. BONYNGE. Mr. Speaker, it is certainly evident if there is to be any general debate, general debate would take all the time that is left for to-day, so I shall not ask for any agreement this evening, but simply make the motion to go into Committee of the Whole with the understanding that the time will be consumed altogether in general debate, and there will be no vote taken upon the sections to-night.

Mr. FITZGERALD. Mr. Speaker, I wish to suggest there are some Members present who desire to debate this bill.

The SPEAKER. The gentleman from Colorado moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill indicated.

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

Upon a division (demanded by Mr. BONYNGE) there were—ayes 58, noes 26.

Mr. PRINCE. Mr. Speaker, following the precedent in the RECORD of March 8, I make the point of order that no quorum is present.

The SPEAKER (after counting). One hundred and thirty gentlemen are present; not a quorum.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 27 minutes p. m.) the House adjourned until to-morrow, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

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

A letter from the Acting Secretary of the Treasury, transmitting a copy of a letter from the Secretary of War submitting an estimate of appropriation for purchase of lands at the military reservation at Fort Egbert, Alaska—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a letter from the Secretary of the Interior submitting an estimate of appropriation for fulfilling the treaty stipulations with the Seminole Indians—to the Committee on Indian Affairs, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a letter from the Secretary of Commerce and Labor submitting an estimate of appropriation for continuing construction of immigrant station at Angel Island, San Francisco, Cal.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of Commerce and Labor submitting an estimate of appropriation for establishment of the Fort McHenry range lights—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of Commerce and Labor submitting an estimate of appropriation for erection of dwellings for keepers of Southwest Pass light—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting, in response to the inquiry of the House, a statement of the facts and circumstances in connection with the formation and enlargement of the San Francisco Mountains Forest Reservation—to the Committee on the Public Lands, and ordered to be printed, with illustrations.

A letter from the Secretary of Commerce and Labor, transmitting a list of useless papers on the files of his Department and suitable for destruction under the law—to the Joint Select Committee on Disposition of Useless Papers, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SAMUEL W. SMITH, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 5972) granting the right to sell burial sites in parts of certain streets in Washington City to the vestry of Washington parish for the benefit of the Congressional Cemetery, reported the same with amendment, accompanied by a report (No. 2223); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LACEY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11016) for the preservation of American antiquities, reported the same with amendment, accompanied by a report (No. 2224); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 16381) leasing and demising certain lands in La Plata County, Colo., to the P. F. U. Rubber Company, reported the same with amendment, accompanied by a report (No. 2225); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BIRDSALL, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 12217) for the relief of certain citizens of the United States formerly holding claims against the Kingdom of Spain, which were assumed by the Government of the United States of America under the treaty of peace between the United States and Spain, signed at Paris December 10, 1898, reported the same with amendment,

accompanied by a report (No. 2227); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 15912) to amend the act creating the Spanish Treaty Claims Commission, approved March 2, 1901, reported the same with amendment, accompanied by a report (No. 2228); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

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

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16274) granting an increase of pension to David Lindsay, reported the same with amendment, accompanied by a report (No. 2185); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14782) granting an increase of pension to Michael Manahan, reported the same with amendment, accompanied by a report (No. 2186); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1982) granting a pension to Ada Collins, reported the same with amendment, accompanied by a report (No. 2187); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6897) granting an increase of pension to Abbie B. Gould, reported the same with amendment, accompanied by a report (No. 2188); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6118) granting an increase of pension to Bridget Reidy, reported the same with amendment, accompanied by a report (No. 2189); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5511) granting an increase of pension to Christopher Bohn, reported the same with amendment, accompanied by a report (No. 2190); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8138) granting an increase of pension to Similde E. Forbes, reported the same with amendment, accompanied by a report (No. 2191); which said bill and report were referred to the Private Calendar.

Mr. WEISSE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7500) granting an increase of pension to John McCandless, reported the same without amendment, accompanied by a report (No. 2192); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8191) granting a pension to John Hobart, reported the same with amendment, accompanied by a report (No. 2193); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8892) granting an increase of pension to Malek A. Southworth, reported the same with amendment, accompanied by a report (No. 2194); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9294) granting an increase of pension to S. Amanda Mansfield, reported the same with amendment, accompanied by a report (No. 2195); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14498) granting an increase of pension to Eliza Davidson, reported the same with amendment, accompanied by a report (No. 2196); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9451) granting an increase of pension to Frederick N. Wood, reported the same with amendment, accompanied by a report (No. 2197); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9832) granting an increase of pension to Alexander D. Polston, reported the same without amendment, accompanied by a report (No. 2198); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11907) granting an increase of pension to August Danielson, reported the same with amendment, accompanied by a report (No. 2199); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10818) granting a pension to George W. Creasey, reported the same with amendment, accompanied by a report (No. 2200); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10864) granting an increase of pension to J. P. Kleckner, reported the same with amendment, accompanied by a report (No. 2201); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15380) granting an increase of pension to Valentine Gunselman, reported the same with amendment, accompanied by a report (No. 2202); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11538) granting an increase of pension to Eli Duvall, reported the same with amendment, accompanied by a report (No. 2203); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1939) granting an increase of pension to William F. Limpus, reported the same with amendment, accompanied by a report (No. 2204); which said bill and report were referred to the Private Calendar.

