

tending time in cars of live stock in transit—to the Committee on Interstate and Foreign Commerce.

Mr. SMITH of Maryland: Paper to accompany bill for relief of John W. Jones—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: Paper to accompany bill for relief of J. L. F. Cottrell—to the Committee on War Claims.

By Mr. STERLING: Paper to accompany bill for relief of John H. Watson—to the Committee on Invalid Pensions.

By Mr. TALBOTT: Petition of Church of God Christian Endeavor Society, of Carrollton, Md., for a law to protect State liquor laws against outside nullifiers—to the Committee on Ways and Means.

By Mr. WOOD of New Jersey: Petition of B. F. Boyer Company, of Camden, N. J., and the Colburn Machine Tool Company, against bill H. R. 8988 (the metric system bill)—to the Committee on Coinage, Weights, and Measures.

Also, petition of the Parker Brothers Glass Manufacturing Company, against the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Harry H. Powell, of Duffield, N. J., W. H. H. Wyckoff & Son, and John T. Conklin, for bill H. R. 15442 (the immigration and naturalization bill)—to the Committee on Immigration and Naturalization.

SENATE.

WEDNESDAY, April 18, 1906.

The Chaplain, Rev. EDWARD E. HALE, offered the following prayer:

*God is our refuge and strength, a very present help in trouble.
Therefore will not we fear, though the earth be removed, and
though the mountains be carried into the midst of the sea.
Though the waters thereof roar and be troubled, though the
mountains shake with the swelling thereof.*

God is in the midst of her; she shall not be moved.

Father, we come to Thee when we need Thee. We seek Thee in our calamities, as we have sought Thee in our triumphs. Draw near to us here. Draw near to the people of this nation in the midst of great calamity. Thou art from everlasting to everlasting, the same yesterday, to-day, and forever. Thou wilt oversee us; Thou wilt help us, and we come to Thee even in the moment of weakness. We come to Thee in our foolishness to ask for Thy wisdom, in our terror to ask for God's guidance, in our weakness to ask for Thy strength.

Be with us. Be with Thy servants who are in the midst of trial. Be with this whole land, that this land may know what its duty is; how brothers may help brothers; how each can help all; that we are one family in the arms of the living God. Father, we ask it in Christ Jesus.

Our Father who art in Heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is done in Heaven. Give us this day our daily bread. Forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the kingdom, Thine is the power, Thine is the glory. Forever, Amen.

THE JOURNAL.

The Journal of yesterday's proceedings was read and approved.

LAWS OF PORTO RICO.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a copy of the acts and resolutions of the second session of the third legislative assembly of Porto Rico, January 8 to March 8, 1906, including the organic act of Congress providing for civil government and the acts and resolutions of Congress amendatory thereof, etc.; which, with the accompanying report, was referred to the Committee on Pacific Islands and Porto Rico.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the following bills:

H. R. 5931. An act granting an increase of pension to Robert L. Narrow;

H. R. 8158. An act granting an increase of pension to Lemuel P. Storms;

H. R. 8892. An act granting an increase of pension to Malek A. Southworth;

H. R. 10298. An act granting an increase of pension to Oliver C. Redic;

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H. R. 11046. An act granting an increase of pension to Helen G. Heiner;

H. R. 11976. An act for the relief of the Compañía de los Ferrocarriles de Puerto Rico;

H. R. 13572. An act granting an increase of pension to Saturino Baca; and

H. R. 15691. An act granting an increase of pension to Jerry W. Tallman.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments to the Senate bill (H. R. 13103) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1907, and for other purposes.

The message further announced that the House had passed the following bills, each with an amendment; in which it requested the concurrence of the Senate:

S. 1248. An act granting a pension to Elizabeth B. Bean; and
S. 1308. An act granting an increase of pension to Emilie Grace Reich.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8997) to regulate the practice of pharmacy and sale of poisons in the District of Columbia, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CAMPBELL, Mr. TAYLOR of Ohio, and Mr. MEYER of Louisiana managers at the conference on the part of the House.

The message further announced that the House had passed the following bills and joint resolution:

S. 97. An act granting an increase of pension to Thomas F. Carey;

S. 98. An act granting an increase of pension to Doris F. Clegg;

S. 230. An act granting an increase of pension to Alfred Woodin;

S. 249. An act granting an increase of pension to Alfred F. Sears;

S. 306. An act granting a pension to Cassy Cottrill;

S. 337. An act granting an increase of pension to Lydia Ann Jones;

S. 450. An act granting an increase of pension to James Flynn;

S. 487. An act granting an increase of pension to William Sprouse;

S. 518. An act granting an increase of pension to William T. Godwin;

S. 520. An act granting an increase of pension to William D. Johnson;

S. 524. An act granting an increase of pension to Lestina M. Gifford;

S. 558. An act granting an increase of pension to Abijah Chamberlain;

S. 563. An act granting an increase of pension to Thomas Martin;

S. 657. An act granting an increase of pension to Mary J. Reynolds;

S. 674. An act granting an increase of pension to Thomas A. Agur;

S. 829. An act granting an increase of pension to James Gannon;

S. 835. An act granting an increase of pension to John W. Scott;

S. 914. An act granting an increase of pension to Edwin R. Hardy;

S. 920. An act granting an increase of pension to Abraham S. Brown;

S. 975. An act granting an increase of pension to James Shaffer;

S. 1012. An act granting an increase of pension to Samuel H. Foster;

S. 1105. An act granting an increase of pension to Harriet Williams;

S. 1162. An act granting an increase of pension to Nelson Cook;

S. 1165. An act granting an increase of pension to James Moss;

S. 1203. An act granting a pension to Albert B. Lawrence;

S. 1302. An act granting an increase of pension to William A. Murray;

S. 1338. An act granting an increase of pension to Thomas Claiborne;

S. 1349. An act granting an increase of pension to Daniel C. Earle;

- S. 1352. An act granting an increase of pension to Michael Scannell;
- S. 1354. An act granting a pension to Lydia Jones;
- S. 1376. An act granting a pension to Adam Werner;
- S. 1377. An act granting an increase of pension to John R. Brown;
- S. 1398. An act granting an increase of pension to Edmund Morgan;
- S. 1406. An act granting an increase of pension to Moses Hill;
- S. 1407. An act granting a pension to John McCaughen;
- S. 1415. An act granting an increase of pension to Alexander Esler;
- S. 1434. An act granting an increase of pension to Samuel Derry;
- S. 1435. An act granting an increase of pension to Lewellen T. Davis;
- S. 1614. An act granting a pension to Kate E. Young;
- S. 1667. An act granting an increase of pension to John A. Stockwell, alias John Stockwell;
- S. 1733. An act granting an increase of pension to George W. Trice;
- S. 1884. An act granting an increase of pension to Frederic W. Swift;
- S. 1910. An act granting an increase of pension to Theodore McClellan;
- S. 1919. An act granting an increase of pension to Louise M. Wynkoop;
- S. 1952. An act granting an increase of pension to Jesse Alderman;
- S. 1953. An act granting an increase of pension to Charles M. Benson;
- S. 1962. An act granting an increase of pension to Julia Baldwin;
- S. 1975. An act granting an increase of pension to Mary E. Dugger;
- S. 2033. An act granting an increase of pension to David Tremble;
- S. 2050. An act granting an increase of pension to Jotham T. Moulton;
- S. 2077. An act granting an increase of pension to Alice A. Arms;
- S. 2094. An act granting an increase of pension to Rodney W. Torrey;
- S. 2102. An act granting an increase of pension to George W. Lucas;
- S. 2115. An act granting a pension to Carrie E. Costinett;
- S. 2287. An act granting an increase of pension to James V. Pope;
- S. 2378. An act granting an increase of pension to Maria Leuckart;
- S. 2507. An act granting an increase of pension to William Wheeler;
- S. 2540. An act granting an increase of pension to Benjamin S. Miller;
- S. 2549. An act granting an increase of pension to George W. Boyles;
- S. 2552. An act granting an increase of pension to Louise J. D. Leland;
- S. 2568. An act granting an increase of pension to Noah C. Fowler;
- S. 2574. An act granting an increase of pension to Parker Pritchard;
- S. 2575. An act granting an increase of pension to Thomas W. Waugh;
- S. 2577. An act granting an increase of pension to Francis M. Lynch;
- S. 2638. An act granting an increase of pension to Thomas B. Whaley;
- S. 2667. An act granting an increase of pension to Benjamin W. Valentine;
- S. 2670. An act granting an increase of pension to Marie J. Spicely;
- S. 2689. An act granting an increase of pension to Alonzo M. Bartlett;
- S. 2725. An act granting an increase of pension to John Mather;
- S. 2733. An act granting an increase of pension to Charles Crismon;
- S. 2736. An act granting an increase of pension to James Williams;
- S. 2745. An act granting an increase of pension to Zerelda N. McCoy;
- S. 2772. An act granting an increase of pension to Charles H. Niles;
- S. 2790. An act granting an increase of pension to William J. Millett;
- S. 2795. An act granting an increase of pension to John Albert;
- S. 2832. An act granting a pension to Susan Penington;
- S. 2952. An act granting an increase of pension to William A. Gipson;
- S. 2953. An act granting an increase of pension to Mary L. Burr;
- S. 2970. An act granting an increase of pension to Thomas E. Keith;
- S. 2973. An act granting an increase of pension to Minard Van Patten;
- S. 3024. An act granting an increase of pension to David S. Trumbo;
- S. 3035. An act granting an increase of pension to Charles W. Shedd;
- S. 3112. An act granting an increase of pension to James H. Gardner;
- S. 3182. An act granting an increase of pension to Walter Lynn;
- S. 3222. An act granting an increase of pension to Henry Golder;
- S. 3232. An act granting an increase of pension to Mary Jane Schnure;
- S. 3252. An act granting an increase of pension to David F. Crampton;
- S. 3254. An act granting an increase of pension to Anna Frances Hall;
- S. 3257. An act granting an increase of pension to Walter Green;
- S. 3284. An act granting an increase of pension to Charles B. Fox;
- S. 3296. An act granting an increase of pension to Patrick Burk;
- S. 3297. An act granting an increase of pension to George Conklin;
- S. 3298. An act granting an increase of pension to John B. Ashelman;
- S. 3300. An act granting an increase of pension to Lorenzo D. Huntley;
- S. 3303. An act granting a pension to Harriett B. Summers;
- S. 3419. An act granting an increase of pension to Joseph H. Beale;
- S. 3465. An act granting an increase of pension to John T. Vincent;
- S. 3484. An act granting an increase of pension to Jacob A. Field;
- S. 3493. An act granting an increase of pension to Thomas Reed;
- S. 3520. An act granting an increase of pension to Ada A. Thompson;
- S. 3524. An act granting an increase of pension to John N. Henry;
- S. 3525. An act granting an increase of pension to Robert G. Harrison;
- S. 3532. An act granting an increase of pension to Anna K. Carpenter;
- S. 3566. An act granting an increase of pension to John, Carpenter;
- S. 3584. An act granting an increase of pension to Peter Quermbeck;
- S. 3598. An act granting an increase of pension to Charles D. Brown;
- S. 3618. An act granting an increase of pension to Martha E. Wardlaw;
- S. 3641. An act granting an increase of pension to William P. Marshall;
- S. 3653. An act granting an increase of pension to Francis J. Keffer;
- S. 3676. An act granting an increase of pension to James M. McCorkle;
- S. 3811. An act granting an increase of pension to Ephraim Winters;
- S. 3812. An act granting an increase of pension to Truman Stinehour;
- S. 3817. An act granting a pension to Margaret Lewis;
- S. 3819. An act granting an increase of pension to William H. Houston;
- S. 3821. An act granting an increase of pension to Henry Wilhelm;
- S. 3834. An act granting an increase of pension to Robert McCulvy;

- S. 3835. An act granting an increase of pension to Luther M. Royal;
- S. 3839. An act granting an increase of pension to John T. Brothers;
- S. 3843. An act granting an increase of pension to Rollin T. Waller;
- S. 3893. An act granting an increase of pension to David C. Howard;
- S. 3984. An act granting an increase of pension to Sarah E. Yockey;
- S. 3985. An act granting an increase of pension to Matilda E. Nattinger;
- S. 3987. An act granting an increase of pension to Samuel H. Hancock;
- S. 3996. An act granting an increase of pension to David Morehart;
- S. 4088. An act granting an increase of pension to Charles E. Chapman;
- S. 4102. An act granting an increase of pension to John A. Broadwell;
- S. 4106. An act granting an increase of pension to Katherine Wills;
- S. 4110. An act granting an increase of pension to Absalom Wilcox;
- S. 4124. An act granting an increase of pension to Alden Fuller;
- S. 4146. An act granting a pension to John W. Hall;
- S. 4180. An act granting an increase of pension to William C. Quigley;
- S. 4186. An act granting an increase of pension to Samuel G. Roberts;
- S. 4228. An act granting an increase of pension to Joel S. Weiser;
- S. 4233. An act granting an increase of pension to Edward M. Barnes;
- S. 4247. An act granting an increase of pension to Carrick Rutherford;
- S. 4258. An act granting an increase of pension to James F. Hackney;
- S. 4279. An act granting an increase of pension to Fannie E. Malone;
- S. 4288. An act granting an increase of pension to William E. Anderson;
- S. 4301. An act granting an increase of pension to Louisa Arnold;
- S. 4309. An act granting a pension to Adele Jeanette Hughes;
- S. 4315. An act granting an increase of pension to Elizabeth A. Vose;
- S. 4324. An act granting an increase of pension to James H. Noble;
- S. 4325. An act granting an increase of pension to Jabez Miller;
- S. 4339. An act to amend section 4502 of the Revised Statutes of the United States, relating to bonds and oaths of shipping commissioners;
- S. 4360. An act granting an increase of pension to John P. Dunn;
- S. 4386. An act granting a pension to George Thomas;
- S. 4409. An act granting an increase of pension to James W. Linnahan;
- S. 4424. An act granting an increase of pension to Nettie E. Tolles;
- S. 4432. An act granting an increase of pension to James Dreury;
- S. 4440. An act granting an increase of pension to Joseph Kauffman;
- S. 4473. An act granting a pension to Hannah C. Peterson;
- S. 4520. An act granting an increase of pension to Albert L. Callaway;
- S. 4541. An act granting an increase of pension to Benson H. Bowman;
- S. 4548. An act granting a pension to Hannah E. Wilmer;
- S. 4551. An act granting an increase of pension to John F. White;
- S. 4556. An act granting an increase of pension to William Jandro;
- S. 4557. An act granting an increase of pension to John R. McCrillis;
- S. 4606. An act granting an increase of pension to Kate Gilmore;
- S. 4612. An act granting an increase of pension to Jesse A. Thomas;
- S. 4622. An act granting an increase of pension to Isaiah McDaniel;
- S. 4650. An act granting an increase of pension to Thomas McDonald;
- S. 4675. An act granting an increase of pension to Fannie P. Norton;
- S. 4683. An act granting an increase of pension to William McCann;
- S. 4689. An act granting an increase of pension to John Brown;
- S. 4691. An act granting an increase of pension to Aaron J. Burget;
- S. 4717. An act granting an increase of pension to Ellen A. Gibbon;
- S. 4775. An act granting an increase of pension to Thomas A. Maulsby;
- S. 4785. An act granting an increase of pension to Nehemiah M. Brundage;
- S. 4786. An act granting an increase of pension to George W. Coughanour;
- S. 4797. An act granting an increase of pension to Jacob Franz;
- S. 4817. An act granting an increase of pension to Delight A. Allen;
- S. 4826. An act granting a pension to Sarah Agnes Earl;
- S. 4834. An act granting an increase of pension to Octave Counter;
- S. 4877. An act granting an increase of pension to Amanda O. Webber;
- S. 4917. An act granting an increase of pension to Alfred B. Chilcote;
- S. 4972. An act granting an increase of pension to Sarah E. Hull;
- S. 4986. An act granting an increase of pension to Alfred Beham;
- S. 5016. An act granting an increase of pension to Charles G. Polk;
- S. 5074. An act granting an increase of pension to James I. Mettler;
- S. 5079. An act granting an increase of pension to Andrew J. Hunter;
- S. 5121. An act granting an increase of pension to James H. Haman;
- S. 5172. An act granting an increase of pension to John M. De Puy;
- S. 5244. An act granting an increase of pension to Horace A. Gregory;
- S. 5287. An act granting an increase of pension to John M. Prentiss;
- S. 5323. An act granting an increase of pension to Newton G. Cook; and
- S. 5324. An act granting an increase of pension to Peter Sloggy;
- S. 5520. An act to amend an act entitled "An act granting to the Choctaw, Oklahoma and Gulf Railroad Company the power to sell and convey to the Chicago, Rock Island and Pacific Railway Company all the railway property, rights, franchises, and privileges of the Choctaw, Oklahoma and Gulf Railroad Company, and for other purposes," approved March 3, 1905; and
- S. R. 46. Joint resolution to fill a vacancy in the Board of Regents of the Smithsonian Institution.
- The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:
- H. R. 531. An act granting an increase of pension to Ebenezer Rickett;
- H. R. 601. An act granting an increase of pension to Israel E. Munger;
- H. R. 667. An act granting an increase of pension to George H. Gaskill;
- H. R. 1018. An act granting an increase of pension to Silas Flourney;
- H. R. 1133. An act granting a pension to Mary Lockard;
- H. R. 1138. An act granting an increase of pension to Joseph S. Rice;
- H. R. 1151. An act granting an increase of pension to Valentine Bartley;
- H. R. 1245. An act granting an increase of pension to David Rankin;
- H. R. 1340. An act granting a pension to Robert Kennish;
- H. R. 1375. An act granting an increase of pension to Silas Mosher;
- H. R. 1547. An act granting a pension to William A. Olmsted;
- H. R. 1567. An act granting an increase of pension to Edward Duffy;
- H. R. 1734. An act granting an increase of pension to William H. Lee;

- H. R. 1858. An act granting an increase of pension to James Jacobs;
- H. R. 1887. An act granting a pension to Joseph Brooks;
- H. R. 1893. An act granting an increase of pension to Henry C. Maxwell;
- H. R. 1910. An act granting an increase of pension to Andrew H. Nichols;
- H. R. 2102. An act granting an increase of pension to Eugenia Tilburn;
- H. R. 2173. An act granting an increase of pension to Thomas H. Padgett;
- H. R. 2721. An act granting an increase of pension to Ashford R. Matheny;
- H. R. 2731. An act granting an increase of pension to James M. Eddy;
- H. R. 2778. An act granting an increase of pension to Patrick Mahoney;
- H. R. 2794. An act granting an increase of pension to Richard E. Davis;
- H. R. 2796. An act granting a pension to Benjamin T. Odiorne;
- H. R. 2801. An act granting an increase of pension to Alexander M. Lowry;
- H. R. 2852. An act granting an increase of pension to James Dayton;
- H. R. 2978. An act granting a pension to Amanda M. Webb;
- H. R. 3227. An act granting an increase of pension to Isaac Tuttle;
- H. R. 3333. An act granting a pension to William Simmons;
- H. R. 3347. An act granting an increase of pension to Orestes B. Wright;
- H. R. 3419. An act granting an increase of pension to John Biddle;
- H. R. 3430. An act granting an increase of pension to Peter M. Culins;
- H. R. 3689. An act granting an increase of pension to Charles W. Lyons;
- H. R. 3738. An act granting an increase of pension to Daniel Boughman;
- H. R. 3979. An act granting an increase of pension to Paul Stang;
- H. R. 4135. An act granting a pension to Napoleon B. Great-house;
- H. R. 4230. An act granting an increase of pension to William H. Miles;
- H. R. 4242. An act granting an increase of pension to Mary A. Foster;
- H. R. 4264. An act granting a pension to Frances E. Maloon;
- H. R. 4294. An act granting an increase of pension to Annie R. E. Nesbitt;
- H. R. 4350. An act granting an increase of pension to Joseph W. Vance;
- H. R. 4594. An act granting an increase of pension to Joshua S. Ditto;
- H. R. 4595. An act granting an increase of pension to Thomas H. Tallant;
- H. R. 4669. An act granting a pension to Joseph E. Green;
- H. R. 4679. An act granting an increase of pension to Franklin D. Clark;
- H. R. 4745. An act granting an increase of pension to Henry D. Stiehl;
- H. R. 4763. An act granting an increase of pension to John C. Matheny;
- H. R. 5044. An act granting an increase of pension to Hiram G. Hoke;
- H. R. 5178. An act granting an increase of pension to Elijah Pantall;
- H. R. 5274. An act granting an increase of pension to William T. Brannon;
- H. R. 5822. An act granting an increase of pension to Minor L. Braden;
- H. R. 5842. An act to correct the military record of Charles F. Deisch;
- H. R. 5853. An act granting an increase of pension to Quincy Corwin;
- H. R. 5956. An act granting an increase of pension to Joseph H. Wagoner;
- H. R. 6111. An act granting an increase of pension to Edwin R. Steenrod;
- H. R. 6112. An act granting an increase of pension to Edmund Fish;
- H. R. 6213. An act granting an increase of pension to Hiram Linn;
- H. R. 6238. An act granting an increase of pension to Jesse Woods;
- H. R. 6256. An act granting an increase of pension to Solomon Riddell;
- H. R. 6450. An act granting an increase of pension to Nannie L. Schmitt;
- H. R. 6452. An act granting an increase of pension to William H. Doherty;
- H. R. 6578. An act granting an increase of pension to James B. McWhorter;
- H. R. 6776. An act granting an increase of pension to Stephen C. Smith;
- H. R. 6864. An act granting an increase of pension to Henry Good;
- H. R. 6919. An act granting an increase of pension to Joseph A. C. Curtis;
- H. R. 6985. An act granting a pension to Susan C. Smith;
- H. R. 7419. An act granting an increase of pension to James Scott;
- H. R. 7540. An act granting an increase of pension to William F. Griffith;
- H. R. 7687. An act granting an increase of pension to Charles Hammond, alias Hiram W. Kirkpatrick;
- H. R. 7720. An act granting an increase of pension to Stephen M. Sexton;
- H. R. 7737. An act granting a pension to William H. Winters;
- H. R. 7745. An act granting an increase of pension to Wheeler Lindenbower;
- H. R. 7821. An act granting an increase of pension to Mathias Brady;
- H. R. 7837. An act granting an increase of pension to Mary Jane McKim;
- H. R. 7902. An act granting an increase of pension to Eugene Orr, alias Charles Southard;
- H. R. 7968. An act granting an increase of pension to Palmetto Dodson;
- H. R. 8046. An act granting an increase of pension to James Thompson Brown;
- H. R. 8091. An act granting an increase of pension to John Coughlin;
- H. R. 8157. An act granting an increase of pension to Milton H. Wayne;
- H. R. 8226. An act granting an increase of pension to Laura B. Ihrie;
- H. R. 8277. An act granting an increase of pension to Samuel S. Garst;
- H. R. 8290. An act granting an increase of pension to Lloyd D. Bennett;
- H. R. 8518. An act granting an increase of pension to Samuel Meadows;
- H. R. 8650. An act granting an increase of pension to Sewell F. Graves;
- H. R. 8711. An act granting an increase of pension to James F. Howard;
- H. R. 8778. An act granting an increase of pension to George Henderson;
- H. R. 8780. An act granting an increase of pension to Abraham M. Barr;
- H. R. 8820. An act granting a pension to Inez Talkington;
- H. R. 8948. An act granting an increase of pension to John W. Hammond;
- H. R. 9034. An act granting an increase of pension to Mary F. McCauley;
- H. R. 9046. An act granting a pension to William Berry;
- H. R. 9257. An act granting an increase of pension to Nathaniel M. Stukes;
- H. R. 9261. An act granting an increase of pension to William C. Herridge;
- H. R. 9276. An act granting a pension to Mary E. O'Hare;
- H. R. 9375. An act granting an increase of pension to Charles H. McKenney;
- H. R. 9415. An act granting an increase of pension to John E. Murphy;
- H. R. 9417. An act granting an increase of pension to George A. Havel;
- H. R. 9441. An act granting a pension to Clara N. Scranton;
- H. R. 9442. An act granting a pension to Dora C. Walter;
- H. R. 9491. An act granting an increase of pension to Richard L. Davis;
- H. R. 9556. An act granting an increase of pension to Thomas C. Jackson;
- H. R. 9578. An act granting an increase of pension to Alfred B. Menard;
- H. R. 9601. An act granting an increase of pension to John B. Page;
- H. R. 9606. An act granting a pension to Martha Jewell;

- H. R. 9627. An act granting an increase of pension to Daniel Craig;
- H. R. 9791. An act granting an increase of pension to Amelia E. Grimsley;
- H. R. 9812. An act granting an increase of pension to Joseph B. Newbury;
- H. R. 9829. An act granting an increase of pension to William J. Thompson;
- H. R. 9833. An act granting an increase of pension to James C. Miller;
- H. R. 9993. An act granting a pension to George W. Warren;
- H. R. 10030. An act granting an increase of pension to Arby Frier;
- H. R. 10161. An act granting an increase of pension to Benjamin R. South;
- H. R. 10173. An act granting an increase of pension to John H. Lockhart;
- H. R. 10250. An act granting an increase of pension to Ephraim Marble;
- H. R. 10292. An act granting to the town of Mancos, Colo., the right to enter certain lands;
- H. R. 10318. An act granting an increase of pension to James H. Hollett;
- H. R. 10358. An act granting an increase of pension to Charles Dorin;
- H. R. 10456. An act granting an increase of pension to William T. Edgemon;
- H. R. 10473. An act granting an increase of pension to John B. Gerard;
- H. R. 10494. An act granting an increase of pension to Hannah C. Reese;
- H. R. 10580. An act granting an increase of pension to Samuel Fish;
- H. R. 10686. An act granting an increase of pension to George W. Adams;
- H. R. 10727. An act granting an increase of pension to Aquella M. Hizar;
- H. R. 10774. An act granting an increase of pension to James D. Leach;
- H. R. 10881. An act granting an increase of pension to Jerry Edwards;
- H. R. 10924. An act granting an increase of pension to Thomas J. Sizer;
- H. R. 11029. An act to authorize the holding of a regular term of the district and circuit courts of the United States for the western district of Virginia in the city of Big Stone Gap, Va.;
- H. R. 11303. An act granting a pension to Joseph Matthews;
- H. R. 11306. An act granting an increase of pension to John C. Parkinson;
- H. R. 11361. An act granting an increase of pension to Thomas Hughes;
- H. R. 11367. An act granting an increase of pension to Manning Abbott;
- H. R. 11374. An act granting an increase of pension to Fannie L. Conine;
- H. R. 11424. An act granting an increase of pension to Stephen W. Neal;
- H. R. 11466. An act granting an increase of pension to Benjamin F. Heald;
- H. R. 11490. An act granting the Edison Electric Company a permit to occupy certain lands for electric power plants in the San Bernardino, Sierra, and San Gabriel forest reserves, in the State of California;
- H. R. 11532. An act granting a pension to Andrew J. Speed;
- H. R. 11591. An act granting an increase of pension to John B. Hall;
- H. R. 11593. An act granting an increase of pension to Evans Blake;
- H. R. 11862. An act to enable the various missionary societies and religious organizations now occupying lands for religious purposes in the Territory of Oklahoma to purchase the same, and to receive patents in fee therefor;
- H. R. 11898. An act granting a pension to Lars F. Wadsten, alias Frederick Wadsten;
- H. R. 11918. An act granting a pension to Mary A. Weigand;
- H. R. 12010. An act granting an increase of pension to Louis Hoffmann;
- H. R. 12160. An act granting an increase of pension to Josephine D. McNary;
- H. R. 12180. An act granting an increase of pension to Charles H. Dunning;
- H. R. 12279. An act granting an increase of pension to James S. Topping;
- H. R. 12304; An act granting an increase of pension to John McDonough;
- H. R. 12331. An act granting an increase of pension to Daniel J. Miller;
- H. R. 12372. An act granting an increase of pension to J. Morgan Seabury;
- H. R. 12480. An act granting an increase of pension to James McKenna;
- H. R. 12521. An act granting an increase of pension to Alice Eddy Potter;
- H. R. 12561. An act granting a pension to Francis M. McClendon;
- H. R. 12588. An act granting an increase of pension to Joseph B. Dickinson;
- H. R. 12653. An act granting a pension to Sarah Adams;
- H. R. 12664. An act granting an increase of pension to William E. Wallace;
- H. R. 12733. An act granting an increase of pension to Charles W. Kelsey;
- H. R. 12734. An act granting an increase of pension to Abram Van Riper;
- H. R. 12792. An act granting an increase of pension to William Wiley;
- H. R. 12803. An act granting a pension to Emma C. Waldren;
- H. R. 12813. An act granting an increase of pension to Reese Moore;
- H. R. 12842. An act granting an increase of pension to William J. Drake;
- H. R. 12892. An act granting an honorable discharge to Seth Davis;
- H. R. 13024. An act granting a pension to William J. Beach;
- H. R. 13030. An act granting an increase of pension to John C. Heney;
- H. R. 13047. An act granting an increase of pension to Walter Saunders;
- H. R. 13060. An act granting an increase of pension to Henry De Graff;
- H. R. 13111. An act granting an increase of pension to Lewis S. Perkins;
- H. R. 13140. An act granting an increase of pension to Jesse W. Howe;
- H. R. 13227. An act granting an increase of pension to Robert Blanchett;
- H. R. 13228. An act granting an increase of pension to Augustus Hathaway;
- H. R. 13229. An act granting an increase of pension to Sarah E. Holland;
- H. R. 13232. An act granting an increase of pension to Penina Owens;
- H. R. 13233. An act granting an increase of pension to Jesse A. B. Thorne;
- H. R. 13236. An act granting an increase of pension to William Haines;
- H. R. 13326. An act granting an increase of pension to Augustus McDaniel;
- H. R. 13421. An act granting a pension to John W. Wabrass;
- H. R. 13465. An act granting an increase of pension to Eleanor Gregory;
- H. R. 13469. An act granting an increase of pension to Michael Davy, alias James Byron;
- H. R. 13493. An act granting an increase of pension to Elizabeth J. Meek;
- H. R. 13506. An act granting an increase of pension to Julia A. Bachus;
- H. R. 13507. An act granting an increase of pension to Thomas Crowley;
- H. R. 13535. An act granting an increase of pension to William Kelly;
- H. R. 13575. An act granting a pension to Frances Bell;
- H. R. 13577. An act granting an increase of pension to Ellen M. Van Brunt;
- H. R. 13622. An act granting a pension to Mary Cochran;
- H. R. 13679. An act granting an increase of pension to Joseph Nobinger;
- H. R. 13689. An act granting an increase of pension to William S. Newman;
- H. R. 13704. An act granting a pension to Ann Dewier;
- H. R. 13713. An act granting a pension to Allison W. Pollard;
- H. R. 13730. An act granting an increase of pension to Joseph Shroyer;
- H. R. 13787. An act granting an increase of pension to Malcolm Ray;
- H. R. 13877. An act granting an increase of pension to Juan Canasco;

- H. R. 13881. An act granting an increase of pension to Amos Dyke;
- H. R. 13882. An act granting an increase of pension to Levi L. Price;
- H. R. 13917. An act to remove the charge of desertion from the military record of Robert W. Liggett;
- H. R. 13923. An act granting an increase of pension to Martin Dayhuff;
- H. R. 14072. An act granting an increase of pension to George W. Reeder;
- H. R. 14106. An act granting an increase of pension to John S. Melton;
- H. R. 14142. An act granting an increase of pension to James A. Scrutchfield;
- H. R. 14198. An act granting an increase of pension to William T. Stewart;
- H. R. 14200. An act granting an increase of pension to John K. Dalzell;
- H. R. 14299. An act granting an increase of pension to Rose V. Mullin;
- H. R. 14328. An act granting an increase of pension to Charles M. Mears;
- H. R. 14374. An act granting an increase of pension to Benjamin B. Cahoon;
- H. R. 14470. An act granting an increase of pension to William A. Braselton;
- H. R. 14493. An act granting an increase of pension to Henry Gentils, alias Henry Hopner;
- H. R. 14504. An act granting an increase of pension to Aaron P. Seeley;
- H. R. 14539. An act granting an increase of pension to Louis C. Robinson;
- H. R. 14545. An act granting an increase of pension to Eliza L. Nixon;
- H. R. 14660. An act granting an increase of pension to Daniel M. Philbrook;
- H. R. 14728. An act granting an increase of pension to William Cartwright;
- H. R. 14736. An act granting an increase of pension to Isaac C. Smallwood;
- H. R. 14745. An act granting an increase of pension to Frederick B. Walton;
- H. R. 14827. An act granting an increase of pension to William K. Stewart;
- H. R. 14839. An act granting an increase of pension to James McManus;
- H. R. 14854. An act granting an increase of pension to Harriet Howard;
- H. R. 14861. An act granting an increase of pension to Dennis W. Ray;
- H. R. 14955. An act granting an increase of pension to Eliza Moore;
- H. R. 14980. An act granting an increase of pension to Matthew H. Bellamy;
- H. R. 14994. An act granting an increase of pension to Daniel C. Joslyn;
- H. R. 14996. An act granting an increase of pension to John F. Smith;
- H. R. 15011. An act granting an increase of pension to John Eldridge, jr.;
- H. R. 15024. An act granting an increase of pension to Henry C. Keyser;
- H. R. 15058. An act granting an increase of pension to Enoch Rector;
- H. R. 15064. An act granting an increase of pension to Jacob Wagenknecht;
- H. R. 15102. An act granting an increase of pension to William H. Ryckman;
- H. R. 15147. An act granting an increase of pension to Joseph B. Teas;
- H. R. 15149. An act granting an increase of pension to William W. Ferguson;
- H. R. 15178. An act granting an increase of pension to Matilda Morrison;
- H. R. 15180. An act granting an increase of pension to Amanda Pittman;
- H. R. 15201. An act granting an increase of pension to Edward O'Shea;
- H. R. 15229. An act granting an increase of pension to Edwin Howes;
- H. R. 15233. An act granting an increase of pension to William G. Westover;
- H. R. 15243. An act granting a pension to Artemesia T. Husbrook;
- H. R. 15272. An act granting an increase of pension to Patrick Mooney;
- H. R. 15355. An act granting an increase of pension to George M. Dalley;
- H. R. 15366. An act granting a pension to Elvia Lane;
- H. R. 15418. An act granting an increase of pension to Samuel P. Sargent;
- H. R. 15434. An act to regulate appeals in criminal prosecutions;
- H. R. 15459. An act granting an increase of pension to Drucillar A. Massey;
- H. R. 15490. An act granting a pension to Mary E. Darcy;
- H. R. 15495. An act granting an increase of pension to Job B. Sanderson;
- H. R. 15499. An act granting an increase of pension to Elias Andrews;
- H. R. 15500. An act granting an increase of pension to John W. Thomas;
- H. R. 15501. An act granting an increase of pension to Elizabeth Parks;
- H. R. 15539. An act granting an increase of pension to John McConnell;
- H. R. 15566. An act granting an increase of pension to Andrew F. Kreger;
- H. R. 15588. An act granting a pension to Hester Hyatt;
- H. R. 15592. An act granting an increase of pension to Levi H. Townsend;
- H. R. 15614. An act granting an increase of pension to Clark Cornett;
- H. R. 15632. An act granting an increase of pension to Joseph B. Sanders;
- H. R. 15641. An act granting an increase of pension to Eli Woodbury;
- H. R. 15675. An act granting an increase of pension to Harley Mowrey;
- H. R. 15682. An act granting an increase of pension to Hannah M. Hayes;
- H. R. 15761. An act granting an increase of pension to Lafayette North;
- H. R. 15762. An act granting an increase of pension to Harmon Freeman, alias Harmon Storme;
- H. R. 15768. An act granting an increase of pension to Mary J. Halbert;
- H. R. 15783. An act granting an increase of pension to George W. Sutton;
- H. R. 15807. An act granting a pension to Catherine Arnold;
- H. R. 15855. An act granting a pension to Will E. Kayser;
- H. R. 15925. An act granting an increase of pension to Abraham Walker;
- H. R. 15932. An act granting an increase of pension to Hartley B. Cox;
- H. R. 15943. An act granting an increase of pension to William D. Jones;
- H. R. 15972. An act granting an increase of pension to Thomas J. Smith;
- H. R. 15977. An act granting an increase of pension to Mary E. Ramsey;
- H. R. 15982. An act granting an increase of pension to Henrietta W. Wilson;
- H. R. 16165. An act granting an increase of pension to Morris Smith;
- H. R. 16173. An act granting a pension to Sarah Smith;
- H. R. 16174. An act granting an increase of pension to John Williamson;
- H. R. 16186. An act granting an increase of pension to William T. A. H. Boles;
- H. R. 16220. An act granting an increase of pension to George C. Powell;
- H. R. 16224. An act granting an increase of pension to Francis M. Crawford;
- H. R. 16271. An act granting an increase of pension to Edwin Elliott;
- H. R. 16279. An act granting an increase of pension to Edward E. Elliott;
- H. R. 16319. An act granting an increase of pension to Orrin D. Nichols;
- H. R. 16320. An act granting a pension to Esther M. Noah;
- H. R. 16335. An act granting an increase of pension to John A. Bryan;
- H. R. 16372. An act granting an increase of pension to Andrew Dorn;
- H. R. 16390. An act granting a pension to Katharine Partridge;
- H. R. 16400. An act granting an increase of pension to James McCracken;

- H. R. 16427. An act granting an increase of pension to William W. Carter;
- H. R. 16445. An act granting an increase of pension to Henry H. Sibley;
- H. R. 16429. An act granting an increase of pension to Caroline M. Peirce;
- H. R. 16454. An act granting an increase of pension to Samuel E. Carlton;
- H. R. 16455. An act granting an increase of pension to John Long;
- H. R. 16466. An act granting an increase of pension to Ase-nith Woodall;
- H. R. 16486. An act granting an increase of pension to Thomas Bosworth;
- H. R. 16491. An act granting an increase of pension to Lewis Denson;
- H. R. 16516. An act granting an increase of pension to James B. Fairchild;
- H. R. 16526. An act granting an increase of pension to James R. Hilliard;
- H. R. 16527. An act granting an increase of pension to Wil-liam Martin;
- H. R. 16529. An act granting an increase of pension to James M. Sykes;
- H. R. 16530. An act granting an increase of pension to Wil-liam H. Gautier;
- H. R. 16535. An act granting an increase of pension to Jona-than I. Wright;
- H. R. 16536. An act granting an increase of pension to Cyrus S. Case;
- H. R. 16540. An act granting an increase of pension to Sarah M. Evans;
- H. R. 16541. An act granting an increase of pension to Am-brose Y. Teague;
- H. R. 16547. An act granting an increase of pension to John Rutter;
- H. R. 16576. An act granting an increase of pension to Silas P. Conway;
- H. R. 16577. An act granting an increase of pension to Joseph M. Pound;
- H. R. 16583. An act granting an increase of pension to David R. Waldon;
- H. R. 16602. An act granting an increase of pension to Chris-topher C. Reeves;
- H. R. 16603. An act granting an increase of pension to Pleas-ant W. Cook;
- H. R. 16606. An act granting an increase of pension to James A. Duff;
- H. R. 16622. An act granting an increase of pension to James Webb;
- H. R. 16627. An act granting a pension to Delilah Moore;
- H. R. 16681. An act granting a pension to Gustave Bergen;
- H. R. 16717. An act granting an increase of pension to Ster-ling Hughes;
- H. R. 16724. An act granting an increase of pension to James S. Burgess;
- H. R. 16765. An act granting an increase of pension to Angus Campbell;
- H. R. 16806. An act granting an increase of pension to Henry Brenizer;
- H. R. 16828. An act granting an increase of pension to Georgia A. Hughes;
- H. R. 16881. An act granting an increase of pension to Joel R. Youngkin;
- H. R. 16884. An act granting an increase of pension to William D. Woodcock;
- H. R. 16887. An act granting an increase of pension to Darwin Johnson;
- H. R. 16902. An act granting an increase of pension to Dennis Winn;
- H. R. 16930. An act granting a pension to Virginia A. Hil-burn;
- H. R. 16931. An act granting a pension to Cornelia Mitchell;
- H. R. 16936. An act granting an increase of pension to Sher-wood F. Culberson;
- H. R. 16941. An act granting an increase of pension to Thomas H. Hogan;
- H. R. 16972. An act granting a pension to Harriet L. Morrison;
- H. R. 16985. An act granting an increase of pension to Gilson Lawrence;
- H. R. 16991. An act granting an increase of pension to Stephen Vaught;
- H. R. 16992. An act granting an increase of pension to John R. Baldwin;
- H. R. 16993. An act granting an increase of pension to Melroe Tarter;
- H. R. 16996. An act granting an increase of pension to Joseph Delisle;
- H. R. 17003. An act granting an increase of pension to Eleazer C. Harmon;
- H. R. 17004. An act granting an increase of pension to Willard F. Sessions;
- H. R. 17006. An act granting an increase of pension to Foun-tain M. Fain;
- H. R. 17012. An act granting an increase of pension to Mary Thackara;
- H. R. 17014. An act granting an increase of pension to Jack-son D. Thornton;
- H. R. 17028. An act granting an increase of pension to Lo-renzo D. Hartwell;
- H. R. 17036. An act granting an increase of pension to Jose-phine L. Jordan;
- H. R. 17055. An act granting an increase of pension to George Fankell;
- H. R. 17067. An act granting an increase of pension to Simeon Pierce;
- H. R. 17069. An act granting an increase of pension to William L. Wilcher;
- H. R. 17070. An act granting an increase of pension to Thomas Blakney;
- H. R. 17085. An act granting an increase of pension to George W. Ollis;
- H. R. 17108. An act granting a pension to Edith F. Morrison;
- H. R. 17118. An act granting an increase of pension to John Burke;
- H. R. 17120. An act granting a pension to Rhoda Munsil;
- H. R. 17143. An act granting an increase of pension to William Taylor;
- H. R. 17144. An act granting an increase of pension to Jesse Wiley;
- H. R. 17151. An act granting a pension to William T. Morgan;
- H. R. 17165. An act granting an increase of pension to Sophie Pohlers;
- H. R. 17174. An act granting an increase of pension to Na-thaniel C. Sawyer;
- H. R. 17194. An act granting an increase of pension to Jennie White;
- H. R. 17202. An act granting an increase of pension to Ben-jamin H. Cool;
- H. R. 17205. An act granting a pension to Alice Garvey;
- H. R. 17231. An act granting an increase of pension to Rachel Allen;
- H. R. 17235. An act granting an increase of pension to Martha Howard;
- H. R. 17238. An act granting an increase of pension to John G. Vassar;
- H. R. 17244. An act granting an increase of pension to James Crandol;
- H. R. 17251. An act granting an increase of pension to John J. Higgins;
- H. R. 17273. An act granting a pension to Mary B. Watson;
- H. R. 17274. An act granting an increase of pension to Andrew J. Mosier;
- H. R. 17278. An act granting an increase of pension to Mary E. Patterson;
- H. R. 17303. An act granting an increase of pension to William H. Hester;
- H. R. 17308. An act granting a pension to Margaret E. Eve-land;
- H. R. 17310. An act granting an increase of pension to Francis A. Hite;
- H. R. 17342. An act granting an increase of pension to Wesley G. Cox;
- H. R. 17344. An act granting an increase of pension to John L. Fuhrman;
- H. R. 17372. An act granting an increase of pension to Are-thusa M. Pettit;
- H. R. 17384. An act granting an increase of pension to William Warnes;
- H. R. 17385. An act granting an increase of pension to James S. Ruby;
- H. R. 17402. An act granting an increase of pension to Isaiah H. Hazlitt;
- H. R. 17406. An act granting an increase of pension to William B. McAllister;
- H. R. 17415. An act to authorize the assignees of coal-land locations to make entry under the coal-land laws applicable to Alaska;