Mr. WEISSE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10819) granting an increase of pension to John Burns, reported the same with amendment, accompanied by a report (No. 2205); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10591) granting a pension to Mable E. Scott, reported the same with amendment, accompanied by a report (No. 2206); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10884) granting an increase of pension to Lorenzo D. Libby, reported the same with amendment, accompanied by a report (No. 2207); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11824) granting an increase of pension to Jennie P. Starkins, reported the same with amendment, accompanied by a report (No. 2208); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15683) granting an increase of pension to Thomas Brown, reported the same with an amendment, accompanied by a report (No. 2209); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15200) granting an increase of pension to Charles Klein, reported the same with amendment, accompanied by a report (No. 2210); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15895) granting a pension to Harry Donald McFarland, reported the same with amendment, accompanied by a report (No. 2211); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15216) granting an increase of pension to Truman C. Stevens, reported the same with amendment, accompanied by a report (No. 2212); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13871) granting an increase of pension to William Delaney, reported the same with amendment, accompanied by a report (No. 2213); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15050) granting an increase of pension to William H. Near, reported the

same with amendment, accompanied by a report (No. 2214); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14552) granting an increase of pension to Henry Davey, reported the same with amendment, accompanied by a report (No. 2215); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 15321) granting a pension to Charles Skaden, jr., reported the same with amendment, accompanied by a report (No. 2216); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16024) granting an increase of pension to Katie B. Meister, reported the same with amendment, accompanied by a report (No. 2217); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10523) granting an increase of pension to Elizabeth Gorton, reported the same with amendment, accompanied by a report (No. 2218); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14227) granting an increase of pension to Anna C. Bassford, reported the same with amendment, accompanied by a report (No. 2219); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8141) granting an increase of pension to Catharine Leonard, reported the same with amendment, accompanied by a report (No. 2220); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1069) granting an increase of pension to Daniel Britton, reported the same with amendment, accompanied by a report (No. 2221); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1667) granting an increase of pension to Abram H. Hicks, reported the same with amendment, accompanied by a report (No. 2222); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Texas, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 15594) for the relief of John B. Brown, reported the same without amendment, accompanied by a report (No. 2226); which said bill and report were referred to the Private Calendar.

Mr. RIXEY, from the Committee on Naval Affairs, to which was referred the bill of the Senate (S. 1864) for the relief of James H. Oliver, a commander on the retired list of the United States Navy, reported the same without amendment, accompanied by a report (No. 2229); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. CRUMPACKER: A bill (H. R. 16548) to provide for a judicial review of orders excluding persons from the use of United States mail facilities—to the Committee on the Judiciary.

By Mr. HUMPHREY of Washington: A bill (H. R. 16549) providing for the construction and equipment of a first-class life-saving ocean-going tug, also a launch tender to be used in connection therewith, on the North Pacific coast of the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. STEENPERSON: A bill (H. R. 16550) appropriating the receipts from the sale and disposal of public lands in certain States to the construction of works for the drainage or reclamation of swamp and overflowed lands—to the Committee on the Public Lands.

By Mr. DAWSON: A bill (H. R. 16551) transferring the counties of Jackson and Clinton, in the State of Iowa, from the northern judicial district of Iowa to the southern judicial district of Iowa—to the Committee on the Judiciary.

By Mr. KINKAID: A bill (H. R. 16552) for the resurvey of certain townships in the State of Nebraska—to the Committee on the Public Lands.

By Mr. BURNETT: A bill (H. R. 16553) to further regulate the exclusion of undesirable aliens from admission into the

United States—to the Committee on Immigration and Naturalization.

By Mr. DIXON of Montana: A bill (H. R. 16554) to encourage the reclamation of certain arid lands in the State of Montana—to the Committee on the Public Lands.

By Mr. YOUNG: A bill (H. R. 16555) to authorize the construction of light-house keepers' dwellings at Menominee Harbor, Michigan—to the Committee on Interstate and Foreign Commerce.

By Mr. HEFLIN: A bill (H. R. 16556) to prohibit labor on buildings, and so forth, in the District of Columbia on the Sabbath day—to the Committee on the District of Columbia.

By Mr. LEVER: A bill (H. R. 16557) to amend an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903—to the Committee on Immigration and Naturalization.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 16558) providing for the promotion of assistant paymasters in the Navy—to the Committee on Naval Affairs.

By Mr. COCKRAN: A bill (H. R. 16559) to amend section 1 of an act entitled "An act for the relief of certain volunteer and regular soldiers of the late war and the war with Mexico," approved March 2, 1889—to the Committee on Military Affairs.

By Mr. WEEMS: A bill (H. R. 16560) making certain exceptions to the requirement of examination for promotion to certain positions in the classified service—to the Committee on Reform in the Civil Service.

By Mr. LACEY: A joint resolution (H. J. Res. 117) extending the time for opening to public entry the unallotted lands on the ceded portion of the Shoshone or Wind River Indian Reservation in Wyoming—to the Committee on the Public Lands.

By Mr. GILLETT of California: A joint resolution (H. J. Res. 118) accepting the recession by the State of California of the Yosemite Valley grant and the Mariposa Big Tree Grove, and including the same, together with fractional sections 5 and 6, township 5 south, range 22 east, Mount Diablo meridian, California, within the metes and bounds of the Yosemite National Park, and changing the boundaries thereof—to the Committee on the Public Lands.

By Mr. KELIHER: A memorial of the Commonwealth of Massachusetts, relative to an amendment of the Federal Constitution enabling Congress to enact laws regulating the hours of labor—to the Committee on Labor.

By Mr. WEEKS: A memorial of the legislature of Massachusetts, favoring an amendment to the Constitution of the United States giving power to Congress to regulate the hours of labor in the several States—to the Committee on Labor.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. ANDREWS: A bill (H. R. 16561) granting an increase of pension to William H. H. Metzger—to the Committee on Pensions.

Also, a bill (H. R. 16562) granting an increase of pension to George W. Read—to the Committee on Invalid Pensions.

By Mr. BARCHFELD: A bill (H. R. 16563) restoring the name of J. H. Flesher to the rolls of the Corps of Engineers—to the Committee on Military Affairs.

By Mr. BARTLETT: A bill (H. R. 16564) granting an increase of pension to Aaron S. Gatliff—to the Committee on Invalid Pensions.

By Mr. BELL of Georgia: A bill (H. R. 16565) granting an increase of pension to George H. Gordon—to the Committee on Invalid Pensions.