H. R. 17422. An act granting an increase of pension to Orlando Hand;

H. R. 17430. An act granting an increase of pension to John A. Mather;

H. R. 17558. An act granting a pension to Lizzie H. Prout;

H. R. 17576. An act to provide for the entry of agricultural lands within forest reserves;

H. R. 17586. An act granting a pension to Harriet A. Morton;

H. R. 17589. An act granting an increase of pension to Sidney A. Lawrence;

H. R. 17591. An act granting an increase of pension to William Hall;

H. R. 17597. An act granting an increase of pension to Charles Lee;

H. R. 17608. An act granting an increase of pension to Sidney S. Brewerton;

H. R. 17613. An act granting an increase of pension to Susan E. Nash;

H. R. 17619. An act granting an increase of pension to Davia D. Spain;

H. R. 17638. An act granting an increase of pension to York A. Woodward;

H. R. 17644. An act granting an increase of pension to Henry C. Eastler;

H. R. 17650. An act granting an increase of pension to Hugh F. Ames;

H. R. 17671. An act granting a pension to Sarah A. Thompson;

H. R. 17683. An act granting an increase of pension to John Hoch;

H. R. 17684. An act granting an increase of pension to Joseph M. Hays;

H. R. 17690. An act granting a pension to Ellen E. Leary;

H. R. 17700. An act granting an increase of pension to Andrew T. Mitchell;

H. R. 17719. An act to prevent the copying, selling, or disposing of any rolls of citizenship of the Five Civilized Tribes of Indians, and providing punishment therefor;

H. R. 17761. An act granting an increase of pension to Thomas J. Mackey;

H. R. 17781. An act granting an increase of pension to Frank M. Parker;

H. R. 17833. An act providing for the administration of the operations of the act of Congress approved June 17, 1902, known as the "reclamation act;"

H. R. 17842. An act granting a pension to Josephine V. Sparks;

H. R. 17854. An act granting an increase of pension to John Eubanks; and

H. R. 17945. An act authorizing the Borderland Coal Company to construct a bridge across Tug Branch of Big Sandy River.

Subsequently the foregoing pension bills were severally read twice by their titles, and referred to the Committee on Pensions.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

H. R. 523. An act granting an increase of pension to Franklin G. Hawkins;

H. R. 603. An act granting an increase of pension to Thomas Blyth;

H. R. 1069. An act granting an increase of pension to Daniel Britton;

H. R. 1218. An act granting an increase of pension to Nathan Hinkle;

H. R. 1357. An act granting an increase of pension to George W. Burton;

H. R. 1667. An act granting an increase of pension to Abram H. Hicks;

H. R. 1793. An act granting an increase of pension to Playford Gregg;

H. R. 1895. An act granting a pension to H. Edward Goetz;

H. R. 1939. An act granting an increase of pension to William F. Limpus;

H. R. 1969. An act granting an increase of pension to Christian Peterson;

H. R. 2034. An act granting a pension to Cora F. Mitchell;

H. R. 2120. An act granting an increase of pension to Parmer Stewart;

H. R. 2263. An act granting an increase of pension to Edward Keating;

H. R. 2377. An act granting an increase of pension to John N. Moore;

H. R. 2468. An act granting an increase of pension to John Broad;

H. R. 2491. An act granting an increase of pension to Edwin A. Botsford;

H. R. 2757. An act granting an increase of pension to Jonathan E. Floyd;

H. R. 3223. An act granting an increase of pension to Thomas G. McLaughlin;

H. R. 3273. An act granting an increase of pension to Andrew J. Levi;

H. R. 3423. An act granting an increase of pension to Thomas Watt;

H. R. 3434. An act granting an increase of pension to George W. Darby;

H. R. 3569. An act granting a pension to Ada N. Hubbard;

H. R. 4364. An act granting an increase of pension to George W. Neece;

H. R. 4633. An act granting an increase of pension to Fannie E. Morrow;

H. R. 4671. An act granting an increase of pension to William H. Brady;

H. R. 5210. An act granting an increase of pension to Elizabeth Moore;

H. R. 5373. An act granting an increase of pension to John L. Smith;

H. R. 5403. An act granting an increase of pension to John Lines;

H. R. 5488. An act granting an increase of pension to Margaret E. Foster;

H. R. 5511. An act granting an increase of pension to Christopher Bohn;

H. R. 5555. An act granting an increase of pension to Andrew P. Allen;

H. R. 5638. An act granting an increase of pension to Alpheus Jones;

H. R. 5639. An act granting an increase of pension to Thomas C. Craig;

H. R. 5712. An act granting an increase of pension to Caroline Dehlendorf;

H. R. 5806. An act granting an increase of pension to Samuel J. Harding;

H. R. 5840. An act granting a pension to Catherine Spier;

H. R. 5850. An act granting an increase of pension to Lucas Hagar;

H. R. 5936. An act granting an increase of pension to Caroline Neilson;

H. R. 6055. An act granting an increase of pension to Angeline Watson;

H. R. 6094. An act granting a pension to Julia G. Aldrich;

H. R. 6118. An act granting an increase of pension to Bridget Reidy;

H. R. 6384. An act granting an increase of pension to William McBeth;

H. R. 6454. An act granting an increase of pension to Milo B. Morse;

H. R. 6461. An act granting an increase of pension to Daniel G. Sterling;

H. R. 6488. An act granting an increase of pension to Frank Osterberg, alias William McKay;

H. R. 6500. An act granting an increase of pension to Jesse Bucey;

H. R. 6563. An act granting an increase of pension to George Stewart;

H. R. 6576. An act granting an increase of pension to Napoleon McDowell;

H. R. 6773. An act granting an increase of pension to Weston Ferris;

H. R. 6897. An act granting an increase of pension to Abbie B. Gould;

H. R. 6937. An act granting an increase of pension to Thomas Furey;

H. R. 6969. An act granting a pension to Ellen C. Lewis;

H. R. 6982. An act for the relief of James W. Jones;

H. R. 7243. An act granting an increase of pension to Moses B. Page;

H. R. 7483. An act granting an increase of pension to Lawrence V. Whitcraft;

H. R. 7518. An act granting an increase of pension to George Richter;

H. R. 7588. An act granting a pension to Thomas F. Dowling;

H. R. 7630. An act granting an increase of pension to Henry W. Higley;

H. R. 7718. An act granting an increase of pension to Jacob D. Peterson;

- H. R. 7759. An act granting an increase of pension to John Gemmill;
- H. R. 7760. An act granting an increase of pension to William H. Brown;
- H. R. 7807. An act granting an increase of pension to John D. Atwaters;
- H. R. 7935. An act granting an increase of pension to Samuel J. Stannah;
- H. R. 8137. An act granting an increase of pension to Marion L. Holvenstat;
- H. R. 8191. An act granting a pension to John Hobart;
- H. R. 8307. An act granting a pension to William C. Estill;
- H. R. 8319. An act granting an increase of pension to John Gardner Stocks;
- H. R. 8869. An act granting an increase of pension to Nathan Coward;
- H. R. 8953. An act granting an increase of pension to Lutellus Cook;
- H. R. 9033. An act granting an increase of pension to Burgoyne Knight;
- H. R. 9039. An act granting an increase of pension to James R. Hales;
- H. R. 9190. An act granting a pension to Ida Carty;
- H. R. 9270. An act granting an increase of pension to Wiley B. Johnson;
- H. R. 9271. An act granting an increase of pension to Joseph Henry Martin;
- H. R. 9277. An act granting an increase of pension to Elizabeth A. Butler;
- H. R. 9294. An act granting an increase of pension to S. Amanda Mansfield;
- H. R. 9397. An act granting an increase of pension to Mary A. King;
- H. R. 9451. An act granting an increase of pension to Frederick M. Wood;
- H. R. 9587. An act granting an increase of pension to Samuel S. Thompson;
- H. R. 9661. An act granting a pension to Charles R. Hill;
- H. R. 9765. An act granting an increase of pension to John C. Anderson;
- H. R. 9832. An act granting an increase of pension to Alexander D. Polston;
- H. R. 9888. An act granting a pension to Abigail Townsend;
- H. R. 9910. An act granting an increase of pension to John McCoy;
- H. R. 10148. An act granting an increase of pension to John Spahr;
- H. R. 10432. An act granting an increase of pension to John E. Oyler;
- H. R. 10449. An act granting an increase of pension to George B. D. Alexander;
- H. R. 10451. An act granting an increase of pension to Robert M. White;
- H. R. 10452. An act granting an increase of pension to Richard C. Daly;
- H. R. 10523. An act granting an increase of pension to Elizabeth Gorton;
- H. R. 10747. An act granting an increase of pension to Jonathan Lengle;
- H. R. 10818. An act granting an increase of pension to George W. Creasey;
- H. R. 10819. An act granting an increase of pension to John Burns;
- H. R. 10830. An act granting an increase of pension to Dudley Portwood;
- H. R. 10831. An act granting an increase of pension to Levi C. Bishop;
- H. R. 10864. An act granting an increase of pension to John P. Kleckner;
- H. R. 10884. An act granting an increase of pension to Lorenzo D. Libby;
- H. R. 11076. An act granting a pension to Marion W. Stark;
- H. R. 11168. An act granting an increase of pension to Robert R. Mathews;
- H. R. 11206. An act granting an increase of pension to John Wilhelm;
- H. R. 11256. An act granting an increase of pension to William M. Ewing;
- H. R. 11331. An act granting an increase of pension to Thomas Rowan;
- H. R. 11332. An act granting an increase of pension to William F. Kenner;
- H. R. 11334. An act granting an increase of pension to John M. Steel;
- H. R. 11409. An act granting an increase of pension to Josiah H. Seabold;
- H. R. 11484. An act granting an increase of pension to Thomas H. Wilson;
- H. R. 11563. An act granting an increase of pension to John Henderson;
- H. R. 11597. An act granting an increase of pension to George M. Appar;
- H. R. 11622. An act granting a pension to Martha A. Remington;
- H. R. 11657. An act granting a pension to Madison M. Burnett;
- H. R. 11702. An act granting an increase of pension to Lucy A. Pender;
- H. R. 11716. An act granting an increase of pension to Warren B. Tompkins;
- H. R. 11804. An act granting an increase of pension to Patrick McDermott;
- H. R. 11856. An act granting an increase of pension to Luke McLoney;
- H. R. 11866. An act granting an increase of pension to David H. Allen;
- H. R. 11868. An act granting an increase of pension to Joseph Dougal;
- H. R. 11926. An act granting an increase of pension to John Hornbeak;
- H. R. 12049. An act granting an increase of pension to Roland Havens;
- H. R. 12122. An act granting an increase of pension to Robert G. Shuey;
- H. R. 12182. An act granting a pension to Sallie W. Mason;
- H. R. 12187. An act granting an increase of pension to Mary L. Davenport;
- H. R. 12192. An act granting an increase of pension to William Cummings;
- H. R. 12205. An act granting an increase of pension to George Holden;
- H. R. 12241. An act granting an increase of pension to Elizabeth E. Barber;
- H. R. 12498. An act granting an increase of pension to Charles F. Rannels;
- H. R. 12509. An act granting an increase of pension to Benjamin Botner;
- H. R. 12532. An act granting an increase of pension to Zachariah George;
- H. R. 12533. An act granting an increase of pension to Zadick Carter;
- H. R. 12651. An act granting a pension to Louis Grossman;
- H. R. 12884. An act granting an increase of pension to Lucinda Gain;
- H. R. 12992. An act granting an increase of pension to Henry G. Klink;
- H. R. 13019. An act granting an increase of pension to George Whitman;
- H. R. 13079. An act granting an increase of pension to James H. Griffin;
- H. R. 13110. An act granting an increase of pension to James M. Moomaw;
- H. R. 13153. An act granting an increase of pension to George Budden;
- H. R. 13170. An act granting an increase of pension to John R. Mabee;
- H. R. 13255. An act granting an increase of pension to William J. Hays;
- H. R. 13336. An act granting an increase of pension to Samuel Horn;
- H. R. 13526. An act granting a pension to Levi N. Lunsford;
- H. R. 13537. An act granting an increase of pension to Elizabeth B. Busbee;
- H. R. 13573. An act granting an increase of pension to Francis M. Ballew;
- H. R. 13723. An act granting an increase of pension to John Underwood;
- H. R. 13803. An act granting an increase of pension to Henry H. Forman;
- H. R. 13822. An act granting an increase of pension to Augustus D. King;
- H. R. 13866. An act granting an increase of pension to Isaac Place;
- H. R. 14131. An act granting an increase of pension to Francis M. Simpson;
- H. R. 14143. An act granting an increase of pension to Zacur P. Pott;
- H. R. 14235. An act granting an increase of pension to John Williams;

H. R. 14241. An act granting an increase of pension to Lydia M. Edwards;
 H. R. 14337. An act granting an increase of pension to Gabriel X. Palmer;
 H. R. 14375. An act granting an increase of pension to Edmond R. Haywood;
 H. R. 14437. An act granting an increase of pension to Marquis M. De Burger;
 H. R. 14454. An act granting an increase of pension to William A. Blossom;
 H. R. 14472. An act granting a pension to Thomas Cheek;
 H. R. 14489. An act granting an increase of pension to Peter C. Kreiger;
 H. R. 14532. An act granting an increase of pension to Augusta N. Manson;
 H. R. 14547. An act granting an increase of pension to Thomas Chapman;
 H. R. 14559. An act granting an increase of pension to Henry West;
 H. R. 14560. An act granting an increase of pension to Elizabeth Weston;
 H. R. 14718. An act granting an increase of pension to Joseph A. Jones;
 H. R. 14823. An act granting an increase of pension to William Woods;
 H. R. 14824. An act granting an increase of pension to Samuel P. Newman;
 H. R. 14855. An act granting an increase of pension to Henry C. Carr;
 H. R. 14874. An act granting an increase of pension to William C. Hearne;
 H. R. 14875. An act granting an increase of pension to Mary A. Witt;
 H. R. 14909. An act granting an increase of pension to John W. Creager;
 H. R. 14918. An act granting an increase of pension to Franklin Simpson;
 H. R. 14920. An act granting an increase of pension to Winfield S. Bruce;
 H. R. 14951. An act granting an increase of pension to James Nunah;
 H. R. 15028. An act granting an increase of pension to Anthony Emes;
 H. R. 15029. An act granting an increase of pension to Sabine Yancuran;
 H. R. 15059. An act granting an increase of pension to Alfred W. Morley;
 H. R. 15110. An act granting an increase of pension to John Green;
 H. R. 15192. An act granting an increase of pension to John J. Merideth;
 H. R. 15198. An act granting an increase of pension to Elizabeth J. Martin;
 H. R. 15200. An act granting an increase of pension to Charles Klein;
 H. R. 15251. An act granting an increase of pension to Alexander M. Taylor;
 H. R. 15252. An act granting an increase of pension to Samuel Allbright;
 H. R. 15253. An act granting an increase of pension to Balos C. Dewees;
 H. R. 15304. An act granting an increase of pension to Irwin O'Bryan;
 H. R. 15306. An act granting an increase of pension to Asa Wall;
 H. R. 15347. An act granting an increase of pension to John M. Love;
 H. R. 15382. An act granting an increase of pension to Mary C. Moore;
 H. R. 15385. An act granting an increase of pension to William Lucas;
 H. R. 15392. An act granting an increase of pension to John W. Wise;
 H. R. 15393. An act granting an increase of pension to Nancy N. Allen;
 H. R. 15414. An act granting an increase of pension to John L. Blinn;
 H. R. 15491. An act granting an increase of pension to James Buckley;
 H. R. 15536. An act granting an increase of pension to Henry H. Tillson;
 H. R. 15552. An act granting an increase of pension to George H. Hayter;
 H. R. 15553. An act granting an increase of pension to Susan H. Isom;

H. R. 15622. An act granting an increase of pension to Argyle Z. Buck;
 H. R. 15893. An act granting an increase of pension to Volney P. Ludlow;
 H. R. 15940. An act granting an increase of pension to James M. Carley;
 H. R. 15974. An act granting an increase of pension to Martin C. King;
 H. R. 16014. An act to amend an act entitled "An act to create the southern district of Iowa for judicial purposes, and to fix the time and place for holding court therein," approved June 1, 1900, and all acts amendatory thereof; and
 H. R. 16519. An act granting an increase of pension to Irwin G. Dudley.

PETITIONS AND MEMORIALS.

Mr. PLATT presented a petition of the Cayuga County Historical Society, of Auburn, N. Y., praying that an appropriation be made for the preservation of the frigate *Constitution*; which was referred to the Committee on Naval Affairs.

He also presented the petition of L. C. Williams, of Utica, N. Y., praying for the removal of the internal-revenue tax on denatured alcohol; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of New York City, N. Y., praying for the enactment of legislation providing for the relief of landless Indians in northern and southern California; which was referred to the Committee on Indian Affairs.

Mr. CULLOM presented petitions of the Columbia Club, of Batavia; the Woman's Club of Henry; the Council of Jewish Women, of Chicago, and the Woman's Club of La Grange, all of the General Federation of Women's Clubs, in the State of Illinois, and of the Women's National Trade Union League of Chicago, Ill., praying for an investigation into the industrial condition of the women of the country; which were referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of Elgin, Ill., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

Mr. HOPKINS presented a petition of sundry citizens of Chicago, Ill., praying for an investigation into the existing conditions in the Kongo Free State; which was referred to the Committee on Foreign Relations.

Mr. PILES presented a petition of the Chamber of Commerce of Spokane, Wash., praying that an appropriation be made for the improvement of the Columbia River, in that State; which was referred to the Committee on Commerce.

Mr. HEMENWAY presented a petition of the Woman's Club, of Kentland, Ind., praying that an investigation be made into the industrial condition of women in the United States; which was referred to the Committee on Education and Labor.

He also presented a memorial of Local Division No. 81, Amalgamated Association of Street Railway Employees of America, remonstrating against the repeal of the present Chinese-exclusion law; which was referred to the Committee on Immigration.

Mr. BEVERIDGE presented petitions of the Farmers Woman's Christian Temperance Union of Wabash, and of sundry citizens of Decatur and Winamac, all in the State of Indiana, praying for the removal of the internal-revenue tax on denatured alcohol; which were referred to the Committee on Finance.

He also presented a petition of the Fortnightly Club, of Vincennes, Ind., and a petition of the Clio Club, of Spencer, Ind., praying for an investigation into the industrial condition of the women of the country; which were referred to the Committee on Education and Labor.

He also presented a memorial of Local Division No. 317, Amalgamated Association of Street and Electric Railway Employees, of South Bend, Ind., and a memorial of Local Division No. 355, Amalgamated Association of Street and Electric Railway Employees, of Eaton, Ind., remonstrating against the repeal of the present Chinese-exclusion law; which were referred to the Committee on Irrigation.

He also presented a petition of Lorain Council, No. 10, Daughters of Liberty, of Logansport, Ind., praying for the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

He also presented a memorial of the Local Council of Women, of Indianapolis, Ind., remonstrating against the restoration of the Army canteen; which was referred to the Committee on Military Affairs.

He also presented a petition of the National Council of Women of the United States, praying for the establishment of a children's bureau in the Department of the Interior; which was referred to the Committee on Education and Labor.

He also presented a petition of Post M, Travelers' Protec-

tive Association of America, of Crawfordsville, Ind., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Claims, to whom was referred the bill (S. 3739) for the relief of A. A. Noon, reported it without amendment, and submitted a report thereon, which, together with the accompanying map, was ordered to be printed.

Mr. FRAZIER, from the Committee on Claims, to whom was referred the bill (S. 4323) for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased, reported it without amendment, and submitted a report thereon.

Mr. LONG, from the Committee on the Census, to whom was referred the bill (H. R. 12064) to amend section 7 of an act entitled "An act to provide for a permanent Census Office," approved March 6, 1902, reported it with amendments, and submitted a report thereon.

Mr. DRYDEN, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 5581) to provide for the purchase of a site and the erection of a public building at Passaic, N. J., reported it with an amendment, and submitted a report thereon.

Mr. CLAY, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 4716) appropriating \$15,000 for acquiring additional ground and necessary improvements for the same for the Federal building at Butte, Mont., reported it with an amendment to the title, and submitted a report thereon.

Mr. SCOTT, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 5530) authorizing the procuring of additional land for the enlargement of the site for the public building at Kalamazoo, Mich., reported it without amendment, and submitted a report thereon.

ADDITION TO POST-OFFICE BUILDING AT WASHINGTON.

Mr. SCOTT. I am directed by the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 6297) providing for the erection of an addition to the post-office building at Washington, D. C., to report it favorably with an amendment. I ask unanimous consent for the present consideration of the bill.

The Secretary read the bill; and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment was, in line 8, after the word "including," to strike out "lift" and insert "elevator;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be constructed, for the purpose of providing additional accommodations for the post-office, an extension to the United States custom-house, in the city of Washington, D. C., at a cost not to exceed \$8,000, including elevator, and all necessary changes in, alterations of, and repairs to the present building, and of the heating and plumbing systems, which may be incident to the construction of such addition.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

HEARINGS BEFORE COMMITTEE ON PUBLIC LANDS.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by Mr. HANSBROUGH, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Public Lands be, and is hereby, authorized to employ a stenographer from time to time as may be necessary to report such hearings and proceedings as may be had before such committee or its subcommittees in connection with matters pending before it, and to have the same printed for its use, and that such stenographer be paid out of the contingent fund of the Senate.

DEPARTMENTAL INFORMATION AFFECTING MARKETS.

Mr. CLARK of Wyoming submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10129) to amend section 5501 of the Revised Statutes of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 6, 9, and 10.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 7, 8, 11, and 12, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: On page 2, line 14, after the word "thereof," insert "and every Member of Congress;" and the Senate agree to the same.

C. D. CLARK,
KNUTE NELSON,
C. A. CULBERSON,

Managers on the part of the Senate.

JOHN J. JENKINS,
C. E. LITTLEFIELD,
H. D. CLAYTON,

Managers on the part of the House.

The report was agreed to.

BILLS INTRODUCED.

Mr. ALLEE introduced a bill (S. 5751) to fix the status of the Fifth and Sixth Regiments of Delaware Volunteers; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURROWS introduced a bill (S. 5752) granting an increase of pension to Ruth M. Hoag; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 5753) granting an increase of pension to Isaac H. Lawrence; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SMOOT introduced a bill (S. 5754) granting a pension to Hannah McCarty; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FRAZIER introduced a bill (S. 5755) for the relief of Nathaniel F. Cheairs; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 5756) granting an increase of pension to Charles A. Bell; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 5757) granting an increase of pension to Thomas J. Swain; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HEMENWAY introduced a bill (S. 5758) granting an increase of pension to Joshua J. Clark; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5759) for the relief of John Smith; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PLATT introduced a bill (S. 5760) for the relief of Priscilla J. Shipman, administratrix of the estate of John J. Shipman, deceased, for work done and materials furnished to the District of Columbia; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCREARY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5761) granting an increase of pension to Sallie B. Welch; and

A bill (S. 5762) granting an increase of pension to Dewitt C. Winburn (with accompanying papers).

Mr. BEVERIDGE introduced a bill (S. 5763) to correct the military record of William J. Alexander; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. KNOX introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5764) granting an increase of pension to Henry Eash; and

A bill (S. 5765) granting an increase of pension to Theodore F. Montgomery.

AMENDMENTS TO RAILROAD RATE BILL.

Mr. WARREN. I submit an amendment intended to be proposed by me to the pending rate bill. The amendment is short, and I ask that it may be read.

The amendment was read, and ordered to be printed, and to lie on the table, as follows:

Amendment intended to be proposed by Mr. WARREN to the bill (H. R. 12987) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission, viz: Add to section 3 of said act the following:

Provided, however, That in time of war or threatened war preference and precedence shall, upon the representation of the President of

the United States of the need thereof, be given, over all other traffic, to the transportation of troops and material of war, and carriers shall adopt every means within their control to facilitate and expedite the military traffic.

Mr. PLATT submitted an amendment intended to be proposed by him to the bill (H. R. 12987) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission; which was ordered to lie on the table, and be printed.

AMENDMENT TO LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. BURROWS submitted an amendment proposing to increase the salaries of two assistants in the Senate document room to \$1,600 and \$1,800, respectively, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

MILITIA ORGANIZATIONS IN CIVIL WAR.

Mr. WARREN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be, and is hereby, directed to furnish to the Senate a list, arranged by States, showing which of the military organizations accepted into the service of the United States during the civil war were so accepted as militia organizations.

ADDITIONAL JUDGE FOR SOUTHERN DISTRICT OF NEW YORK.

Mr. PLATT. I ask unanimous consent for the consideration of the bill (S. 5533) to appoint an additional judge for the southern district of New York.

The VICE-PRESIDENT. The bill will be read for the information of the Senate.

The Secretary read the bill.

Mr. CULLOM. Has the bill been before the committee?

Mr. PLATT. Yes; it was reported by the Senator from Pennsylvania [Mr. KNOX] from the Committee on the Judiciary.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

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

Mr. HALE. Mr. President, I suggest that if we are to remain in session we go to the Calendar.

Mr. ALLISON. Mr. President—

The VICE-PRESIDENT. Will the Senator from Iowa kindly wait until the Senate is in order?

Mr. TILLMAN. Mr. President—

The VICE-PRESIDENT. The Senator from Iowa has been recognized. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. ALLISON. I yield to the Senator.

REGULATION OF RAILROAD RATES.

Mr. TILLMAN. Mr. President, in dealing with the question which is under consideration in the Senate as the unfinished business, the railroad rate bill, the experience of Senators has demonstrated the fact that sometimes it is necessary to have conferences. Notwithstanding efforts to get at an agreement on matters which are of very grave moment, there is great difference of opinion. I think probably the business would be expedited and we could reach some satisfactory conclusion if the bill were laid aside for the balance of the day and the Senate should now adjourn.

Mr. CLAY. Will the Senator let me present some morning business?

Mr. TILLMAN. Certainly.

[The routine business presented by Mr. CLAY appears under its appropriate heading.]

Mr. TILLMAN. I was requested by the junior Senator from Wisconsin [Mr. LA FOLLETTE] to give notice that to-morrow, immediately after the conclusion of the routine morning business, he will ask permission to address the Senate on the rate bill. I now move that the Senate adjourn.

The VICE-PRESIDENT. Will the Senator withhold his motion for a moment?

Mr. TILLMAN. Certainly.

The VICE-PRESIDENT. The Chair lays before the Senate bills from the House of Representatives for reference.

HOUSE BILLS REFERRED.

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

H. R. 11029. An act to authorize the holding of a regular term of the district and circuit courts of the United States for the western district of Virginia in the city of Big Stone Gap, Va.; and

H. R. 15434. An act to regulate appeals in criminal prosecutions.

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

H. R. 10292. An act granting to the town of Manco, Colo., the right to enter certain lands;

H. R. 17415. An act to authorize the assignees of coal-land locations to make entry under the coal-land laws applicable to Alaska; and

H. R. 17576. An act to provide for the entry of agricultural lands within forest reserves.

H. R. 11490. An act granting the Edison Electric Company a permit to occupy certain lands for electric power plants in the San Bernardino, Sierra, and San Gabriel forest reserves, in the State of California, was read twice by its title, and referred to the Committee on Forest Reservations and the Protection of Game.

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

H. R. 11362. An act to enable the various missionary societies and religious organizations now occupying lands for religious purposes in the Territory of Oklahoma to purchase the same, and to receive patents in fee therefor; and

H. R. 17719. An act to prevent the copying, selling, or disposing of rights of citizenship of the Five Civilized Tribes of Indians, and providing punishment therefor.

H. R. 17833. An act providing for the administration of the operations of the act of Congress approved June 17, 1902, known as the "reclamation act," was read twice by its title, and referred to the Committee on Irrigation.

H. R. 17945. An act authorizing the Borderland Coal Company to construct a bridge across Tug Branch of Big Sandy River, was read twice by its title, and referred to the Committee on Commerce.

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

H. R. 5842. An act to correct the military record of Charles F. Deisch;

H. R. 12892. An act granting an honorable discharge to Seth Davis; and

H. R. 13917. An act to remove the charge of desertion from the military record of Robert W. Liggett.

COURTS AT MIAMI, FLA.

Mr. KNOX. From the Committee on the Judiciary I report back favorably without amendment the bill (S. 5489) to provide for sittings of the circuit and district courts of the southern district of Florida in the city of Miami, in said district, and I ask unanimous consent for its present consideration.

The Secretary read the bill; and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

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

Mr. HALE. I call for the regular order.

The VICE-PRESIDENT. A motion to adjourn is pending. The Senator from South Carolina moves that the Senate do now adjourn.

The motion was agreed to; and (at 12 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 19, 1906, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 18, 1906.

The House met at 12 o'clock m.

Prayer by Rev. JOHN VAN SCHAICK, Jr., of the Church of Our Father, Washington, D. C., as follows:

Almighty and most merciful God, our Heavenly Father, trusting in Thy loving kindness and tender mercy, we come into Thy presence and bring Thee our devout offerings. In their day our fathers walked by Thy guidance and trusted in Thy compassion. Still to their children, we pray Thee, be Thou the pillar of cloud by day and the pillar of fire by night, and let Thy blessing rest upon these, Thy servants, gathered for their work.

Especially we invoke Thy blessing upon Thy servant, the Chaplain, in an hour of great and sudden sorrow, and we pray Thee, O God, that Thou wilt send Thy spirit of sympathy and of love and of comfort to that section of our country visited by sudden calamity and affliction. To everyone that is bowed down by anxiety we pray that Thou wilt give the spirit of assurance and trust, and grant that they, and we, and all may understand that the Eternal God is our refuge, and that underneath are the

everlasting arms. For Thine is the kingdom, and the power, and the glory, for ever and ever. Amen.

The Journal of the proceedings of yesterday was read.

The SPEAKER. The Chair desires to state to the House, pending the approval of the Journal, that on Monday's session, which was extended into the calendar day of Tuesday, the Chair held that 191 Members constituted a quorum of the House. Mr. Williamson, of Oregon, and Mr. Patterson, of Tennessee, Members-elect, under the certificates of the governors of their respective States, have not qualified, and the Chair held that they should not be counted to make a quorum. The Chair, in the preparation of the Journal, instructed the Journal clerk to leave their names from the roll that is called. Members understand that, under the statute, from necessity, until organization and qualification under oath, the House organizes itself from the Clerk's roll, but from Jefferson's Manual, as well as sound parliamentary precedents, in the judgment of the Chair, the name of the Member-elect, after the organization and until he has taken the oath, should not be upon the roll from which the yeas and nays are called. Therefore the Chair directed the correction of the roll as it appears in the Journal; and hereafter, in case this Journal shall be approved with the correction just described by the Chair, in calling the roll the names of Messrs. Patterson and Williamson will not be called until they shall have taken the oath, respectively.

Is there objection to the approval of the Journal?

Mr. GAINES of Tennessee. Mr. Speaker, I would like to make a parliamentary inquiry. Does the Speaker rule that a Member-elect is not a Member of the House until he is sworn in as a Member of the House?

The SPEAKER. There is in the organization of the House what is known as the "Clerk's roll," and upon that roll the House organizes itself. No doubt it would have the power to organize itself even in the absence of statutory provision, but the whole proceeding is controlled by statutory provision. Now, the House being organized, the yeas and nays are called by virtue of the Constitution. The Chair holds that, the House being organized, the roll should contain the names only of those who have taken the oath.

Mr. GAINES of Tennessee. If the Chair will pardon me again, is a Member-elect, though not sworn in as a Member of the House, entitled to his mileage and to his salary?

The SPEAKER. A Member-elect draws his mileage and salary by virtue of statutory provision.

Mr. OLMSTED. Mr. Speaker, a further parliamentary inquiry. I understand that in arriving at the number 191 as constituting a quorum the Chair also omits and does not, of course, treat as part of the House two Members who were sworn in, but who have since died.

The SPEAKER. That is correct. Also one who has resigned.

Is there objection to the approval of the Journal? [After a pause.] The Chair hears none.

PENSION APPROPRIATION BILLS.

Mr. GARDNER of Michigan. Mr. Speaker, I call up the conference report on the bill (H. R. 13103) making appropriations for the payment of invalid and other pensions, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Michigan calls up the conference report on the pension appropriation bill and asks unanimous consent that the statement be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The report is as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13103) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1907, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2, and agree to the same.

That the Senate recede from its amendment numbered 3.

WASHINGTON GARDNER,
W. P. BROWNLOW,
JOHN A. SULLIVAN,

Conferees on the part of the House.

P. J. McCUMBER,
N. B. SCOTT,

Conferees on the part of the Senate.

The Clerk read the statement.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H. R. 13103) making appropriations for the payment of invalid and other pensions for the fiscal year 1907 submit the following written statement in explanation of the effect of the action agreed upon and submitted in the accompanying conference report as to each of the Senate amendments, namely:

On amendments numbered 1 and 2: Makes the provision with reference to age as a permanent disability read as proposed by the Senate and as follows: "That the age of sixty-two years and over shall be considered a permanent, specific disability, within the meaning of the pension laws."

On amendment numbered 3: Strikes out the following provision, proposed by the Senate, namely: "And provided further, That hereafter in the adjudication of pension claims under the general law the soldier shall not be required to prove the continuance of the alleged disability or disabilities from the date of his discharge from the service to the time application is made for pension or increase of pension, it being sufficient for him to show that the disability was incurred in the service and line of duty, and that it exists at the time of medical examination."

WASHINGTON GARDNER,
W. P. BROWNLOW,
JOHN A. SULLIVAN,

Managers on the part of the House.

Mr. GARDNER of Michigan. Mr. Speaker, I move the adoption of the report.

Mr. WILLIAMS. Mr. Speaker, I did not quite catch this. What will be the effect of this?

Mr. GARDNER of Michigan. It is the conference report on the bill making appropriations for pensions for the ensuing year.

Mr. WILLIAMS. What is the gentleman moving to do—to concur with the Senate amendments?

Mr. GARDNER of Michigan. The amendments simply specify the minimum age limit at 62 years, so that there shall not be any difference in the ruling of future Pension Commissioners on the subject of age.

Mr. WILLIAMS. Do I understand that the gentleman is seeking to have adopted now by law the Executive order of the President?

Mr. GARDNER of Michigan. Substantially.

Mr. WILLIAMS. Does the law as the gentleman makes it now differ from that Executive order?

Mr. GARDNER of Michigan. Only in this: It not only makes age a specific disability, in harmony with the Executive order, but it fixes 62 years as the minimum age. Otherwise it stands as named by the President in Order No. 78.

Mr. WILLIAMS. What age did the President fix—62?

Mr. GARDNER of Michigan. That was in the order, but this fixes it so that there shall be no difference in the rulings of future Pension Commissioners.

Mr. WILLIAMS. Then I understand that we are finally going to put upon the statute books substantially that Executive order?

Mr. GARDNER of Michigan. In substance that.

Mr. WILLIAMS. Then, Mr. Speaker, I want to congratulate the gentleman and the Republican party upon having finally seen the advisability, if not the necessity, of legislating in accordance with the Executive order, although for quite a while we have been proceeding upon the theory that the Executive order without law was sufficient.

Mr. KEIFER. You mean the Executive order of President Cleveland.

Mr. WILLIAMS. I mean the Executive order, whoever issued it, and which was lately put into operation in a new form by our present reform President.

Mr. GARDNER of Michigan. As a matter of fact, Mr. Speaker, at least three Presidents have ruled in spirit the same as President Roosevelt. This fixes the latest ruling in the statute as the law.

Mr. CRUMPACKER. Allow me to ask a question. Is it not true that this bill makes age a specific disability? It provides that age shall be the basis of pensions absolutely, and the Executive order referred to by the gentleman from Mississippi only made age prima facie evidence of disability. This legislation and the Executive order do not belong to the same class at all. The Executive order simply provided a rule of proof, a rule of evidence, and this bill fixes a rule of liability on the part of the Government for pensions. Under this bill 62 years of age gives an ex-soldier a pensionable status. Under the Executive order, in the absence of other proof, 62 years of age is only presumptive evidence of disability, but it may

be overcome by countervailing evidence. That order was only fixed as a rule of evidence. This makes it a matter of law. So it is not legislating the Executive order into law at all. It is making a new basis for fixing pensions, the age basis. Now pensions are granted only for disability, and under the Executive order a certain age is prima facie evidence of disability. This bill will give a pension on account of age, without regard to disabilities.

Mr. WILLIAMS. Mr. Speaker, I understood at first we had merely put upon the statute book substantially the Executive order. I now understand from the gentleman from Indiana that whereas the Executive order pronounced that a man was to be presumed to have reached this stage of decrepitude at 62, that presumption could be overcome by proof aliunde—

Mr. KEIFER. Under the order.

Mr. WILLIAMS (continuing). But under this, as proposed to be passed, he is to be taken conclusively to have reached that stage of decrepitude, whether as a matter of fact he had or not or whether you could prove he had or not. If that is the case, it seems to me this is a rather unwise law to put upon the statute book. I would like to ask the gentleman this question upon this subject: How did that subject-matter get to the conferees? What difference between the two Houses was there that led them to settle the difference by putting this legislation upon the report?

Mr. GARDNER of Michigan. The bill as passed in the House declared that age shall be considered a permanent specific disability within the meaning of the pension law. There was a question as to whether there was not some ambiguity in that and that our Pension Commissioners might rule differently from the present one; hence the Senate inserted these words: "The age of 62 years and over shall be considered a permanent specific disability." It was understood by the House, as well as the committee, exactly what is carried in the Senate amendment. It is simply to prevent the possibility of ambiguity in the future construction of the law that the amendment is offered by the Senate and agreed to by the conferees of the House.

Mr. WILLIAMS. But the gentleman admits that in accordance with the statement of the gentleman from Indiana this does make the age, formerly a presumptive proof—

Mr. KEIFER. Under the order.

Mr. WILLIAMS (continuing). To a certain pensionable status now a conclusive proof not to be disputed at all.

Mr. GARDNER of Michigan. It does just exactly what the House did for the Mexican war soldiers years ago, that when a Mexican war soldier should reach the age of 62 years he should be put upon the pension rolls at \$8 a month, regardless of his physical or his financial condition—simply age, and that age was 62 years.

Mr. WILLIAMS. I understood it was 75; but let that go.

Mr. GARDNER of Michigan. No; at \$8.

Mr. WILLIAMS. I did not know myself. Now, I desire to ask the gentleman for information how much this bill, if it passes, entitles a soldier to receive simply because he is 62 years of age?

Mr. GARDNER of Michigan. When a soldier is 62 years of age he is entitled because of that age to \$6 a month on his application, without examination; when he is 65, to \$8 a month; when he is 68, to \$10 a month; when he is 70, to a maximum of \$12 a month.

Mr. WILLIAMS. It makes no increase in the rate?

Mr. GARDNER of Michigan. Not a bit.

Mr. KEIFER. It follows Order 78.

Mr. GAINES of Tennessee. What is the difference in this amendment, in substance, to the amendment offered, I think, by the gentleman from Tennessee [Mr. MOON] last Congress, whereby he undertook to make, in substance, the order the law of the land? What is the difference in the two?

Mr. GARDNER of Michigan. I do not recall the amendment offered by the gentleman from Tennessee to which reference is made.

Mr. GAINES of Tennessee. The gentleman will remember that we made an effort over here to make it the law that such and such thing should be done, instead of leaving it to the discretion of the President or anybody else.