By Mr. BENNET of New York: A bill (H. R. 16566) granting a pension to Whitman V. White—to the Committee on Invalid Pensions.

By Mr. BENNETT of Kentucky: A bill (H. R. 16567) for the relief of John S. Anderson—to the Committee on War Claims.

Also, a bill (H. R. 16568) granting a pension to G. W. Dobbins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16569) granting an increase of pension to Andrew J. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16570) granting an increase of pension to Joseph Belford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16571) granting an increase of pension to Mary L. Overly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16572) granting a pension to John Fettin—to the Committee on Pensions.

By Mr. BRADLEY: A bill (H. R. 16573) granting an increase of pension to Margaret B. Houston—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 16574) granting an increase of pension to George F. Bachelder—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 16575) granting a pension to Taylor Baits—to the Committee on Invalid Pensions.

By Mr. BURLESON: A bill (H. R. 16576) granting an increase of pension to Silas P. Conway—to the Committee on Pensions.

Also, a bill (H. R. 16577) granting an increase of pension to Joseph M. Pound—to the Committee on Pensions.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 16578) granting an increase of pension to Edward Lilley—to the Committee on Invalid Pensions.

By Mr. BUTLER of Tennessee: A bill (H. R. 16579) granting a pension to Benjamin Francis—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 16580) to refund legacy taxes illegally collected from the estate of Andrew Comstock—to the Committee on Claims.

By Mr. CASSEL: A bill (H. R. 16581) for the relief of George W. Schroyer—to the Committee on Claims.

By Mr. COCKRAN: A bill (H. R. 16582) granting a pension to Ellen T. Sivals—to the Committee on Invalid Pensions.

By Mr. DE ARMOND (by request): A bill (H. R. 16583) granting an increase of pension to David Waldon—to the Committee on Invalid Pensions.

By Mr. DIXON of Indiana: A bill (H. R. 16584) granting a pension to William H. Daly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16585) granting a pension to Emma Stillinger—to the Committee on Invalid Pensions.

By Mr. DIXON of Montana: A bill (H. R. 16586) granting an increase of pension to William Mattison—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 16587) granting a pension to Howard L. Bryant—to the Committee on Invalid Pensions.

By Mr. FASSETT: A bill (H. R. 16588) granting a pension to Florilla Carey—to the Committee on Pensions.

Also, a bill (H. R. 16589) granting a pension to Margret Bruff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16590) granting an increase of pension to Clarence Stage—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16591) granting an increase of pension to Levi Howe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16592) granting an increase of pension to Mortimer W. Read—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16593) granting an increase of pension to Edward Searles—to the Committee on Invalid Pensions.

By Mr. FLACK: A bill (H. R. 16594) for the relief of Alexander Badore—to the Committee on Appropriations.

By Mr. FLETCHER: A bill (H. R. 16595) granting a pension to James Russell Hicks—to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 16596) for the relief of Thomas Hanlon—to the Committee on the Public Lands.

Also, a bill (H. R. 16597) to authorize the Secretary of the Interior to issue fee simple patent to James Himes—to the Committee on Indian Affairs.

Also, a bill (H. R. 16598) granting an increase of pension to Oviatt S. Hinsdale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16599) granting an increase of pension to Jonathan C. Oyleor—to the Committee on Invalid Pensions.

By Mr. FULKERSON: A bill (H. R. 16600) to remove the charge of desertion from the record of David Housel—to the Committee on Military Affairs.

By Mr. GARBER: A bill (H. R. 16601) granting an increase of pension to George W. Wissinger—to the Committee on Invalid Pensions.

By Mr. GARRETT: A bill (H. R. 16602) granting an increase of pension to Christopher C. Reeves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16603) granting an increase of pension to P. W. Cook—to the Committee on Pensions.

By Mr. GOEBEL: A bill (H. R. 16604) granting an increase of pension to Henry R. H. Bruns—to the Committee on Pensions.

By Mr. GRAHAM: A bill (H. R. 16605) to remove the charge of desertion from the military record of James Charles Cramer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16606) granting an increase of pension to James A. Duff—to the Committee on Invalid Pensions.

By Mr. GRANGER: A bill (H. R. 16607) granting an increase of pension to Mary Denny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16608) granting an increase of pension to Catherine McNamee—to the Committee on Invalid Pensions.

By Mr. HALE: A bill (H. R. 16609) granting a pension to William C. Blevins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16610) granting a pension to William G. Blanton—to the Committee on Pensions.

Also, a bill (H. R. 16611) granting an increase of pension to Thomas W. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16612) granting an increase of pension to Jerome B. Hendricks—to the Committee on Pensions.

By Mr. HAUGEN: A bill (H. R. 16613) granting an increase of pension to William C. Fox—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 16614) granting a pension to William Kral—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16615) granting an increase of pension to Bailey E. Poor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16616) granting an increase of pension to Hiram Frank—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 16617) to remove the charge of desertion from the record of David F. Wallace—to the Committee on Military Affairs.

Also, a bill (H. R. 16618) to remove the charge of desertion from the record of John H. Hubbard—to the Committee on Military Affairs.

By Mr. HUBBARD: A bill (H. R. 16619) to remove the charge of desertion from the military record of Jacob Latch—to the Committee on Military Affairs.

By Mr. HUGHES: A bill (H. R. 16620) granting an increase of pension to Jackson Adkins—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 16621) granting a pension to Nelly Peck Smith—to the Committee on Pensions.

Also, a bill (H. R. 16622) granting an increase of pension to James Webb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16623) granting an increase of pension to Thomas K. Young—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 16624) granting an increase of pension to George M. Ailes—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 16625) granting an increase of pension to Avery E. Chandler—to the Committee on Invalid Pensions.

By Mr. MCKINNEY: A bill (H. R. 16626) granting an increase of pension to William P. Cochran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16627) granting an increase of pension to Delilah Moore—to the Committee on Pensions.