Mr. GARDNER of Michigan. It may be so, but I do not recall it. Mr. Speaker, I ask for a vote.

The conference report was agreed to.

On motion of Mr. GARDNER of Michigan, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

ANDREW D. WHITE.

Mr. McCLEARY of Minnesota. Mr. Speaker, by direction of the Committee on the Library, I report Senate joint resolution

No. 46, to fill a vacancy in the Board of Regents of the Smithsonian Institution, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution of the class other than members of Congress shall be filled by the reappointment of Andrew D. White, a citizen of New York, whose term expires June 2, 1906.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to consider the joint resolution at this time. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the joint resolution.

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

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

SUBPORT OF SPOKANE.

Mr. JONES of Washington. Mr. Speaker, I desire to call up a privileged bill (H. R. 17757) extending to the subport of Spokane, in the State of Washington, the privileges of the seventh section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement.

The SPEAKER. The gentleman from Washington calls up a privileged bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the privileges of the seventh section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement, be, and the same is hereby, extended to the subport of Spokane, in the State of Washington.

Also the following committee amendment:

Strike out the word "is," in line 6, and insert in lieu thereof the word "are."

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

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

On motion of Mr. JONES of Washington, a motion to reconsider the vote by which the bill was passed was laid on the table.

JAMESTOWN EXPOSITION.

Mr. GARDNER of Massachusetts. Mr. Speaker, I ask unanimous consent that the minority of the Committee on Industrial Arts and Expositions may have one week in which to submit their views on the bill H. R. 12610—namely, the Jamestown Exposition bill.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent for one week in which to submit the views of the minority on bill H. R. 12610—the Jamestown Exposition bill. Is there objection?

There was no objection.

BRIDGE ACROSS THE CUMBERLAND RIVER.

The SPEAKER laid before the House the bill (H. R. 14591) to authorize the construction of a bridge across the Cumberland River in or near the city of Clarksville, State of Tennessee, with Senate amendment.

The Senate amendment was read.

Mr. GAINES of Tennessee. Mr. Speaker, I move the concurrence of the House in the Senate amendment.

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

TWO BRIDGES ACROSS THE CUMBERLAND RIVER.

The SPEAKER laid before the House the bill (H. R. 14592) to authorize the construction of two bridges across the Cumberland River at or near Nashville, Tenn., with Senate amendment. The Senate amendment was read.

Mr. GAINES of Tennessee. Mr. Speaker, I move the concurrence of the House in the Senate amendment.

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

CHOCTAW, OKLAHOMA AND GULF RAILROAD COMPANY.

The SPEAKER. The Chair lays before the House the following Senate bill, a similar House bill being on the House Calendar.

The Clerk read as follows:

A bill (S. 5520) to amend an act entitled "An act granting to the Choctaw, Oklahoma and Gulf Railroad Company the power to sell and convey to the Chicago, Rock Island and Pacific Railway Company all the railway property, rights, franchises, and privileges of the Choctaw, Oklahoma and Gulf Railroad Company, and for other purposes," approved March 3, 1905.

Be it enacted, etc., That the second proviso in section 1 of an act entitled "An act granting to the Choctaw, Oklahoma and Gulf Railroad

Company the power to sell and convey to the Chicago, Rock Island and Pacific Railway Company all the railway property, rights, franchises, and privileges of the Choctaw, Oklahoma and Gulf Railroad Company, and for other purposes," approved March 3, 1905, be, and the same is hereby, amended by inserting between the words "selling company" and the words "and all suits" the words "except its mortgage bonds," and that said proviso as amended shall read: "Provided, That said purchasing company shall, by said purchase, be and become liable and assume the payment of all existing liabilities of said selling company, except its mortgage bonds, and all suits now pending against said Choctaw, Oklahoma and Gulf Railroad Company shall proceed to final judgment the same as if said sale had not been made."

Mr. CURTIS. Mr. Speaker, I ask for immediate consideration of the Senate bill.

Mr. SULZER. Reserving the right to object, I would like to—

The SPEAKER. It is not subject to objection.

Mr. SULZER. Very well; then I would like to have some explanation in regard to the bill.

Mr. CURTIS. I will yield to the gentleman for a question.

Mr. SULZER. I desire to know what this bill does.

Mr. CURTIS. The bill amends the second proviso of section 1 of a bill which became a law in 1905. That bill as it was amended in the Senate made the purchasing company assume the mortgage of the selling company. This mortgage is fully secured by the railway property, franchises, etc. This bill makes the purchasing company take the property subject to the mortgage, and makes it assume the payment of all other liabilities.

Mr. SULZER. Does this bill relieve the railroad company of any liability?

Mr. CURTIS. It does not relieve the railroad company; it simply leaves the mortgage bonds as they now are, secured by a first mortgage on all the railway property, rights, franchises, and privileges, and the company in making the purchase takes that property subject to the mortgage.

Mr. SULZER. On the explanation just made I shall not object.

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

On motion of Mr. CURTIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. CURTIS. Mr. Speaker, I move that the House bill on the same subject lie on the table.

The motion was agreed to.

RELINQUISHMENT OF CERTAIN LANDS TO THE STATE OF MONTANA.

Mr. DIXON of Montana. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 17135.

The Clerk read as follows:

A bill (H. R. 17135) providing that the State of Montana be permitted to relinquish to the United States certain lands heretofore selected and select other lands from the public domain in lieu thereof.

With Senate amendments, which were read.

Mr. PAYNE. Reserving the right to object, I will ask the gentleman if this amendment is not in substance a bill now pending before the House?

Mr. DIXON of Montana. I will say to the gentleman that the House passed a bill making this provision applicable to the lands selected by the State of Montana. The Senate amendment extends it to a specific part of the area of the reservoir site. It passed the Senate unanimously, was considered in the Committee on Public Lands informally this morning, because it was on the Speaker's table, and by the unanimous direction of the House Committee on Public Lands I was authorized to call it up in order to expedite its consideration and ask for concurrence in the Senate amendment.

Mr. PAYNE. Is this not a bill which should go to the Committee on Arid Lands?

Mr. DIXON of Montana. This bill allows the construction of a reservoir site on the public lands, including some lands which had heretofore been entered. The gentleman from Iowa [Mr. LACEY] is chairman of the Committee on Public Lands, which has had this bill under consideration.

Mr. LACEY. This irrigation scheme does not come under the terms of the reclamation act; it is under what is known as the "Carey Act."

Mr. DIXON of Montana. I ask unanimous consent that the Senate amendments be concurred in.

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

The Senate amendments were concurred in.

BONDS AND OATHS OF SHIPPING COMMISSIONERS.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 4339.

The Clerk read as follows:

A bill (S. 4339) to amend section 4502 of the Revised Statutes of the United States, relating to bonds and oaths of shipping commissioners.

Be it enacted, etc., That section 4502 of the Revised Statutes of the United States be, and the same is hereby, amended so as to read as follows:

"Sec. 4502. Every shipping commissioner so appointed shall give bond to the United States, conditioned for the faithful performance of the duties of his office, for a sum, in the discretion of the Secretary of Commerce and Labor, of not less than \$5,000, in such form and with such security as the Secretary of Commerce and Labor shall direct and approve; and shall take and subscribe the oath prescribed by section 1757 of the Revised Statutes before entering upon the duties of his office: Provided, That nothing in this section shall be construed to affect in any respect the liability of principal or sureties on any bond heretofore given by any shipping commissioner."

The SPEAKER. Is there objection?

Mr. SULZER. Reserving the right to object, I would like to ask the gentleman from Ohio what is the effect of this bill?

Mr. GROSVENOR. Under the original statute these commissioners were appointed by the circuit courts, and the circuit courts approved their bonds. Later the appointment was transferred to the Secretary of the Treasury, and yet the circuit courts approved the bonds. Now, by statute the appointment is made under the Department of Commerce and Labor, and the provision is simply that the Department of Commerce and Labor shall approve the bonds.

Mr. SULZER. Is that the only difference?

Mr. GROSVENOR. That is the only difference.

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

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

On motion of Mr. GROSVENOR, a motion to reconsider the vote by which the bill was passed was laid on the table.

ISSUANCE OF ENROLLMENTS AND LICENSES OF VESSELS OF THE UNITED STATES.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 16133) to simplify the issue of enrollments and licenses of vessels of the United States.

The Clerk read the bill, as follows:

Be it enacted, etc., That under the direction of the Secretary of Commerce and Labor the Commissioner of Navigation is hereby authorized and directed from time to time to consolidate into one document in the case of any vessel of the United States of 20 net register tons or over the form of enrollment prescribed by section 4319 of the Revised Statutes and the form of license prescribed by section 4321 of the Revised Statutes, and such consolidated form shall hereafter be issued to a vessel of the United States in lieu of the separate enrollment and license, now prescribed by law, and shall be deemed sufficient compliance with the requirements of laws relating to the subject.

SEC. 2. That section 4325 of the Revised Statutes is hereby amended to read:

"Sec. 4325. The license granted to any vessel shall be presented for renewal by indorsement to the collector of customs of the district in which the vessel then may be within three days after the expiration of the time for which it was granted, or, if she be absent at that time, within three days from her first arrival within a district. In case of change of build, ownership, district, trade, or arrival under temporary papers in the district where she belongs the license shall be surrendered. If the master shall fail to deliver the license he shall be liable to a penalty of \$10, which shall not be mitigated."

SEC. 3. That this act shall not be construed to amend any law now in force concerning the compensation of officers of the customs for service connected with the enrollment and license of vessels.

SEC. 4. That this act shall take effect on and after January 1, 1907.

The SPEAKER. Is there objection?

Mr. SULZER. Mr. Speaker, I wish to know if the bill has been unanimously reported from the committee?

Mr. GROSVENOR. It is a unanimous report from the Committee on Merchant Marine and Fisheries. The object of the bill is to simplify the documenting of ships. At present it is required that they shall have three papers—a register, an inspection certificate, and an enrollment. This paper is recommended for the purpose of simplifying and lessening the expense of the proceeding.

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

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

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

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10129) to amend section 5501 of the Revised Statutes of the United States.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 4952) making an appropriation for the improvement of the mouth of the Columbia River.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 1691. An act granting an increase of pension to Alice S. Shepard—to the Committee on Invalid Pensions.

S. 1692. An act granting a pension to Ellen H. Swayne—to the Committee on Invalid Pensions.

S. 1013. An act granting an increase of pension to William H. Odear—to the Committee on Invalid Pensions.

S. 556. An act granting an increase of pension to William H. Egolf—to the Committee on Invalid Pensions.

S. 3405. An act authorizing the payment to the Superintendent of the Government Hospital for the Insane of pay due to persons in the Navy or Marine Corps under treatment at that institution—to the Committee on Naval Affairs.

S. 1728. An act granting an increase of pension to Joseph H. Allen—to the Committee on Invalid Pensions.

S. 3415. An act granting an increase of pension to William Triplett—to the Committee on Invalid Pensions.

S. 3549. An act granting an increase of pension to Martha H. Ten Eyck—to the Committee on Invalid Pensions.

S. 5337. An act granting an increase of pension to Samuel M. Tow—to the Committee on Invalid Pensions.

S. 5340. An act granting an increase of pension to Laura Hentig—to the Committee on Pensions.

S. 5366. An act granting an increase of pension to John Beatty—to the Committee on Invalid Pensions.

S. 5515. An act granting an increase of pension to Matilda C. Frizelle—to the Committee on Pensions.

PRACTICE OF PHARMACY IN THE DISTRICT OF COLUMBIA.

The SPEAKER laid before the House the bill (H. R. 8997) to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes, with sundry Senate amendments.

Mr. CAMPBELL of Kansas. Mr. Speaker, I move that the House disagree to the Senate amendments and ask for a conference.

The SPEAKER. It seems to the Chair that the Senate amendments ought to be read. The Clerk will report the amendments.

The Clerk read the Senate amendments.

Mr. CAMPBELL of Kansas. Now, Mr. Speaker, I renew my motion that the House disagree to the Senate amendments and ask for a conference.

The motion was agreed to.

The SPEAKER announced as conferees on the part of the House Mr. CAMPBELL of Kansas, Mr. TAYLOR of Ohio, and Mr. MEYER.

IRRIGATION ACT IN THE STATE OF TEXAS.

Mr. SMITH of Texas. Mr. Speaker, I ask that House bill 14184 be laid before the House as unfinished business.

The SPEAKER. The gentleman from Texas asks that the bill, of which the Clerk will read the title, be laid before the House as unfinished business.

The Clerk read as follows:

The bill (H. R. 14184) to extend the irrigation act to the State of Texas.

Mr. SMITH of Texas. Mr. Speaker, I yield ten minutes to my colleague, Mr. STEPHENS.

Mr. STEPHENS of Texas. Mr. Speaker, in 1902 Congress passed what was known as the "reclamation act," an act to provide for the irrigation of public lands of the United States. It was the unanimous desire of the people of the western part of the United States to be benefited by the irrigation of public lands that this bill should become a law. The State of Texas, was not included in the bill and will receive none of the benefits to be derived from the act, and the purpose of this bill it to extend the act to our State. There is west of the one-hundredth meridian in the State of Texas about two-fifths of the State, an area of good irrigable land greater in magnitude than any other State or Territory in the United States contains. It was thought at the time the bill was passed that if Texas were included in the act that it would possibly prevent the passage of the bill, and the Members of this House from Texas voted unanimously for the bill, leaving out their own State, because we did not desire to jeopardize the passage of the bill at that time. I introduced a bill in last Congress and also in this Congress to extend the irrigation laws over Texas.

It is a fact well established and well known that in the State of Texas we have quite a lot of territory that can produce cotton and rice, and these staple crops can not be produced in any other territory in the United States that is subject to the irrigation laws, and for that reason the passage of this bill will add greatly to the material wealth of this country, and thus it will benefit the entire people of the United States, and for that reason we should extend the act to that State.

Mr. Speaker, the platform of both political parties, before the irrigation law passed, recommended the passage of the act, and thereby declared in favor of the irrigation of the arid lands of the United States. Our State is in that same arid belt, and Texas extends farther west than either Oklahoma or Kansas and as far west as the eastern half of New Mexico. We have as arid land there as you will find anywhere in the United States. I speak of that portion of the State west of the Pecos River. All this part of Texas in the southern part of the arid belt of the United States, and can, as I have stated, produce cotton and rice by irrigation, while the rest of the land that can be irrigated can produce neither of these crops. Therefore we will not come in competition with the persons raising ordinary crops on other portions of the land irrigated under the act of 1902.

The objection urged against this bill by the gentleman from New York [Mr. PAYNE] and the gentleman from Iowa [Mr. LACEY], is that Texas reserved her public domain when she went into the Union as a State, and that she has no public lands to sell in order to help increase this fund.

Mr. CRUMPACKER. Will the gentleman yield for a question?

Mr. STEPHENS of Texas. Yes.

Mr. CRUMPACKER. I can understand the theory of the general irrigation law, because the Federal Government uses the fund for reclaiming the land and making it valuable, but what authority has the United States Government to undertake the reclamation of land that is worthless because of its arid condition or worthless because it is partially overflowed, land that belongs to the State or a private individual? What authority has the Federal Government to go into the business? Why shouldn't it come over into Indiana and reclaim the swamp lands the title of which is in private individuals?

Mr. STEPHENS of Texas. Mr. Speaker, I can better answer the gentleman by quoting the gentleman who is at the head of the Reclamation Service of the United States. I will also answer by that statement the gentleman from New York [Mr. PAYNE]. I read from a letter from Charles D. Walcott, Director of the United States Geological Survey, who is at the head of the Reclamation Service, written last year to the irrigation congress assembled on the 21st day of August in the city of Portland. I read as follows:

Among the principles thus far developed that may aid in shaping the policy of the future, four may be mentioned here.

a. The money resulting from the disposal of public lands belongs to the nation and not to the community.

Mr. Speaker, if this is true then Congress has the right to use these funds for the purpose of redeeming the arid (only) lands in any part of the United States.

That is a sufficient answer to the gentleman from Iowa [Mr. LACEY], and also to the gentleman from New York [Mr. PAYNE] and to the gentleman from Indiana [Mr. CRUMPACKER].

Mr. CRUMPACKER. While the money resulting from these lands belongs to the nation, it must be used for national purposes. The gentleman is asking now to take Federal money and use it for local purposes in his own State of Texas.

Mr. STEPHENS of Texas. We are not asking that; but we are asking that it be used on all of the arid land found in Texas, as well as elsewhere. Already millions of dollars have been expended under the irrigation law of 1902, and there is now between twenty-eight and thirty millions of dollars available for the building of these dams and ditches in the West. The irrigation of these arid lands by the Government is an accomplished fact, and it is too late now to question the wisdom of that law. We only ask that it be extended to our State.

Mr. HOGG. Mr. Speaker, I would like to ask the gentleman a question.

The SPEAKER. Does the gentleman yield?

Mr. STEPHENS of Texas. Yes.

Mr. HOGG. From what source will your water be derived?

Mr. STEPHENS of Texas. Mr. Speaker, I am very glad the gentleman has asked that question. All of the water that will be used by Texas under this bill comes from New Mexico and Colorado, the Rocky Mountain watershed. The Pecos River and the Canadian River, I will say to the gentleman, do not touch the State of Colorado, but rise in New Mexico. The Rio Grande rises in Colorado, in the gentleman's State, but the water derived from that river will not benefit Texas by this bill.

in any respect. The Fifty-eighth Congress passed a bill providing for the irrigation of the arid lands on the Rio Grande River, both in New Mexico and Texas, and no other project can be put on foot on the Rio Grande River in Texas.

Mr. HOGG. Mr. Speaker, I understand the gentleman to state he expects to take the water from the Rio Grande.

Mr. STEPHENS of Texas. Not at all. I will state to the gentleman that this can not affect the Rio Grande further than has already been effected by the bill I have just mentioned, which was passed by the last Congress.

Mr. HOGG. Does it take water from any of its tributaries?

Mr. STEPHENS of Texas. It will not, except the Pecos River, and that does not rise in the gentleman's State, and if it does take it from the Pecos River, Colorado will not be in any way affected by that fact.

Mr. HOGG. It is not a question of where it rises. The point I am making is this: Will the gentleman not meet the same trouble with the Interior Department that we in Colorado have in attempting to construct reservoirs in the San Luis Valley? The Department has held that up and will not permit these reservoirs to be constructed, because of some treaty rights that might be invaded as between old Mexico and the United States.

Mr. STEPHENS of Texas. I think the Department is wrong in that, unless Colorado is seeking to use more than her share of the water in the Rio Grande River. This act, if passed, can not affect the State of Colorado in any way.

Mr. HOGG. What I am asking is whether the gentleman has interrogated the Department?

The SPEAKER. The time of the gentleman has expired.

Mr. SMITH of Texas. Mr. Speaker, I yield two minutes more to the gentleman from Texas.

Mr. STEPHENS of Texas. Mr. Speaker, in the time allotted to me it would be impossible to go at length into this matter. I would simply state that the President of the United States in his recent message has recommended the passage of this bill, that the irrigation congress, of which I happened to be a member, at its twelfth and thirteenth annual meetings has recommended the passage of this bill, and there were as members of that congress men from the State of Iowa, men from the State of New York, and it was the unanimous vote of that congress that this bill should pass and that the reclamation act should be extended to the State of Texas. These reclamation funds are refunded. They can be used for only ten years, and it only amounts to a loan of the amount of money in each one of these projects for ten years and then the people who use the funds have to return them to the General Government. They get them without interest and that is the only benefit there is. It is loaned to them for ten years without interest. The Reclamation Service requires mortgages and contracts to be placed upon every foot of the land under these ditches, so that within ten years the full amount of the money will be refunded to the Government. Texas proposes to bring herself within the terms of that law, and I would state that we changed our constitution two years ago so as to get the benefit of this act. The constitution of the State of Texas did not permit a homestead to be mortgaged, until two years ago, for any purpose. We changed the law so that it can be now mortgaged and this money can be refunded. The husband and wife can join in the mortgage for the purpose of getting money to place their land under these projects and there is no reason, when the irrigation congress recommends it, when the President of the United States recommends it, when the Irrigation Committee of this House recommends it, and when everybody—persons who have investigated it—recommends it, why it should not become a law.

Mr. LACEY. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. LACEY. I desire to be recognized against the bill.

The SPEAKER. Does the gentleman from Texas yield the floor?

Mr. SMITH of Texas. For the present. I reserve the balance of my time.

Mr. LACEY. Mr. Speaker, I regret to have to oppose a proposition that the gentleman from Texas seems to have so much at heart, but I think if the House will consider the proposition, the manifest injustice of the proposed bill will be sufficiently obvious to insure its defeat. Texas is the only State that came into the Union without in any way participating in the public domain to begin with. She came in as a republic, not as a Territory. She came in clothed with the ownership of all of the public buildings, of the various docks, and also of all of the public land within her borders at the time of her acquisition as a part of the territory of the United States.

Mr. SMITH of Texas. Will the gentleman submit to a question?

Mr. LACEY. Certainly.

Mr. SMITH of Texas. Do I understand the gentleman to say Texas came into the Union without any right to participate in the benefits of the public domain?

Mr. LACEY. I say Texas came into the Union without taking part in the public-land scheme in this, that she absolutely reserved to the ownership of the State every foot of public land in the State, every acre of it, and therefore I say that practically excluded her from the benefit of the land laws, because all the land in the State of Texas was held by the State and not subject to national control, and therefore she did not participate in the public-land grants until finally when the agricultural college bill was passed she was then granted 180,000 acres of the public domain outside of the State of Texas, and now receives \$25,000 annually from the public lands sales under the agricultural-college act.

Mr. SMITH of Texas. I will ask the gentleman if Texas was not permitted to retain her public domain to pay her public debt, which was enormous at that time?

Mr. LACEY. Yes; and the Government afterwards paid her debt for her or furnished the money to do so. The gentleman is anticipating me. I think the gentleman himself, if he listens to my remarks through in patience, will agree with me that there is absolutely no merit whatever in this bill.

Mr. STEPHENS of Texas. Did not Texas become a part of the United States by virtue of annexation, and if she did become part of the United States why do you limit her right?

Mr. LACEY. Because she limited the right of the United States. For instance, we will take the State of Missouri, and I commend to the attention of my friend from Missouri [Mr. CLARK] this fact.

Mr. FIELD. Mr. Speaker—

Mr. LACEY. I will have to take some time myself, before I yield, to define my proposition. When the State of Missouri was admitted, one section out of every thirty-six was given to the State of Missouri. When Texas came in thirty-six sections out of thirty-six were retained in the State of Texas. That is the difference.

Mr. CLARK of Missouri. Let me ask the gentleman a question—of course it is not my fight.

Mr. LACEY. I think it ought to be the gentleman's fight.

Mr. CLARK of Missouri. Well, I am on the other side. [Applause.]

Mr. LACEY. I hope not.

Mr. CLARK of Missouri. Did not Texas give to the United States Government enough land north of the present Texas line to make a State or two?

Mr. LACEY. Oh, yes; Texas sold at 25 $\frac{1}{4}$ cents an acre more than 60,000,000 acres of land, much of it for more than it is worth to-day, and sold it to the United States Government, and the United States paid Texas \$16,000,000, principal and interest; \$10,000,000 of principal and \$6,000,000 of interest.

Mr. HENRY of Texas. Will the gentleman permit me to make a suggestion here? I know he wants to be accurate in his statement.

Mr. LACEY. I intend to be accurate in my statement.

Mr. HENRY of Texas. I know you do. You say Texas reserved her land herself. Is it not a fact in the adjustment of affairs between the Republic of Texas and the United States that the Congress of the United States itself by a joint resolution reserved to Texas all of her public domain?

Mr. LACEY. Oh, certainly.

Mr. HENRY of Texas. That is set out in section 7 in the joint resolution in regard to annexing Texas.

Mr. LACEY. Oh, yes. There was no impropriety in Texas keeping all her land, none whatever. She owned this land and came to us as a full-fledged republic. I believe to-day that Texas is the greatest State south of Mason and Dixon's line. I used to say, if I had the choice between taking all of the Southern Confederacy and Texas, I would regard Texas as the more valuable piece of property of the two. It is a great State, a wonderful State, and a State we all admire. I like the State and I like her people.

Down in Mexico, there is a saying among the people there, that they could whip the United States if it were not for Texas. They regard Texas as invincible, and as worth more money than all the balance of the United States put together. So that there is no need of charity when you come to Texas. Whatever she gets under this proposition she ought to get as a matter of right. I admire her; I respect her; I do not propose to say or do anything that is unjust to her, but I want to get at the facts. If this House knows the facts and then thinks Texas is entitled to have this privilege, all right; if it wants to make an exception to the rule that governs in Wyoming, Colo-

rado, and California, it is for the House to say it, and I will have done my duty when I shall have explained and called attention to the situation. Mr. Speaker, I see several gentlemen rising and I shall decline to yield for the next ten minutes.

Mr. GILBERT of Kentucky. Mr. Speaker, I want to ask the gentleman one question for information. Conceding all that you claim, that Texas came into the Union—

Mr. LACEY. The gentleman does not know what I have claimed, and I shall have to decline to yield.

Mr. GILBERT of Kentucky. When Texas came into the Union she retained all her own public domain, and then came into the Union on an equality with the other States.

Mr. LACEY. She did not come in on an equality; she came in on an inequality. She added nothing to the public domain. She kept all she had.

Mr. GILBERT of Kentucky. Let me finish my question. Was there any reservation which prevented the State of Texas from participating in the general public domain that belonged to all of the States generally?

Mr. LACEY. Only thus far, Mr. Speaker, that when the other States came into the Union, they came in with all the public domain in those States belonging to the United States. But Texas, when she was admitted, reserved all the land to the State of Texas. Therefore she did not come in on an equality, but with an inequality, and the inequality was greatly in her favor. She kept thirty-six thirty-sixths of all her lands, and the others east of the Missouri only got one thirty-sixth. The States west of the Missouri River got two thirty-sixths. Texas came into the Union with an express agreement on her part, accepted and ratified by the Congress of the United States, that she should retain all this public land. She had, however, a flexible, indefinite, and undefined boundary, and that uncertain boundary was one of the causes of the war with Mexico. She realized the importance of having an elastic boundary; a sort of elasticity that reached out into New Mexico, into Kansas and into Colorado. That dispute was settled in 1850 by Congress paying her in bonds and in money that amounted, when the interest was paid on it, to \$16,000,000. With that money she could pay off her debts, and I understand did so. The Government paid all her debts and left Texas the land, and she has I think about 3,000,000 acres of land yet. We have appropriated all of the proceeds of the public land and the other lands to irrigation in sixteen other States and Territories, and Texas now asks to share with the other States under the reclamation act.

Mr. STEPHENS of Texas. The gentleman wants to be fair; let me make a suggestion to him.

Mr. LACEY. The gentleman can do so in his own time.

Mr. STEPHENS of Texas. We gave 20,000,000 acres to the Southern Pacific Railroad in order to build its line.

Mr. LACEY. You gave land to build the Southern Pacific Railroad. The State of Texas gave the right of way across the land to the Southern Railroad. Texas had the right to give land to build a railroad through the State of Texas, and she gave lands to build the capitol, and she also sold her lands for cash. Texas is in as good financial condition to-day as any State in the Union. The State is absolutely now in a position to neither ask nor accept charity.

Mr. BURLESON. And it will not do it.

Mr. LACEY. And it will not do it. It can not afford to press this bill. I certainly think that the sixteen gentlemen representing that State here ought to stand up and vote against this proposition to take money away from Colorado, California, and Arizona and spend it in the State of Texas. I will tell you how far I am willing to go as far as Texas is concerned. We passed, a year ago last February, a bill for an irrigation scheme on the Rio Grande. Why? Because the Rio Grande was an international river, because it was an interstate river, and we passed a bill providing that if the irrigation authorities found that the money could be made safe for subsequent return upon the scheme they were authorized to include the Rio Grande proposition in Texas in the irrigation scheme. There is one other proposition, the Pecos River, which makes its rise in the Territory of New Mexico and runs into Texas, which could not be satisfactorily handled without having both regions considered.

Mr. STEPHENS of Texas. The Canadian River also.

Mr. LACEY. I will not yield to the gentleman and can not yield for at least ten minutes. Now, then, there is the Pecos. It will be perfectly proper under the same principle laid down in the Rio Grande scheme to give Texas the benefit of a joint arrangement with the Territory of New Mexico or the new State of Arizona, whichever it may be, to have an irrigation district there of an interstate character. I should favor such a bill, because I want to be fair to Texas; but when we passed

this bill a year ago we let the camel's head in the tent, and now Texas is humping herself and trying to get her whole body in. She proposes to do it without adding one dollar to the irrigation fund. She proposes to come in under the irrigation law of 1902, which provides that 51 per cent of all the money received for lands in each of the sixteen States and Territories named shall be expended in those States and Territories, and the other 49 per cent might be expended by any other State or Territory, and it provides also that within ten years there shall be such a readjustment as will get back from the State or Territory in which this money is expended the 49 per cent less the proceeds of whatever public lands go into the work from that State or Territory. Now, Texas would be entitled to 49 per cent, and she has to pay that back in ten years out of the sale of the public domain in her territory, but there is none to sell. It is all State land. Now, if that is not a charity it resembles it so much as to make my Texas friends just a little inclined to blush.

In 1850 there was passed what was known as the "Arkansas swamp land act." It provided that all the swamp lands of the United States should be conveyed to the various public-land States; and I invite again to the attention of my friend from Missouri [Mr. CLARK] that under the Arkansas act all the swamp lands in Missouri were conveyed to Missouri, and all the swamp lands in Iowa were conveyed to Iowa, for the purpose of reclamation, and the States assumed the burden of reclamation. From time to time through many years the States having arid lands have asked some sort of relief.

We passed a bill known as the "Carey Act," which gave every arid State the right to select a million acres of desert land, or not to exceed a million, for an irrigation district within its borders. Some of the States have made this selection. Propositions have been made from time to time to convey all of the arid lands to the States—the same as we did the swamp lands—but knowing the ill success of the swamp-land grant and knowing the result did not meet the expectations of anybody and that the land when conveyed to the State was not reclaimed, but passed out of national ownership into the control of the State, where it was sold, much of it for a song, this plan for conveying these arid lands to the State has not met with much favor. The national irrigation plan was then considered. Sixteen States and Territories got together and presented a bill to Congress by which the proceeds of the sales of all the public lands in all of those sixteen States and Territories should go into a reclamation fund. Texas was not included in the sixteen. Why? Because she did not have any land to put into the proposition. There is no land within her borders belonging to the United States. She has millions of acres of public land which she was keeping, and these gentlemen propose still to keep it. They would spurn any proposition now for an amendment to this bill to have Texas, in order to get the benefits of this law, cede to the United States her remaining public lands. They would not make such cession.

Mr. HENRY of Texas. Will the gentleman let me make a suggestion there?

Mr. LACEY. Certainly.

Mr. HENRY of Texas. While Mr. Newell and these gentlemen from the West were conferring about the matter, I desire to say I met with them at frequent intervals and cooperated with them in order to bring about this national enterprise, as I consider it.

Mr. LACEY. My friend was looking further ahead than than anybody was expecting him to do. He pleads guilty now. When the bill was passed to the effect that 51 per cent should be used in the States where it was raised and the other 49 used elsewhere—but which must be paid back in ten years—he had his weather eye out for 49 per cent for Texas, even that long ago.

Mr. HENRY of Texas. If the gentleman will permit me?

Mr. LACEY. Now, I give my friend credit for his astuteness.

Mr. HENRY of Texas. I was only anticipating the homesteaders that would come into Texas from Iowa, and trying to take care of them.

Mr. LACEY. Iowa has sent to Texas a great many good men, and we may send her more of them. Texas is a good State. You are not needing this help. You have 3,000,000 acres of land to-day.

When the constitution of 1876 was adopted in the State of Texas she had a public domain equal in area to the entire State of Colorado. Every foot of it belonged to the State, and she has made good use of it in the main. I think it would have been better for her if she had thrown it all open under the homestead law absolutely instead of selling any of it. But the growth of the State of Texas is perhaps an adequate answer to that. She has grown in spite of the fact that she did not have the benefits

of the general public-land laws. I believe if Texas had not retained her land at the time of her admission, instead of having to-day a population of only three or four million people she would now have 10,000,000 souls. She will ultimately have 10,000,000 population, and maybe 20,000,000, in spite of the mistake of retaining her public domain, because it will finally pass into the hands of settlers. Nothing can permanently hurt a country that has a good soil, and Texas has a good soil.

So that, Mr. Speaker, this proposition now is to reverse the policy of the reclamation law. It is a proposition not to consider the States in which the public land to be reclaimed is located as having the right to the fund, but to put it elsewhere.

Let me say to the gentlemen of the arid States who are in favor of reclamation that this bill has invited a proposition to drain the Dismal Swamp, to take the proceeds of this land that Texas is asking and put them in North Carolina instead. It has invited a proposition to drain the private farms of Red River of the North. It has invited a proposition for the draining of Minnesota, notwithstanding the fact that all the wet land in Minnesota was long ago given to the State to drain it, under a contract that the State would drain it.

Mr. McCLEARY of Minnesota. Does not that apply simply to the lands of the United States in Minnesota?

Mr. LACEY. Yes; but the lands of the United States in Minnesota these gentlemen claim belong in part to Texas. My friend is losing sight of what we are discussing here just now. Texas says she wants equality, namely, an equality in what we have left, but at the same time preserving an inequality by keeping all that is within her own borders.

Mr. GILBERT of Kentucky. May I ask the gentleman a question now?

Mr. LACEY. Yes.

Mr. GILBERT of Kentucky. I want some information on the proposition you started out with, that the public lands of the United States belong to some of the States, and that the other States have no interest in them.

Mr. LACEY. I did not start out with that proposition.

Mr. GILBERT of Kentucky. Because Texas came in as a republic and retained her own private domain, your argument is that Texas does not participate in the enjoyment of the benefits of the public lands of the United States.

Mr. LACEY. Texas has made herself an exception under the act by which she came in. She was made a voluntary exception. She has eaten her pie, and she wants still to have it in the other public lands.

Mr. GILBERT of Kentucky. The gentleman from Iowa—

Mr. LACEY. Let me say in regard to the gentlemen from Kentucky and Virginia—

Mr. GILBERT of Kentucky. Kentucky does not need to be irrigated.

Mr. LACEY. They do a good deal of irrigating in Kentucky. [Laughter.]

Mr. SULZER. That is a personal matter.

Mr. GILBERT of Kentucky. The gentleman from Iowa makes a difference that I am not able to see. Texas, as a republic, retained her own private domain. The United States made no cession.

Mr. LACEY. Oh, it was not a private domain. We bought the land and paid Mexico \$20,000,000 for it.

Mr. GILBERT of Kentucky. But that was a contract and there was a quid pro quo.

Mr. LACEY. Then we paid Texas \$16,000,000 more for what we bought of her. That was added to the national public domain.

Mr. GILBERT of Kentucky. That was the private property of the State of Texas. Now, suppose the State of Kentucky does not have any State capital, and suppose that the State of Iowa has a capital worth \$10,000,000. How does that affect the right of the State of Iowa or the right of the State of Kentucky to participate in the proceeds of the public lands or the irrigation of the public lands?

Mr. LACEY. My friend invites me into a discussion that would be a delightful one to me, and which would interest the gentleman from Kentucky, namely, the origin of the public domain. Let me say to the gentleman that the public domain was not the child of the Constitution, but the father of it. When Maryland held back and refused to come into the Union, she withheld her consent until the various other States that had a public domain put it into the common property.

Maryland had no public land.

The public domain was once a more vital subject of interest than at present.

But there are 800,000,000 acres of public lands remaining, and the subject is still one of great importance.

The first essential to the prosperity of any country is that

there should be a good title to the soil. I wish to recall to your minds a few of the complex circumstances out of which the present perfect title of the great Northwest has grown. There were many real-estate puzzles, growing out of the vague geography and the wild prodigality with which the royal British family dealt with these provinces, which they neither understood nor in fact held. They distributed it with a vague and reckless profusion, placing overlapping grants, which necessitated almost endless trouble for other people long after the grantor and grantees had gone to that land where there are no land-title problems.

James I in 1606 made the first grant to Virginia, which ran from the Atlantic west and northwest to the Pacific Ocean. No one knew the distance, but there was no doubt that the great ocean was somewhere in that direction. Then came the Massachusetts grant of 1620, also running from sea to sea. On April 23, 1662, Charles II, who had not long before been a fugitive in France, granted to the Connecticut Company a charter and land grant "in New England, in America, bounded on the east by the Narragansett River, commonly called 'Narragansett Bay;' on the north by the Massachusetts Plantation; on the south by the sea, and in longitude as the line of the Massachusetts colony running from east to west—that is to say, from the Narragansett Bay on the east to the South Sea on the west, including all islands thereunto adjoining." This of course was a good grant, as far as Charles held title, but the claims of the Most Christian King of France intervened in the far West, the settlements and rights of the Dutch on the Hudson cut the grant in two in part, whilst the overlying grant made in 1681 to William Penn by Charles II afterwards also cut Connecticut in two on the south, and in 1664 the British King gave to his "dearest brother, James, the Duke of York, his heirs and assigns," the territory which is now principally occupied by the State of New York. James had already acquired the previous grant made in 1635 to the Earl of Sterling. The French did not discover the Mississippi until May 17, 1763, so that the grant of Connecticut by nearly a year antedates the French claims to Louisiana. The French in the north were trappers, the Spanish in the south were gold seekers, but the English were settlers.

It is always interesting to discuss what might have been, but it is almost unthinkable to consider the northern part of Ohio, Indiana, and Illinois as constituting a part of the State of Connecticut in the light of subsequent history. But there was a complex variety of things which brought about the present configuration of the great State of Illinois and the transfer of the land on which Chicago stands to the National Government by the State of Connecticut. New York had a shadowy claim in the days of the Revolution to parts of Ohio and Virginia. Maryland refused to enter the Confederation of the Revolution on the ground that the northwest country should be ceded to the united colonies as a whole, but she still joined hands with her sisters in doing her best to make the struggle for liberty a successful one. It was not, however, till 1781 that she finally became an actual part of the Confederation. It was fortunate that there were so many conflicting charters and claims in the Northwest, thus adding to the reasons for nationalizing the public lands.

New York's claims were very shadowy, and rested upon very slight foundations, but her unconditional conveyance of these claims to the National Government paved the way for the action of other States. Virginia had fortified her paper title by the successful expedition of Gen. George Rogers Clark.

The peace of 1783 involved France and Spain as well as England. But Jay, Franklin, and Adams so managed it as to save the great Northwest, including the unknown wealth of Lake Superior in iron and copper.

It was a keen negotiation, but the decision opened up the great possibilities of the Northwest, to be followed by the Louisiana purchase in 1803.

The treaties of 1763 and 1783 made the Mississippi our western boundary and marked the western limits of Connecticut.

A special Federal court met at Trenton, N. J., by authority of Congress, and tried the issue between Pennsylvania and Connecticut. It located the west line of Pennsylvania where it now is, but left Connecticut to claim the ancient boundaries as far west as the Mississippi River.

Massachusetts asserted her claims to much of the land now occupied by Michigan and Wisconsin. Massachusetts conveyed her title April 19, 1785; Virginia, March 1, 1784. New York made her cession March 1, 1781. Georgia made a pretty close bargain with the Government for the transfer of her western claims to the Mississippi, but Connecticut granted her lands, with all of the possibilities of Chicago in the future, on September 14, 1786. She reserved, however, 3,250,000 acres in

northern Ohio, "the Connecticut Western Reserve," of which she afterwards sold the soil, and subsequently ceded the sovereignty to the National Government. This last was done in order that a perfected title might be given to the Connecticut Company, to which she had granted the western reserve.

But the future Chicago's troubles were not yet at an end. Wisconsin wanted the north fourteen counties of Illinois, and these counties, including Cook, seemed quite willing to leave Illinois. Wisconsin unwillingly gave up a few hundred square miles in Ohio, including the present Toledo, and took instead the northern peninsula, with the richest iron and copper mines on the planet.

The questions were viewed in the most practical way by our ancestors. "Better an acre in Middlesex than a principality in Utopia."

It is wonderfully interesting to look over the chain of title which opened up the great Northwest in the form in which it now appears upon the map of the States. The ordinance of 1785, simplifying surveys and providing the present method by sections, townships, and ranges, was one of the most important steps toward the settlement and growth of that region.

The Connecticut Western Reserve surveyed its townships in squares of 5 miles instead of 6, but the system was the same. In Europe land was entailed and progress halted a thousand years. In swift-moving America land is as transferable as a horse or a bale of goods. The man who has it is not required to keep it, and, with rapid and easy transfers, lasting improvements have speedily been erected. There is no bar to human progress like a refractory land title.

Perfect titles, simple surveys, easy transfers, secure and recorded, prohibition of entailment—these are elements that seem to us so commonplace that it is difficult to realize how important they have been to our national growth.

When the first currents that set from Massachusetts, Connecticut, and Virginia were lost in the great ocean of national unity, then came the public domain. Wise laws opened the way to utilize the rich soil and healthful climate for the homes of a free people. Individual ownership, stimulating individual effort, was the inspiration of the settlement of the great Northwest.

A few years ago the Turkish Government brought forward an ancient claim, two hundred and fifty years old, by which it was proposed to take for the Crown the lands surrounding the city of Joppa. Private owners began to allow their property to go to decay. They quit watering the orange trees, and the country was threatened with ruin. The claim was abandoned, or the land would have returned once more to its mother, the desert.