By Mr. MAHON: A bill (H. R. 16628) granting an increase of pension to John Neff—to the Committee on Invalid Pensions.

By Mr. MICHALEK: A bill (H. R. 16629) granting an increase of pension to Louis Stoeckig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16630) granting an increase of pension to Philip Dumont—to the Committee on Invalid Pensions.

By Mr. MILLER: A bill (H. R. 16631) granting a pension to Jerry Hutson—to the Committee on Invalid Pensions.

By Mr. MINOR: A bill (H. R. 16632) granting an increase of pension to Lewis Lapine—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 16633) for the relief of James Moore—to the Committee on Military Affairs.

By Mr. NEVIN: A bill (H. R. 16643) for the relief of Oglesby & Barnitz Company, of Middletown, Ohio—to the Committee on Claims.

Also, a bill (H. R. 16635) for the relief of Charles N. Wadsworth—to the Committee on War Claims.

Also, a bill (H. R. 16636) for the relief of the heirs at law of Charles K. Smith, jr.—to the Committee on War Claims.

Also, a bill (H. R. 16637) granting a pension to Hattie A. Lemmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16638) granting a pension to Amelia Hull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16639) granting a pension to Mary Costello—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16640) granting a pension to George Eichelinger—to the Committee on Pensions.

Also, a bill (H. R. 16641) granting an increase of pension to Hugh Mooney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16642) granting an increase of pension to Julius R. Brace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16643) granting an increase of pension to Mary C. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16644) granting an increase of pension to Daniel A. Frybarger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16645) granting an increase of pension to Marion P. Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16646) granting an increase of pension to James F. Vallean—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16647) to remove the charge of desertion from the military record of John B. Henry—to the Committee on Military Affairs.

By Mr. PARSONS: A bill (H. R. 16648) granting an increase of pension to Henry B. Teeter—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 16649) for the relief of Charles A. McVean—to the Committee on Claims.

By Mr. PRINCE: A bill (H. R. 16650) granting an increase of pension to Robert B. Williby—to the Committee on Invalid Pensions.

By Mr. PUJO: A bill (H. R. 16651) granting an increase of pension to Jesse P. Sandifer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16652) for the relief of Odon Ducatte—to the Committee on War Claims.

By Mr. RIXEY: A bill (H. R. 16653) for the relief of Martin Maddox, of Culpeper, Va.—to the Committee on Claims.

Also, a bill (H. R. 16654) for the relief of J. C. Howell, of Thoroughfare, Va., Burke & Marshall, of Burke, Va., and — Thompson, of —, Va.—to the Committee on War Claims.

By Mr. RICHARDSON of Alabama: A bill (H. R. 16655) granting a pension to Elizabeth McKinn Friar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16656) granting an increase of pension to Ambrose P. Stone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16657) granting an increase of pension to Elizabeth A. Gold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16658) granting an increase of pension to William Carroll McKinney—to the Committee on Pensions.

Also, a bill (H. R. 16659) to remove the charge of desertion against Tobe Holt—to the Committee on Military Affairs.

By Mr. SHACKLEFORD: A bill (H. R. 16660) granting a pension to Isaac N. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16661) granting a pension to Annie Collett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16662) granting an increase of pension to Van Buren Beam—to the Committee on Invalid Pensions.

By Mr. STANLEY: A bill (H. R. 16663) granting a pension to Loren S. Tucker—to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 16664) for the relief of Maria J. Blaisdell, widow of William Blaisdell, deceased—to the Committee on Claims.

By Mr. UNDERWOOD: A bill (H. R. 16665) for the relief of Arthur L. Brown and Mary Emma Peck, the only heirs of John J. Brown, deceased—to the Committee on Claims.

By Mr. WELBORN: A bill (H. R. 16666) granting an increase of pension to Paris G. Strickland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16667) granting an increase of pension to James G. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16668) granting an increase of pension to John H. Jenkins—to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 16669) granting a pension to Hugh J. McKane—to the Committee on Pensions.

By Mr. YOUNG: A bill (H. R. 16670) to indemnify Edgar P. Sweet, of Alger County, Mich., for homestead lands by granting other lands in lieu thereof—to the Committee on the Public Lands.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 15982) granting an increase of pension to Henrietta W. Wilson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5913) granting a pension to Helen Goll—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 16546) granting an increase of pension to Louis F. Beeler—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 16547) granting an increase of pension to John Rutter—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5201) granting a pension to Ruel Sherman—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7232) granting a pension to Alba B. Bean—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9358) granting a pension to Mary E. Fraser—

Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 15635) granting an increase of pension to Ridgley M. Laird—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 10624) granting a pension to Elizabeth B. Preston—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PETITIONS, ETC.

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

By the SPEAKER: Petition of Charles Broodway Camp, United Confederate Veterans of the District of Columbia, for marking graves of Confederate prisoners who died in northern prisons—to the Committee on Military Affairs.

Also, petition of James Yearsly, of Philadelphia, Pa., as to whether a republican form of government exists in Pennsylvania—to the Committee on the Judiciary.

Also, petition of the Chicago Federation of Labor, relative to improved condition of labor on steam vessels—to the Committee on the Merchant Marine and Fisheries.

Also, petition of W. R. Burkett et al., relative to Sunday banking—to the Committee on the Post-Office and Post-Roads.

By Mr. BEDE: Petition of the Hibbing Tribune, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petitions of the Princeton News, the Duluth Tribune, the Star, the Eveleith Mining News, the Kanabec County Times, the Herald, and the Journal, against the tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of the Free Press, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. BENNETT of Kentucky: Paper to accompany bill for relief of John Fettin—to the Committee on Pensions.

Also, paper to accompany bill for relief of John S. Anderson—to the Committee on War Claims.

Also, papers to accompany bill granting an increase of pension to Whitman V. White—to the Committee on Invalid Pensions.

By Mr. BIRDSALL: Petition of citizens of Iowa, for the relief of survivors of the *General Slocum* disaster—to the Committee on Claims.