Before the white settlements in America the title was held by the Indians in common. A number of misguided gentlemen to-day are urging the seizure of all lands through the proposed medium of a single tax. They claim to have something original in this proposition, but it is not; it is aboriginal. It was not only necessary to provide for good surveys and titles, but a free government, administered by free men, was even more essential.

The ordinance of 1787 provided a system out of which has grown all the subsequent territorial organizations in the United States. The old Northwest, bounded on the west by the Mississippi and on the south by the Ohio, was larger than France and larger than either the Austrian or German Empire.

The political jurisdiction of the remote States on the seashore would have been a great handicap to the growth of the new country. Religious freedom, exclusion of negro slavery, the reservation of each sixteenth section for school purposes were the great forces in the ordinance of 1787. This ordinance was not only a landmark in our history, but was a turning point in the history of civilization. The main features of the ordinance and of our national Constitution, which was also made in 1787, now seem so natural and reasonable that it is hard to realize the time when the principles of these two great charters were not recognized by all mankind.

The cession of this great western empire to the nation at large was essential to the adoption of the Constitution itself.

The Englishman, it is said, always has a "hunger for the horizon," which is another way of expressing the thought that land hunger is a characteristic of the race to which we belong. It is a chronic condition of the Anglo-Saxon.

In 1763 Great Britain very seriously discussed the propriety of giving up Canada to France and taking Guadeloupe, including all the little islands around it, in exchange. Doctor Franklin wrote a pamphlet of fifty pages to prove that Canada was worth more than Guadeloupe. Franklin's argument prevailed, and in 1764 France surrendered all claims east of the Mississippi River to England, and soon after all west of the river to Spain.

I will not follow up in this discussion the great event of the acquisition of the Louisiana territory, nor our title by discovery and settlement in Oregon and Washington.

The old Northwest is now occupied by Ohio, Indiana, Illinois, Michigan, Wisconsin, and a part of Minnesota. Minnesota was only half in the old Northwest Territory, and has been said to be only a half-sister to the other five States of that territory. But the same public-land system has been extended to our other continental acquisitions.

The next great step in relation to our public domain was the free homestead era which began in 1862. This was second only in importance to the ordinances of 1785 and 1787. However much we may criticize the land grants which aided in carrying the railroads to the Pacific coast, it is undoubtedly true that the settlement of the vast empire between the Mississippi and the Pacific was very greatly accelerated by this policy. Another important departure from all previous methods was the adoption of the existing system of administering our public mineral lands.

The old Spanish law, under which the Crown owned all the precious metals, was abrogated, and every inducement is held out to the hardy explorer whose venturesome spirit has led him into almost every part of the far West. Even far-away Alaska, purchased by Seward in 1868 and looked upon as an indirect way of giving \$7,200,000 to Russia for her friendship in the civil war, has proven to be one of the richest of all our possessions, and each year that Territory yields us in gold, fish, and furs very much more than the whole of the original purchase price.

We have to-day in the public domain, including Alaska, something over 800,000,000 acres of lands. The best of the agricultural land has passed into private ownership. A system of national irrigation has been entered upon which will make homes for many more millions of our population. Nearly 100,000,000 acres of timbered lands have been set apart as permanent forest reserves, but one of the greatest sources of national wealth has, in my judgment, been greatly neglected. Nearly 500,000,000 acres of grazing lands still belong to the nation. Most of these lands are unsuited for the making of homes by the old methods. Much of the grass is annual, and if grazed too closely it will produce no crop in the succeeding year. The subject is a very interesting one and, in my opinion, is one of the most important with which this generation has to deal. Some method must be devised by which the grazing may be carried on so as to produce the largest amount of pasturage. To discuss this question as it deserves would occupy more time than is allotted to me and would not be relevant now.

Connecticut once owned the site of the city of Chicago. Suppose this domain had not been conveyed into the general public property. Connecticut would have had Chicago, and Chicago would have had considerable influence in Connecticut politics. Connecticut would have been a kangaroo State, the biggest end of her behind. [Laughter.] Finally Connecticut conveyed her rights, Massachusetts conveyed hers, Virginia conveyed hers, and the Government of the United States assumed all the debts of the colonies as a consideration, took the land and devoted it to the general public use of the settlers. That was the origin of the public domain.

Mr. GILBERT of Kentucky. Was not Chicago in the Northwest Territory and given by the State of Virginia?

Mr. LACEY. Virginia claimed it and claimed that General Clark had strengthened that claim by his expedition. I think the record gives the best title to Connecticut. She would have had Chicago, she held the Western Reserve in Ohio, and if she had not yielded that up, to-day she would have been able to point to Garfield's and Mark Hanna's tombs and Tom Johnson alive all in the State of Connecticut. [Laughter.] But the lands were conveyed to the State of Ohio.

Mr. RUCKER. I always heard that it was hard to beat a Connecticut man. How did they beat them out of Chicago?

Mr. LACEY. Chicago wasn't there then; they gave this land to the nation and the Government assumed the debts of Connecticut. Connecticut retained only the Western Reserve in the State of Ohio.

Mr. GILBERT of Kentucky. I want to say to the gentleman from Iowa that there were some Kentucky gentlemen who wore coon-skin caps and buckskin breeches who moved up the Ohio line, headed by Clark, and the State of Connecticut never had any title to the territory.

Mr. LACEY. The State of Connecticut got the Western Reserve notwithstanding the coon-skin caps and the buckskin breeches of Kentucky, but Kentucky got a part of the deposit that was received from the National Treasury out of the proceeds of the public domain in 1835. At that time the public domain was a great question. It was the greatest of all questions back in those days. When Texas came in she was wise—Connecticut "wasn't in it" with Texas! The only thing that Connecticut saved out of her territory was the Western Reserve; she gave up Chicago and saved the Western Reserve. But

Texas, keen, cutting Texas, kept it all, kept every acre of it, and now, like Oliver Twist, she is asking for more. [Laughter.]

Mr. STEPHENS of Texas. I would like to read to the House one of the resolutions of the annexation of Texas to the United States.

Mr. LACEY. The gentleman can read that in his own time. She did reserve it and she had a right to, and because she reserved it she has it yet. And yet she wants the United States to sell land in Colorado and take the proceeds and irrigate that land for her. That is the proposition that is held up for the benefit of the arid States in the Union. I am surprised to note that some Members from the arid-land States seem inclined to vote for the proposition.

Now, if Texas were helpless, if she were poor, if she were not the empire that she claims to be, and I am glad that she is, that might make some difference. They talk about making five States out of her; she is great enough for five States, but the Texans wouldn't divide her under any consideration. In that situation she is not in a position to ask that a few hundred thousand acres of land remaining in Kansas should be sold and a portion of the proceeds spent in Texas for the purpose of irrigation there. Texas should not ask aid of Kansas. Kansas is rich, but Texas should not ask help from that quarter.

Mr. STEPHENS of Texas. I want to read to the gentleman one resolution which shows that Texas was admitted into the Union as one of the original States on equal terms.

Resolved, etc., That the State of Texas shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever.

Mr. LACEY. I say that that is not correct; that she did not come in on "equal terms" with the other States. Kansas obtained 2 sections out of 36, but Texas retained the whole 36 out of 36.

Mr. BURLESON. Kansas did not retain anything, but the United States gave to Kansas these 2 sections out of 36.

Mr. LACEY. The United States, after it captured Texas from Mexico, gave Texas all of it.

Mr. BURLESON. Captured Texas from Mexico!

Mr. LACEY. Yes; and gave her \$16,000,000 afterwards.

Mr. BURLESON. Texas maintained her independence for nine years—

Mr. LACEY. I know it, but that wasn't very long.

Mr. BURLESON. Before it was invited into the Union, and it was the proposition of the United States that Texas retain her lands in order to discharge an indebtedness of over \$12,000,000, and no other State was ever admitted into the Union that had any such indebtedness as that, and the equities appealed to the United States.

Mr. LACEY. Mr. Speaker, my friend gives away his whole case. He says Texas retained the public land because of her debt. She did. That is one of the grounds on which she retained it, and then within five years from that time the United States came forward and paid the debt off for her.

Mr. BURLESON. Paid it off, when Texas gave her a body of land one-half of New Mexico? I think surely that statement made by the gentleman from Iowa must be made inadvertently.

Mr. LACEY. Not at all.

Mr. BURLESON. As a matter of fact, instead of paying off this indebtedness for Texas, Texas conveyed to the United States one-half of New Mexico, more than one-third of Colorado, a part of Wyoming, a part of Kansas, and a part of Oklahoma.

Mr. LACEY. She conveyed her claims to that land.

Mr. KEIFER. I would ask the gentleman from Texas where is the authority for that statement which he has just made?

Mr. BURLESON. Why, every map evidencing the title of the United States to any of the property within her limits.

Mr. LACEY. Now, Mr. Speaker, I wish to read from a very interesting volume entitled "Public Domain," published in 1883, which is full of interesting matter:

TEXAS.

Congress, by act of September 9, 1850, made proposals for the cession by Texas of her claim to the territory north of latitude 30° 30' N., west of the one hundred and third meridian of longitude west from Greenwich and north of the thirty-second parallel of north latitude, and to the Rio Grande River, to the United States. Texas was to relinquish all claims against the United States for any payments or liabilities on the part of the United States for the property of the Republic of Texas, surrendered by the State, which was turned over to the United States at the time of annexation, and the United States proposed to pay to the State of Texas \$10,000,000 for such cession in 5 per cent 14-year bonds.

November 25, 1850, the legislature of the State accepted, and by proclamation of the President of the United States, of date December 13, 1850, the act of Congress of September 9, 1850, was announced to be operative and the ceded territory came under the control of the United States.

AREA AND COST OF PURCHASE.

The United States obtained by this cession for the public domain (estimated) 96,707 square miles of territory, being and lying in the following States and Territories:

	Square miles.
In the southwest corner of Kansas.....	7,766
In the southeastern corner of Colorado.....	18,000
In the eastern portion of the Territory of New Mexico.....	65,201
In the public land strip north of the Panhandle of Texas.....	5,740
Total.....	96,707

Or 61,892,480 acres.

Over all of the above, except the land lying in the "public land strip," and excepting certain grants therein made by the Spanish and Mexican authorities, have the public land laws of the United States, as to survey and disposition, been extended. It cost:

Principal sum, 5 per cent 14-year bonds.....	\$5,000,000
Interest to date of redemption.....	3,500,000
Act of February 28, 1855.....	7,500,000

Total..... 16,000,000

The United States assumed jurisdiction at once upon the acceptance by the State of Texas of the terms offered, and has since retained it.

Mr. GILBERT of Kentucky. Will the gentleman let me ask him a question?

Mr. LACEY. I am not through with this other question yet. Mr. Speaker, referring to the map, which is now hanging before the Speaker's desk, and which I have just called for, there we will find the history of this whole transaction. It is the Land Office map and shows the public domain. It is a very interesting history. If one will follow the blue line, indicating the State of Texas, he will find the Panhandle up into the interior. Those were asserted claims, claims of doubtful validity in part, but they were claims nevertheless, and a portion of the claim of Texas was unquestionably valid. The United States passed a law taking from Texas this much of New Mexico [indicating]; this strip above here which runs in Colorado, and a little corner in Kansas, and a portion of the proposed new State of Oklahoma.

Now, Texas also claimed to own Greer County, and, in fact, sold most of it. The Supreme Court recently held that Texas did not own it, and it is in Oklahoma. There has never been anything very modest about Texas. She has been charged with everything except modesty. [Laughter.] I do not blame her for that. There is something fascinating about the bigness, the magnitude, of Texas, where they haul their lumber a thousand miles by rail, all inside of the Lone Star State, from the sawmill to the market; so that I acquit her of any charge of immodesty. They made a claim to pretty near everything in sight in the northwesterly direction.

Mr. BURLESON. And that map seems to concede it.

Mr. LACEY. No; their claim was bigger than shown on this map. This map is much more modest than Texas. This is the amount it is conceded Texas really had some reasonable claim to. It amounted to about 96,000 square miles, and those 96,000 square miles have been ceded to the nation. Most of these acres are deserts. Texas sold the worst she had. It is marvelous, but she did. She reminds me of the story Artemus Ward tells about a conversation overheard by him in Maine. He heard two men talking in a hotel. One of them said to the other, "Well, Bill, I have sold that old mare." "What," says Bill, "that old, flea-bitten, knock-kneed, broken-down, spavined mare?" "Yes." "How much did you sell her for?" "One hundred dollars." "One hundred dollars! Who did you sell her to?" "I sold her to mother." [Prolonged laughter.] "Well," says Bill's brother, "you are a good one."

Now, when Texas was "selling her land to mother" she took the worst land she had and "sold it to mother" for 25 cents and a fraction an acre. There are millions of those acres that would not bring anything like that price now.

Mr. BURLESON. And a son of Connecticut, as President, negotiated the sale, I believe.

Mr. LACEY. Yes; there is no doubt about that. We have been good to Texas, and ought to have been good to her, and she has been good to herself. [Laughter.]

Mr. STEPHENS of Texas. She is a stepchild.

Mr. LACEY. No; she is not a stepchild, and neither is she a mother-in-law. She appears now and asks equality. Equality in what? To keep all she has and divide up with the rest of the States what is left. [Laughter.] That is the "equality" that my friends from Texas ask this House to adopt. She wants to be considered as one not only of the original thirteen States, but as one of the sixteen irrigated States. She wants to do this without putting an acre of land into the proposition and to draw out whatever she can get.

Mr. BURLESON. She has put in 75 per cent of the land that is going to be irrigated.

Mr. LACEY. No; she sold that; sold it to "mother," and sold it at 25 cents an acre.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman two or three questions.

Mr. LACEY. Well, ask only one.

Mr. CLARK of Missouri. I will ask one at a time. The gentleman bases his whole argument, as I understand it, upon the justice of his position?

Mr. LACEY. No; on the injustice of the proposition.

Mr. CLARK of Missouri. Well, that is the converse of the right way of putting it. Now, is it not true that the fact that Texas achieved her independence led to the United States getting all the land that is in New Mexico, Arizona, California, Nevada, and a large part of Utah, Wyoming, and all that other country that is in this controversy?

Mr. LACEY. The war of Texas gave us an opportunity to give \$20,000,000 to Mexico for that land, just as the war with Cuba gave us an opportunity to give \$20,000,000 for the Philippines.

Mr. CLARK of Missouri. That is not a fair way of stating it. Is it not true the Texas independence performance led to our getting all the land that is in controversy now? Now, that is question No. 1, and I want to ask another—

Mr. LACEY. I am not going into the justice or the injustice of the Texan war. We are not very proud of our position in relation to that war. We were proud of the results, and the results have been good, but Texas had a war with Mexico and we got into it, not because we ought to have done so, but because we wanted to, and so we did get into it, and in consequence we got Texas; we got California; we got New Mexico; we got an empire; but we did not take it away from Mexico without paying for it.

Mr. CLARK of Missouri. Why did not you answer the question?

Mr. LACEY. Why did not you ask it?

Mr. CLARK of Missouri. I did ask it. Did not the fact that Texas achieved her independence lead to our getting all of this land out on the Pacific slope?

Mr. LACEY. Oh, yes; and did not the fact that Adam married Eve lead to all this trouble? [Great laughter and applause.]

Mr. CLARK of Missouri. That is a very fine piece of wit, but it does not answer the question.

Mr. LACEY. Why does it not? It is a little further back, that is the only difference.

Mr. CLARK of Missouri. I want to ask another, if the gentleman will not answer that one. After Texas got into the Union, did she not have her proportional part of property-interest rights in all the lands that the United States Government had that we are fixing to irrigate now?

Mr. LACEY. Oh, undoubtedly. She came in just the same as any other Territory, except for the fact that she took pains to place herself outside the general plan of the public domain by retaining her public domain for herself.

Mr. CLARK of Missouri. Now, one more question. If she did have the same property rights in this portion of the land out there that is to be under irrigation, as Iowa, Missouri, and the rest of the States had, how does it come to be a matter of justice to shut her out of all the right to participate in this great irrigation scheme?

Mr. LACEY. She is not shut out. She has 3,000,000 acres in Texas that she can put under the irrigation schemes. What we are trying to shut her out of is to shut her out of Idaho, Colorado, New Mexico, Kansas, and—

Mr. SMITH of Texas. Will the gentleman yield?

Mr. LACEY. I yield.

Mr. SMITH of Texas. The gentleman states we have 3,000,000 acres of public land we can put in this irrigation fund. I want to say we have not a foot of unappropriated land in Texas that we can put into this fund or any other fund.

Mr. LACEY. Your constitution will not let you; you have tied yourself hand and foot, and now say, "We adopted a constitution in 1876 that prevents us disposing of this land in this way."

Mr. BURLERSON. If the gentleman will permit, not only the constitution will not permit it, but it has been donated long ago to the school fund, university fund, support of eleemosynary institutions, etc., just as the United States disposed of her public lands elsewhere.

Mr. LACEY. Now, after answering the questions, I do not intend to take up the time of the House further. What I wished to do was to attract the attention of the House sufficiently to this matter so that they would know what they were doing, and then if the Members of the House want to grant Texas a share of these funds without her putting a dollar into the scheme they could vote for this bill.

Now, I want the House to understand that I am not opposed

to any reasonable specific proposition to cover a specific irrigation scheme that can not be successfully handled by Texas, because it is an interstate proposition. I have voted for the Rio Grande bill. I would also vote for the Pecos proposition, because, although it is giving Texas something really that she is not strictly entitled to, it is, after all, a fair deal, because the two propositions can not be handled well without being treated as interstate propositions.

Mr. SMITH of Texas. I would like to ask the gentleman one question.

Mr. LACEY. Here is a proposition now simply to put Texas on the same footing with Arizona, with California, with Idaho, Colorado, North and South Dakota, and to put nothing in in return.

Mr. SMITH of Texas. Will the gentleman yield for a question?

Mr. LACEY. Yes, sir; I will yield.

Mr. SMITH of Texas. The gentleman states that Texas does not propose to put anything into this fund. I will ask him if these other States that he names put anything into this fund? Does not this all come from the National Government?

Mr. LACEY. The lands in these other States, instead of being given to these other States, and the States holding it have been held by the general public. They are all open to homestead settlement, subject to cash commutation. There are mineral claims that are patented from time to time. All of the funds arising go into the land fund, and that fund in sixteen States and Territories has been reserved for the irrigation of those States and Territories. Now, why do we reserve from the irrigation fund the State of Minnesota? She had public land. Why was not that put in with the other sixteen States? For the simple reason that there was no arid land to irrigate in that State. If there had been, Minnesota would have been included.

Mr. REEDER. I would like to ask the gentleman a question.

Mr. LACEY. Certainly.

Mr. REEDER. Is it not a fact that these public lands were not put in because we could not get the votes for the bill?

Mr. LACEY. That is putting it on high moral grounds. I had hoped that this Congress had passed the bill fairly. There was no agreement about it. I favored the irrigation bill finally, because I believed it to be a good bill. The details were not as I would have drawn them, but I was in hearty sympathy with its purpose. I should have preferred to have taken up specific propositions from time to time.

Mr. McCLEARY of Minnesota. Mr. Speaker, I desire to ask a question for information. After this irrigation is all completed in these States that were contemplated by the original irrigation act and the fund has revolved and has done the work it is intended to do, where does that money go that remains, then?

Mr. LACEY. It goes back into the United States Treasury, and the United States would share in it if any of it ever came back. But it would be subject to be used again for like purpose. How much of it will be returned is another question I did not care to discuss, because I know our irrigation friends are full of hope. They believe a good deal of money will come back. I think the money will come back, when it comes back, out of our rivers and harbors and out of our public lands. No doubt some of it will be paid back, but I have never shared in the opinion that the money put into irrigation will be all repaid by the beneficiaries.

Mr. McCLEARY of Minnesota. Assuming that it does not come back, let me ask another question. Where would the fund go? If these lands shall be sold off in Texas, if they were sold, would the fund go into the Texas treasury? Does not this differentiate this proposition from the other?

Mr. LACEY. They say it is "equality" for Texas to have this go into its own treasury, and for sales in Minnesota to go into the United States Treasury. On this question of inequality, after we admitted Texas, we gave her \$16,000,000, and on this question of equality we discriminated in her favor as against every other new State admitted into the Union. This bill proposes to increase that inequality in favor of Texas. I believe the irrigation law ought to be extended to a few Texan schemes which could be properly called interstate in their character, and involving Texas and New Mexico, and when one of these fair propositions comes up I will vote for it, as I voted for the Rio Grande scheme of irrigation. This bill takes in the entire State of Texas, and puts it on the same footing as New Mexico and Arizona, without any compensation or contribution from Texas.

Mr. CLARK of Missouri. I would like to ask the gentleman one question about this Rio Grande project. Now, is not the

Rio Grande proposition entirely dissimilar from all other irrigation schemes in the United States?

Mr. LACEY. It is the same as any other, except that the location involves international and interstate water.

Mr. CLARK of Missouri. That is what I wanted to get at.