By Mr. BUCKMAN: Petition of citizens of Minnesota, against bills H. R. 3022 and 10510—to the Committee on the District of Columbia.

By Mr. BURLEIGH: Petition of Charles W. H. Goff, relative to pay of inmates of Soldiers' Home while on furlough—to the Committee on Military Affairs.

Also, petition of citizens of Maine, relative to affairs in the Kongo Free State—to the Committee on Foreign Affairs.

By Mr. BURNETT: Papers to accompany bill (H. R. 16410) for the relief of the estate of Allen T. Estes—to the Committee on War Claims.

By Mr. BUTLER of Pennsylvania: Petition of the National Home for Disabled Volunteer Soldiers of Virginia, in favor of the Scott bill—to the Committee on Military Affairs.

Also, petition of Club of Media, for a constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. CAMPBELL of Kansas: Petition of Mulligan Post, No. 91, Grand Army of the Republic, for modification and simplification of the pension laws—to the Committee on Invalid Pensions.

By Mr. CAPRON: Petition of citizens of Apponaug, R. I., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of citizens of Wesley, R. I., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of Cumberland Grange, for a parcels-post—to the Committee on the Post-Office and Post-Roads.

Also, petition of Cumberland Grange, for the Hepburn rate bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Cumberland Grange, for the oleomargarine bill—to the Committee on Agriculture.

Also, petition of Providence Division, No. 370, Railway Conductors, for the Bates-Penrose bill—to the Committee on the Judiciary.

Also, petitions of F. M. Stone and wife, National Grange, and Cumberland Grange, for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

Also, petitions of the Woman's Christian Temperance Union, of East Providence, R. I.; the Wickford Baptist Church, of

North Kingston, R. I., and the Woman's Christian Temperance Union, of Tiverton, R. I., against repeal of the canteen law—to the Committee on Military Affairs.

Also, petitions of the Woman's Christian Temperance Unions of Kingston and Saunderson, R. I.; the First Free Baptist Church of Pawtucket, R. I.; the First Free Baptist Church of Olneyville, R. I., and the Second Presbyterian Church of Providence, R. I., for the Hepburn-Dolliver bill—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Herbert Harris, of Lime Rock, R. I., relative to the duty on lime—to the Committee on Ways and Means.

Also, petition of Cumberland Grange, for the Grange good-roads bill—to the Committee on Agriculture.

Also, petition of the Woman's Christian Temperance Union of Portsmouth, R. I., for the Hepburn-Dolliver bill—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Division No. 18, Ancient Order of Hibernians, for a statue for Commodore Barry—to the Committee on the Library.

By Mr. CHANEY: Petition of George W. Killion et al., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. COOPER of Pennsylvania: Petition of the American Wine Growers' Association, for bill H. R. 12868—to the Committee on Interstate and Foreign Commerce.

Also, petition of Charles S. Caldwell, for bill H. R. 15846—to the Committee on Banking and Currency.

Also, petition of the Illinois Manufacturers' Association, for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

Also, petition of Rev. T. T. Mutchler, for closing the gates of the Jamestown Exposition on Sunday—to the Committee on Industrial Arts and Expositions.

By Mr. DAWSON: Petition of Clinton Division, No. 125, Brotherhood of Locomotive Engineers, for the Bates-Penrose employers' liability bill—to the Committee on the Judiciary.

By Mr. DE ARMOND: Papers to accompany bill to increase pension of David Waldon—to the Committee on Invalid Pensions.

By Mr. DEEMER: Petition of National Grange, No. 913, for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

Also, petition of 600 citizens of Williamsport, Pa., against sale of liquor in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of 600 citizens of Williamsport, Pa., for the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of citizens of Pennsylvania, against bill H. R. 10510—to the Committee on the District of Columbia.

Also, petition of 600 citizens of Williamsport, Pa., for the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DIXON of Montana: Petition of Lodge No. 168, International Association of Machinists, of Livingston, Mont., relative to increase of pay for mechanics employed in navy-yards—to the Committee on Naval Affairs.

By Mr. DRESSER: Petition of the Kane Retail Grocers' Association, for the Heyburn pure-food bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DUNWELL: Petition of citizens of New York, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. ESCH: Paper to accompany bill for relief of Hiram N. Goodell—to the Committee on Invalid Pensions.

Also, petition of the Illinois Manufacturers' Association, for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

Also, petition of N. C. Jensen, relative to the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Henry Hardin Camp, No. 2, Sons of Veterans, against bill H. R. 8131—to the Committee on Military Affairs.

Also, petition of Christian Haines, for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

By Mr. FLACK: Petition of citizens of Gouverneur, N. Y., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of Chateaugay Grange, No. 964, for retention of the tax on oleomargarine—to the Committee on Agriculture.

By Mr. FOSTER of Indiana: Petition of Dr. J. R. Adams Camp, No. 123, Sons of Veterans, against passage of bill H. R. 8131—to the Committee on Military Affairs.

Also, petition of the New Albany Commercial Club, in favor of passage of bill S. 1345, relative to the consular service—to the Committee on Foreign Affairs.

Also, petition of the Evansville Pastors' Association, in favor

of the Littlefield interstate liquor bill—to the Committee on the Judiciary.

By Mr. FRENCH: Petition of citizens of Rupert, Idaho, relative to town sites in Rupert—to the Committee on the Public Lands.

Also, petition of citizens of Middletown, for bill H. R. 9022—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Idaho, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. FULLER: Petition of the Peru Beer Company, against the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GARDNER of Massachusetts: Petition of the Massachusetts legislature, relative to a constitutional amendment regulating hours of labor—to the Committee on the Judiciary.

Also, petition of Amesbury and Groveland Granges, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of citizens of Beverly, Mass., for bills H. R. 3022 and 10510—to the Committee on the District of Columbia.

Also, petitions of George E. McDonald et al. and the Peabody Board of Trade, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. GARRETT: Papers to accompany bill granting an increase of pension to C. C. Reeves and to accompany bill granting an increase of pension to P. W. Cook—to the Committee on Invalid Pensions.

By Mr. GILLETT of Massachusetts: Petition of Phillipston National Grange, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. GRANGER: Petition of the Woman's Christian Temperance Union of Watchemaket, East Providence, R. I., against liquor in Indian Territory and Oklahoma as States—to the Committee on the Territories.

Also, petition of the Massie Wireless Telegraph Company, relative to control by the Government—to the Committee on the Judiciary.

Also, petition of 250 citizens of Providence, R. I., against passage of bills H. R. 3022 and 10510—to the Committee on the District of Columbia.

Also, petition of the Woman's Christian Temperance Union of East Providence, R. I., for the Hepburn-Dolliver bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. GRONNA: Petition of J. H. Murphy, against change in the present postal laws—to the Committee on the Post-Office and Post-Roads.

Also, petition of S. F. Sherman, for bill H. R. 15846—to the Committee on Banking and Currency.

Also, petition of H. Burdecke, for the metric system—to the committee on Coinage, Weights, and Measures.

Also, petition of Simon Schmid Bartlett, against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of J. M. Sullivan, against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HASKINS: Petitions of Protective Grange, No. 22, of Brattleboro, Vt.; Bell Grange, of Walden, Vt.; Ascutney Grange, No. 278, and Golden Rod Grange, of East Corinth, Vt., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of Ascutney Grange, No. 278, for the good-roads bill (H. R. 180)—to the Committee on Agriculture.

Also, petition of Ascutney Grange, No. 278, for the present oleomargarine law—to the Committee on Agriculture.

Also, petition of Ascutney Grange, No. 278, for the Heyburn pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Ascutney Grange, No. 278, of Windsor, Vt., for the parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. HAYES: Papers to accompany bill granting an increase of pension to Wesley C. Sawyer—to the Committee on Invalid Pensions.

Also, petition of the International Association of Pipe Fitters, No. 46, of San Francisco, protesting against passage of bill H. R. 12973—to the Committee on Foreign Affairs.

By Mr. HENRY of Texas: Petition of citizens of Texas, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. HEPBURN: Petition of citizens of Iowa, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. HERMANN: Petition of citizens of Oregon, against religious legislation—to the Committee on the District of Columbia.

By Mr. HIGGINS: Petition of the Musicians' Protective

Union of Willimantic, Conn., for bill H. R. 8748—to the Committee on Naval Affairs.

Also, petition of Carpenters' Union No. 825, of Willimantic, Conn., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. HINSHAW: Paper to accompany bill for relief of J. V. Morrill—to the Committee on Invalid Pensions.

Also, petition of the Illinois Manufacturers' Association, for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of citizens of Arcadia, Nebr., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

Mr. HITT: Petition of A. W. Heyer et al., for removal of the tariff on hides—to the Committee on Ways and Means.

Also, petition of J. A. Gale, for investigation of cement and mortar by the Geological Survey—to the Committee on Appropriations.

By Mr. HOWELL of Utah: Petition of citizens of Utah, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of many citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

By Mr. HUBBARD: Petition of the Merrill Record, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. HUFF: Petition of the Illinois Manufacturers' Association, of Chicago, Ill., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of the American Wine Growers' Association, for the Fassett pure-wine bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Saturday Afternoon Club, of Scottsdale, for preservation of Niagara Falls—to the Committee on Rivers and Harbors.

Also, petition of citizens of Butler County, Pa., for bill H. R. 13635—to the Committee on Alcoholic Liquor Traffic.

By Mr. HULL: Petition of the Seventh-Day Adventist Church of Nevada, Iowa, and citizens, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. KELIHER: Petition of Henry A. Curtis et al., for repeal of revenue tax on denaturized alcohol—to the Committee on Ways and Means.

By Mr. KENNEDY: Petition of the Salem News, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. KLEPPER: Petition of the Association of Mexican War Veterans, for increase of pensions—to the Committee on Pensions.

Mr. KNAPP: Petition of citizens of Minetto, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. LACEY: Petition of the Commercial Club and business men of Oskaloosa, against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. LAWRENCE: Petition of the Massachusetts legislature, for an amendment to the Constitution regulating hours of labor—to the Committee on the Judiciary.

Also, petition of citizens of Buckland, Mass., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. AIKEN: Petition of the bar of Cherokee County, for location of a Federal court-house—to the Committee on the Judiciary.

By Mr. LILLEY of Connecticut: Petition of the New Haven Medical Association, for the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Connecticut, for a national forest reserve in the White Mountains—to the Committee on Agriculture.

By Mr. LINDSAY: Petition of the California Fruit Growers' Exchange, relative to private car lines—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Broadway Bank, for bill H. R. 15846—to the Committee on Interstate and Foreign Commerce.

Also, petition of Charities and the Commons, relative to improved conditions of living for the poor of the District of Columbia—to the Committee on the District of Columbia.

Also, petition of Louis Bassert & Son, for the Littlefield bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Maritime Association of New York, for bill H. R. 5281—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Southern Branch of the National Home for Disabled Volunteer Soldiers, of Virginia, relative to pay of inmates on furlough—to the Committee on Military Affairs.

Petition of headquarters of the Joint Commission on the Brooklyn Navy-Yard, relative to construction of battle ships—to the Committee on Naval Affairs.

Also, petition of the Wholesale Liquor Dealers' League, relative to the pure-food bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LITTLEFIELD: Petition of citizens of Maine, for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

By Mr. McCARTHY: Petition of citizens of Nebraska, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. McKINNEY: Petition of citizens of Illinois, against religious legislation—to the Committee on the District of Columbia.

By Mr. McNARY: Petition of citizens of Quincy, Mass., for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

By Mr. MADDEN: Petition of citizens of Chicago, against bill H. R. 10510—to the Committee on the District of Columbia.

Also, petition of citizens of Chicago, relative to legislation as to betterment of women in industry—to the Committee on Labor.

Also, petition of the Chicago Federation of Labor, relative to better conditions of public service by vessels carrying passengers—to the Committee on the Merchant Marine and Fisheries.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of William F. M. Rice—to the Committee on Pensions.

Also, paper to accompany bill H. R. 335, for a public building—to the Committee on Public Buildings and Grounds.

By Mr. NEVIN: Petition of George A. Hollbrock et al., against establishment of a parcels-post system—to the Committee on the Post-Office and Post-Roads.

Also, petition of J. O. Melber, N. F. Debman, R. Fisher, and others, against religious legislation—to the Committee on the District of Columbia.

Also, petition of Oxford Grange, No. 263, Patrons of Industry, for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

Also, petition of citizens of Ohio, against bill (H. R. 8131) to prohibit wearing of Army and Navy uniforms—to the Committee on Military Affairs.

By Mr. OLCOTT: Petition of citizens of New York, for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

By Mr. OTJEN: Petition of William B. McBriarty and others, of the Northwest Branch of the Soldiers' Home, for outside relief—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: Petition of the Woman's Home Missionary Society of the Roberts Park Church, of Indianapolis, against liquor selling in Soldiers' Homes—to the Committee on Military Affairs.

Also, petition of the T. A. Snider Preserve Company, relative to the pure-food bill—to the Committee on Interstate and Foreign Commerce.

By Mr. PAYNE: Paper to accompany bill for relief of Edward W. Clark—to the Committee on Military Affairs.

Also, petition of citizens of New York, for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

By Mr. PEARRE: Petition of Charles O. Roemer, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. POLLARD: Petition of citizens of Nebraska, opposing passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. PUJO: Petition of Crescent City Harbor, No. 18, American Association of Masters, Mates, and Pilots of Steam Vessels, relative to bill H. R. 5281—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the New Orleans Cotton Exchange, relative to the quarantine bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Association of Mexican War Veterans of the State of Missouri, relative to increase of pensions—to the Committee on Pensions.

Also, petition of Marine Engineers' Beneficial Association, No. 15, of New Orleans, La., relative to the merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the New Orleans Board of Trade, relative to the merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the New Orleans Progressive Union, for pres-

ervation of Niagara Falls—to the Committee on Rivers and Harbors.

Also, petition of the Japanese and Korean Exclusion League, for retention of the Chinese law—to the Committee on Foreign Affairs.

Also, petition of the California Fruit Growers' Exchange, relative to private car lines—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Central Federated Union of New York, relative to the antipilotage bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the United States Brewers' Association, for creation of a Federal judicial court in the Orient—to the Committee on Foreign Affairs.

Also, petition of the Illinois Manufacturers' Association, for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

Also, petition of citizens of Welsh, Calcasieu Parish, La., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of citizens of Hayes, La., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of the Louisiana Sugar and Rice Exchange, of New Orleans, relative to fast mail—to the Committee on the Post-Office and Post-Roads.

Also, petition of the New Orleans Clearing House Association, relative to bill H. R. 8973—to the Committee on Banking and Currency.

Also, Petition of the Louisiana State board of health and the New Orleans Health Association, relative to the quarantine bill—to the Committee on the Judiciary.

Also, petition of citizens of Oklahoma City, relative to the statehood bill—to the Committee on the Territories.

Also, petition of the Interchurch Conference, relative to marriage and divorce—to the Committee on the Judiciary.

Also, paper to accompany bill for relief of Jesse P. Sandifer—to the Committee on Pensions.

By Mr. RIVES: Petition of citizens of Illinois, against religious legislation—to the Committee on the District of Columbia.

Also, petition of citizens of Illinois, for relief of survivors of the *General Slocum* disaster—to the Committee on Claims.

By Mr. RICHARDSON: Papers to accompany bill granting an increase of pension to Ambrose P. Stone—to the Committee on Invalid Pensions.

By Mr. RIXEY: Papers to accompany bill for relief of Burke & Marshall, of Burke, Va.—to the Committee on War Claims.

Also, H. R. Report No. 1722, Fifty-second Congress, first session, for relief of Martin Maddox—to the Committee on Claims.

By Mr. RUPPERT: Petition of the California Fruit Growers' Association, of Los Angeles, Cal., relative to private car lines—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Illinois Manufacturers' Association, for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

Also, petition of the American Federation of Labor, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of the Joint Commission on the Brooklyn Navy-Yard, relative to building battle ships—to the Committee on Naval Affairs.

Also, petition of the Merchant Marine League of the United States, relative to the shipping industry—to the Committee on the Merchant Marine and Fisheries.

Also, petition of E. T. Fileming, of Philadelphia, relative to the pure-food bill—to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN: Petition of the California Fruit Growers' Association, for increased power over rates by the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. SAMUEL: Petition of Greenbriar Grange, No. 1148, for the Grange good-roads bill—to the Committee on Agriculture.

Also, petition of Greenbriar Grange, for a parcels post—to the Committee on the Post-Office and Post-Roads.

Also, petition of Greenbriar Grange, for bill H. R. 10099—to the Committee on Interstate and Foreign Commerce.

Also, petition of Greenbriar Grange, for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

Also, petition of Greenbriar Grange, for retention of the oleomargarine law—to the Committee on Agriculture.

By Mr. SMITH of California: Petition of citizens of California, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. SOUTHARD: Petition of citizens of Port Clinton,

Ohio, opposing the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SPERRY: Petition of citizens of New Haven, Conn., against bill H. R. 10510—to the Committee on the District of Columbia.

By Mr. SULLIVAN of Massachusetts: Petition of the Illinois Manufacturers' Association, for repeal of revenue tax on denatured alcohol—to the Committee on Ways and Means.

By SULLIVAN of New York: Petition of the Southern Branch of the National Home for Disabled Volunteer Soldiers, of Virginia, relative to pay of members of the Home when on furlough—to the Committee on Military Affairs.

Also, petition of the Merchants' Association of New York, relative to the merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Yale & Towne Manufacturing Company, against the metric system—to the Committee on Coinage, Weights, and Measures.

Also, petition of the Douglas Manufacturing Company, against the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Religious Liberty Bureau and citizens of New York, against bills H. R. 3022 and 10510—to the Committee on the District of Columbia.

Also, petition of the Manufacturers' Association, against the Gilbert bill—to the Committee on the Judiciary.

Also, petition of the Columbus (Ohio) Iron and Steel Company, against the metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. TOWNSEND: Petition of 44 citizens of Ann Arbor, Mich., against bills H. R. 3022 and 10510—to the Committee on the District of Columbia.

Also, petition of Theodore Jasenhaus et al., for repeal of revenue tax on denatured alcohol—to the Committee on Ways and Means.

Also, petition of D. H. Bates, of New York, against adoption of the metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. VAN WINKLE: Paper to accompany bill for relief of Mary L. Beardsley—to the Committee on Invalid Pensions.

By Mr. WANGER: Petition of the New Century Club of Bucks County, Pa., for preservation of Niagara Falls—to the Committee on Rivers and Harbors.

By Mr. WEBB: Paper to accompany bill for relief of Ambrose Y. Teague—to the Committee on Pensions.

Also, paper to accompany bill for relief of Samuel J. Kent—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Mary H. Hampton—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Reuben K. Deaver—to the Committee on Military Affairs.

Also, paper to accompany bill for relief of Sarah M. Evans—to the Committee on Pensions.

By Mr. WEEKS: Petition of the trustees of the Boston Athenaeum, relative to amending the copyright law—to the Committee on Patents.

Also, petition of citizens of New York, for restoration of the frigate *Constitution*—to the Committee on Naval Affairs.

By Mr. YOUNG: Petition of citizens of Michigan, for establishment of a life-saving station at Menominee, Mich.—to the Committee on Interstate and Foreign Commerce.

SENATE.

TUESDAY, *March 13, 1906.*

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Journal of yesterday's proceedings was read and approved.

DISPOSITION OF USELESS PAPERS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Commerce and Labor, transmitting, pursuant to law, a schedule of documents and papers not needed or useful in the transaction of the current business of the Department of Commerce and Labor and having no permanent value or historical interest, etc.; which was read.

The VICE-PRESIDENT. The communication will be referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, and printed.

Mr. PETTUS. The joint committee has not been appointed for the present Congress.

The VICE-PRESIDENT. The committee will be appointed.

The VICE-PRESIDENT subsequently said: The Chair will appoint as members, on the part of the Senate, of the Joint

Select Committee on the Disposition of Useless Papers in the Executive Departments the Senator from Alabama [Mr. PETTUS] and the Senator from New Hampshire [Mr. GALLINGER]. The communication from the Secretary of Commerce and Labor laid before the Senate this morning will be referred to that joint select committee.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented resolutions adopted by Raphael Semmes Camp, No. 11, United Confederate Veterans, of Mobile, Ala.; of J. T. Walbert Camp, No. 463, United Confederate Veterans, of Paducah, Ky., and of Omer R. Weaver Camp, No. 354, United Confederate Veterans, of Little Rock, Ark., tendering to Congress their respective thanks for the enactment of a law restoring the Confederate battle flags to the several States; which were ordered to lie on the table.

Mr. PLATT presented a petition of the Young Woman's Branch of the Woman's Christian Temperance Union of Seneca Castle, N. Y., praying for the enactment of legislation to remove the internal-revenue tax on denatured alcohol; which was referred to the Committee on Finance.

He also presented a petition of the National Paint, Oil, and Varnish Association, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was ordered to lie on the table.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Hollis, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Old Homestead Lodge, No. 319, International Association of Machinists, of Keene, N. H., praying for the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

Mr. FULTON presented a petition of sundry citizens of Portland, Oreg., praying for the enactment of legislation for the protection of animals, birds, and fish in the forest reserves; which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. SPOONER presented a memorial of sundry citizens of Bloomington, Wis., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of Henry Harnden Camp, No. 2, Wisconsin Division, Sons of Veterans, United States Army, of Madison, Wis., remonstrating against the enactment of legislation to prohibit the wearing of the uniform of the Army, Navy, Marine Corps, or Revenue Service, etc.; which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. HANSBROUGH, from the Committee on the Library, to whom was referred the bill (S. 2072) to provide for the erection of a statue of Gen. Nathanael Greene on the battlefield of Guilford Court House, reported it without amendment, and submitted a report thereon.

Mr. DILLINGHAM, from the Committee on the Judiciary, to whom was referred the bill (H. R. 15521) establishing regular terms of the United States circuit and district courts of the northern district of California at Eureka, Cal., reported it without amendment, and submitted a report thereon.

Mr. CLARK of Wyoming, from the Committee on the Judiciary, to whom were referred the following bills, asked to be discharged from their further consideration, and that they be referred to the Committee on Military Affairs; which was agreed to:

A bill (S. 696) to prevent and punish the desecration, mutilation, or improper use of the flag of the United States of America; and

A bill (S. 5030) to prevent the desecration of the American flag.

Mr. BURKETT, from the Committee on Claims, to whom was referred the bill (S. 1344) for the relief of John M. Burks, reported it without amendment, and submitted a report thereon.

Mr. PILES, from the Committee on Territories, to whom was referred the bill (S. 2554) providing for the regulation of the practice of medicine, surgery, and dentistry in the district of Alaska, reported it with an amendment, and submitted a report thereon.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2667) granting an increase of pension to Benjamin W. Valentine; and

A bill (H. R. 6401) granting an increase of pension to William V. Van Ostern.