Mr. LACEY (continuing). In all other schemes the public land directly or incidentally had some benefit as well as that of the private owners. This proposition involves no national public land whatever, and it has not even a corner to stand on.

Mr. CLARK of Missouri. But this Rio Grande proposition grows out of the fact that old Mexico raised a row because we had taken part of the water that they sought to use and devastated their fields, so they said.

Mr. LACEY. Because of the international character of the proposition it could be best accomplished through national control.

Mr. CLARK of Missouri. New Mexico gets the benefit of it instead of Texas.

Mr. LACEY. New Mexico gets more benefit than Texas, because there is more of the land to be irrigated in New Mexico. Texas gets benefit from it, and I am glad she does, but that has no connection with the present proposition. It is an isolated interstate and international proposition, standing on its own peculiar merits.

Now, Mr. Speaker, I reserve the balance of my time, unless some gentleman from Texas wants to ask me a further question.

Mr. FIELD. I would like to ask the gentleman a question. I understand he claims that Texas should be excluded from the benefits of this reclamation act by reason of the fact that she ceded none of her lands to the National Government. Now, if you would bring about equality, why should not greater benefits be extended to those States that had ceded a larger amount to the Union than others?

Mr. LACEY. If we were to go out of the States where these arid lands are, I would want to cede it to Virginia instead of Texas. Old Virginia ceded the Northwest to the United States and we paid her debts, but Texas ceded nothing to us but what she got the cash for.

Mr. RANDELL of Texas. The gentleman says he is in favor of an irrigation scheme in Texas when it is interstate in character?

Mr. LACEY. Necessarily so.

Mr. RANDELL of Texas. Is not the gentleman aware of the fact that when you reclaim by irrigation any land in Texas it would be irrigated by the waters that come from the great Rocky Mountain range, and it is absolutely impossible to handle it unless under some interstate proposition? That is the reason we ask for this.

Mr. LACEY. The answer to the gentleman from Texas is that in this case of the Rio Grande and one other scheme which is somewhat local in character—that is, the Pecos River—there are peculiar reasons for their support; but if this bill goes through there is no reason why there should not be thirty or forty independent irrigation schemes of the arid parts of Texas maintained and constructed at the expense of the United States Government out of receipts of the sales of public lands in the particular States designated as arid-land States, and which have been under the irrigation law set apart especially for that purpose.

Mr. RANDELL of Texas. I would like to call the gentleman's attention to the geographical fact. Perhaps the gentleman has not studied that particular part of Texas.

Mr. LACEY. I have been running a school in geography for the last half hour. We have the map before us.

Mr. RANDELL of Texas. In the western section of Texas there is a large area which can not be irrigated except by waters from the great mountain range. Now, if we can have an irrigation plant, practically all, or a majority, at any rate a great amount of fertile land that only needs water to make it profitable, can be brought into cultivation, and unless we can get it through some such proposition as this it will lie in waste.

If, therefore, this bill that was formerly passed in reference to the irrigation matter is extended to the State of Texas, there will be no conflict of authority in the matter, there will be no conflict in the scheme, and everything will work out all right. Texas will get nothing from anyone except what she contributes to the general fund.

Mr. LACEY. That is very pretty in theory—

Mr. RANDELL of Texas. Is it not true?

Mr. LACEY. The streams that rise in northwestern Texas, in Colorado, and New Mexico, that run diagonally through Texas, are susceptible of creating irrigating districts by the score, entirely within the boundaries of the State, where no interstate transactions would be involved. It is true that the water comes from farther up—

Mr. RANDELL of Texas. Will the gentleman permit a question?

Mr. LACEY. The gentleman will have an opportunity in his own time. I wish to reserve a little of my own time.

Mr. RANDELL of Texas. Simply a question.

Mr. LACEY. I want to reserve a little of my time. I have not many minutes remaining. I want to say in conclusion that the House has this question before it, to take another partner into the irrigation scheme, but it must take that partner in without that partner being anything more than a receiving partner. That partner is not to part with anything. It is to share in the benefits and not to be responsible for any of the burdens of the law.

I reserve the balance of my time.

The SPEAKER. The gentleman reserves the balance of his time, which is eleven minutes.

Mr. SMITH of Texas. Mr. Speaker, I yield ten minutes to my colleague [Mr. BURLESON].

Mr. BURLESON. Mr. Speaker, some time ago, when an effort was made to get up this bill by unanimous consent, the gentleman from Iowa [Mr. LACEY] objected. I wondered then why it was, wondered if one substantial reason could be given by him why Texas should not be permitted to participate in the benefits of the reclamation act. I have listened patiently for nearly an hour to the very interesting discussion of the gentleman from Iowa, and I must confess that I am still in the dark, am still wondering if one sound reason will be urged against the pending bill. You heard it stated by my colleague [Mr. STEPHENS] that since the reclamation act was passed two national irrigation congresses have assembled—one at El Paso, Tex., the other at Portland, Oreg. These congresses consisted of delegates from all the vast area of our country that is so much interested in this great fund. These gentlemen—members of the national irrigation congress, who have a vital concern in protecting this fund—unanimously adopted resolutions approving the purpose of this measure. I appeal to every thoughtful man here, do you not know that the suggestion that Texas was to participate in it would have been promptly rejected unless it had been founded upon every consideration of sound public policy and based upon substantial principles of right and justice? But the fact that this action was taken by the national irrigation congress weighs nothing with the gentleman from Iowa. Furthermore, Mr. Speaker, the father of this great reclamation scheme, the senior Senator from Nevada, who conceived the idea and devoted so many years of arduous service in this end of the Capitol to the support of this proposition, and witnessed his labors finally crowned with success, and this prodigious reclamation work undertaken which is to do so much for the arid West, recognizing the fact that this was a broad national policy that should embrace all the arid land of the United States, favors the proposition set forth in this measure. But, of course, this fact does not appeal to the gentleman from Iowa.

Furthermore, Mr. Speaker, the President of the United States, recognizing that the original purpose of the reclamation act was the inauguration of a broad national policy to be pursued with reference to all our arid lands without regard to where they were situated, when his attention was called to the fact by my colleague [Mr. SMITH of Texas] that the arid lands of Texas alone, of all the arid lands of the United States, had not been embraced within the territory to be benefited by this measure, promptly sent a message to the Congress recommending that this act be extended to Texas. Whatever else may be said against Theodore Roosevelt, the President, it can not be charged that in this recommendation he was either narrow or sectional. Of course, the gentleman from Iowa [Mr. LACEY], by his action here, has shown that he has no respect for this recommendation.

Furthermore, Mr. Speaker, the head of the Department and the bureau chief to whom the administration of this act has been intrusted, who have brought to the discharge of their duties a zeal and an intelligence that has excited the wonder and admiration of every person to whose attention it has been brought, and who are rendering a lasting service to all the people within that section of our country affected by this act, cordially approve the purpose of this measure.

But this fact is not persuasive with the gentleman from Iowa. And last, Mr. Speaker, the Committee on Irrigation of Arid Lands, made up of Representatives in Congress from every State and Territory that is interested (and whatever may be said of the western Congressmen it can not be said that they are not always keenly alive to the interests of their own section); these gentlemen, who are wide-awake at all times to see that no false step be taken, that the funds set apart for this great purpose be conserved and protected from waste;

these gentlemen, whose every thought is to guard jealously and protect this fund from encroachment on the part of those not entitled to participate, have unanimously reported in favor of the proposition set forth in this bill. Yet the gentleman from Iowa insists that they are grievously mistaken as to what was the best thing for them to do. As I have before stated, Texas alone of all the States in the Union has arid lands that are not entitled to participate in the great benefits to be conferred under the reclamation act. Mr. Speaker, why should Texas be thus discriminated against?

It is a fact known to every gentleman within the sound of my voice that the States and Territories which are to be the principal beneficiaries under this act are California and Nevada, Arizona and New Mexico. This vast territory was brought within the limits of our territory under the treaty of Guadalupe Hidalgo.

It is a historic fact, and will not be disputed by any well-informed person, that Texas furnished more soldiers in the Mexican war than any other State in this Union, notwithstanding she was the youngest in the sisterhood of States. These Texan soldiers, cooperating with their valorous comrades in arms from other States, acquired the principal part of the territory to be benefited by the reclamation act. I believe I can say without boasting that Texas and Texan soldiers brought within the limits of this great country nearly all the vast territory that is to be benefited by the reclamation act. More than that, Mr. Speaker, the Lone Star State brought with her in 1845 within the limits of the United States not only the 265,000 square miles embraced within her limits at this time, but, in addition to this imperial domain, Texas brought within the limits of our country more than one-half of what now constitutes the Territory of New Mexico, more than one-third of the present State of Colorado, a part of Wyoming, a part of Kansas, and a part of Oklahoma. Mr. Speaker, every foot of the territory which I have just defined is participating in the benefits of the reclamation act, and yet the gentleman from Iowa stands here and contends that Texas, the mother, is to be deprived of the right to have an equal participation therein. Understand, gentlemen, that Texas asks this not as a charity, not as a concession, she insists upon it as a right.

If you refuse this request, upon what basis can you justify your action? I contend, upon no substantial ground whatever. The poorest lawyer in this body will admit, and no good lawyer in all this land can be found who will deny, that the proceeds arising from the sale of the public land in the States of this Union belong to all the States. The gentleman from Iowa has charged that Texas, when she came into the Union, retained as her own her public lands. That is true. Texas came into this Union as no other State has come in or will ever come in. When she came in she came by invitation, and named her own terms. Texas did retain her public domain when she entered the Union. She retained it because at the time the invitation was extended to the independent Republic of Texas to enter the Union she owed more than \$12,000,000, and the United States of her own accord, proposed to Texas that she should retain her public lands. No other State ever came into this Union under these circumstances. Texas did retain her own lands when she came into the Union. She was pledged by this great Government—yes, she received its pledged faith, voluntarily offered—that she should be admitted upon terms of absolute equality with every other State in this Union.

As I have said, no one denies—in fact, the gentleman from Iowa admits—that the funds arising from the sale of public lands belongs to all the States. A part of this fund has been set apart for the reclamation of the arid lands of the United States. Texas has arid lands. Then, in the name of reason and logic, answer me, why Texas is not entitled to her part of this fund for their reclamation, just as Iowa would be entitled to her portion if she had within her borders arid lands? If Iowa had such lands, Mr. Speaker, no Texan could be found—and I do not hesitate to say it—who would stand here and attempt to block her efforts to secure it.

I submit to gentlemen here now that this fund belonging to all the States is one in which she should participate. Do you propose to go back upon the faith pledged by the Government with Texas that Texas should come in upon terms of absolute equality with all other States?

Mr. Speaker, Texas had the right and has the right now to an interest in every dollar that arose from the sale of the public land within the limits of the State of Iowa, and she wants it—she wants it for her people. Texas stands here to-day—not asking charity; do not mistake our meaning—Texas is here demanding as a matter of right that she be permitted to participate in the benefits of the reclamation act. And for whom?

For the people of Texas and for the people of Iowa who are pouring into Texas by the hundreds and thousands. Why, Mr. Speaker, before the next Congressional apportionment Texas will number enough Iowans alone who have taken up citizenship in our State to entitle her to another Representative in Congress. When that time comes, I hope that the splendid State of Iowa will not be forced to a reduction of her representation on this floor, but if that time does come, when that State gives up the Congressman who is of least service to her, if the gentleman who now opposes us will come to Texas, with some radical changes in his views and otherwise, we might consider his claim for the position of Representative for these Iowans who have come to our State. [Laughter and applause.]

[Here the hammer fell.]

Mr. SMITH of Texas. Mr. Speaker, I yield ten minutes to my colleague [Mr. HENRY].

Mr. HENRY of Texas. Mr. Speaker, not many years ago a distinguished general remarked that if he owned Texas and hell, he would rent out Texas and live in the other place. [Laughter.] At that time there seemed to be a little approval of the suggestion in some quarters, but now everybody is trying to go to Texas and stay away from the other place. [Laughter.]

The gentleman from Iowa [Mr. LACEY] speaks of the immodesty of Texas in this request. Since listening to his address I would not denominate modesty as his crowning virtue. Now, what is this question? It is regrettable that a great national enterprise should be viewed in a narrow and provincial manner. When you joined the sixteen States mentioned in the original irrigation act of 1902, I am glad to say that I was one on this side of the House who believed in the importance and necessity of this great national enterprise.

This is indeed a national project, and the only suggestion the gentleman from Iowa makes to prevent Texas participating in this fund is that she retained all her public domain when coming into the Union in 1845, and did not donate any of it to the Federal Government. Ah, Mr. Speaker, time after time has this Government sold its public land and donated the proceeds of the sale thereof to States other than those where the lands were situated. Why, sir, in the irrigation act of 1902 5 per cent of this fund is reserved for the purpose of education and given to the agricultural and mechanical colleges of the various States. That 5 per cent is made inviolate by the provisions of this identical act.

In 1787, when Virginia ceded that princely domain, extending far beyond the State of Michigan, when that State was a part of Orange County, Va., when she gave that vast extent of territory, out of which have been carved Ohio, Indiana, Michigan, and Wisconsin, was there any thought that the public lands that were contained in those Territories should be given to the people who resided therein or to the States thereafter formed? Not at all! When those lands were sold the proceeds were distributed to the people of the various States and scattered to the four quarters of the Republic. So with the public lands of Georgia and the public lands of North Carolina, Kentucky, and other States. When Texas came into the Union, in 1845, she did it upon the invitation of the Federal Government, and when entering into the sisterhood of States, by the very language of the joint resolution of annexation, she retained her public domain. There was an adjustment of matters between the Federal Government and the State of Texas. The State of Texas had barely 100,000 white inhabitants when she was admitted as a State, and her public debt amounted to \$12,000,000. Let me read again the language contained in the joint resolution of annexation in 1845.

Section 2 reads:

Said State, when admitted into the Union, after ceding to the United States all public edifices, fortifications, barracks, forts and harbors, navy and navy-yards, docks, magazines, arms, armaments, and all other property and means pertaining to the public defense belonging to said Republic of Texas, shall retain all public funds, debts, taxes, and dues of every kind which may belong to or be due and owing to said Republic, and shall also retain all the vacant and unappropriated lands lying within its limits, to be applied to the payment of the debts and liabilities of said Republic of Texas, and the residue of said lands, after discharging said debts, be disposed of as said State may direct, but in no event her said debts and liabilities to become a charge upon the Government of the United States.

There was an adjustment of all questions of property between Texas and the Federal Government. We conveyed to the United States a vast amount of property, and they left Texas her public domain. Again, in 1850, when there was a dispute about the northern boundary line of our State, Texas ceded to the Federal Government a magnificent area, comprising more than one-half of New Mexico, a splendid strip of land running through the very heart of the State of Colorado, a part of the State of Wyoming, a portion of Kansas, and a piece of Oklahoma. We received \$10,000,000 for this immense territory of

nearly 100,000 square miles—not the true value of the land. When Texas took that amount we were only compromising differences between the Federal Government and Texas. The disputed territory was at that time worth ten times the amount actually received by Texas. The gentleman from Iowa [Mr. LACEY] says that Texas should not participate in the benefits of the irrigation act which was passed in 1902. As I stated a while ago, when it was passed I thought it was a national enterprise and not for the benefit of any particular State in the Union. You have given us part of the money from the sale of your public lands for the benefit of our agricultural and mechanical college and for educational purposes. You donate it to us every year, and still it is true that not one square foot of Texas domain has ever gone to the Federal Government. Texas does not take a narrow view of the question. When the Government was chartering the great trunk railways to run across the continent from ocean to ocean, Texas did not stand back, but in her infancy donated 16 sections of land to the mile of the railroads that were to traverse her domain. She gave to those great arteries of commerce connecting one section of this country with the other vast areas, not with a selfish purpose, but in furtherance of a great national enterprise, for the benefit of all the people of all the State lying between the Atlantic and the Pacific oceans.

Now, what is the proposition here involved? It is simply to extend the irrigation law of 1902 to the State of Texas so that Texas may receive the benefit thereof. That law provided for irrigating not only public lands, but in section 5 it provided for irrigating lands of individuals. As a compensation for the right to use the water, the owners of private lands shall give ten notes or obligations of equal amounts, etc., to return the money to the Federal Government at the end of ten years. That is all there is in this bill to-day—to permit Texas to participate as the other States, to borrow a part of this reclamation money for ten years and return it to the Federal Government at the end of that time. You are not donating anything to Texas. We expect to pay back this borrowed money, as the irrigation act of 1902 requires. At this time the total, as I understand, amounts to more than \$30,000,000, and yet there are 500,000,000 acres of land yet unsold, out of which great sums will arise and be placed to the credit of the reclamation fund. This fight against the imperial State of Texas is unworthy of the gentlemen from Iowa and New York. When we came into the Union, it was upon equal terms and in good faith. Texas takes her place under the flag to-day as an equal sovereign. We come not as petitioners and beggars. In the proud majesty of our giant strength we only ask for equity and equality. When the arms of this Republic were victorious from the first battle till our common flag waved in glory over the halls of the Montezumas, Texans, greater than any other State in numbers, were there with patriotic purpose to share the fame of all our soldiers. We contributed more soldiers than any other State in that memorable contest. Out of that struggle, brought on by the admission of Texas, the United States acquired a vast empire, embracing California, Nevada, part of New Mexico, Arizona, and parts of other States. Texas furnished the cause that brought the fruits of those victories. We are proud we were the instrument of this princely annexation. So does every State in this Union exult in that glorious achievement. Then let us stand together under the flag of the Republic as equal sovereigns before the law, as joint heirs in the grander destiny yet awaiting our whole country! [Applause.]

Mr. SMITH of Texas. Mr. Speaker, I yield two minutes to the gentleman from Pennsylvania [Mr. COOPER].

Mr. COOPER of Pennsylvania. Mr. Speaker, I have no sympathy with the criticism that has been indulged in by the gentleman from Iowa against the State of Texas. I am one of those who believe that when the Republic of Texas was admitted as one of the sovereign States of this Union she then and there became entitled to all the rights, benefits, and privileges as a member of this Union. The reclamation act was intended as one great national scheme. The money that is going into the Treasury of the United States to-day and is set aside for the purpose of carrying on this reclamation work is not the money of any one particular State or set of States, but it is the money of the people of the whole United States, and Texas as a member of the Federal Union had the same interest in that fund and she has put that in along with the other States, and it is now being expended under the direction of the Secretary of the Interior to carry on this work. As has been said, there has been an act passed which extended the reclamation law to the Rio Grande Valley. By consultation with the members of the Reclamation Service, who are carrying on this work, I am advised that there is practically no irrigable land in the State of Texas outside of the Pecos Valley, that dis-

trict which the gentleman from Iowa is willing to join in and have added to the irrigation territory. There may be some other irrigable land, and the Committee on Irrigation, after considering the matter, concluded it was wise to make the bill apply to the entire State, and have unanimously reported this bill. Now, the gentleman speaks considerably about the injustice of giving Texas that which belongs to the States that are covered by this irrigation act. The whole of that land, Mr. Speaker, belongs to the United States, and when the State of Nevada, Colorado, and others ceded certain parts of their public domain to the United States they only ceded to the United States that which already belonged to her.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SMITH of Texas. Mr. Speaker, I yield two minutes now to the gentleman from Kansas [Mr. REEDER].

Mr. REEDER. Mr. Speaker, I feel pretty safe in making the statement that if this bill is passed it will be a benefit to the citizens of Iowa and every other State in this Union. [Applause.] It seems to me that the view that has been taken by our friend from Iowa is a selfish, narrow view, and based upon a false assumption. It is based upon the statement that this money belongs to the States of Colorado, Nevada, Utah, or States where public lands lie which are sold to make up the irrigation funds. This is not a true statement of the fact. The money belongs to the United States. It is being used in the United States to make homes for citizens of the United States, and it seems to me that it is to the benefit of a citizen of Iowa who wants a home that if by making a few homes over in the State of Texas with this fund and the citizen of Iowa can thus secure a home there for a more reasonable amount than he could otherwise, it will surely justify my claim that the passage of this bill will prove to be an advantage to the citizen of Iowa as well as the citizens of other States. These Representatives of Iowa seem to have been mistaken about this irrigation matter from the first. I remember when we were passing the national irrigation law they were worried a great deal about the question whether in establishing a strawberry bed in New Mexico or a potato patch the effect would be to decrease the value of their land for raising corn, and the gentleman from Iowa who has just spoken classes as desert that part of Arizona and New Mexico turned over by the State of Texas to the General Government when she came into the Union. When these gentlemen wake up to the facts as they exist, they will realize that when those acres are irrigated by this sacred fund they will produce three times as much of value to the acre as any acre that can be found in Iowa.

Mr. BURLESON. And it contains the Cripple Creek gold field.

Mr. REEDER. As I stated previously, this is not State money. That is the falsity of the foundation of this whole contention.

The SPEAKER pro tempore. The time of the gentleman from Kansas has expired. [Applause.]

Mr. SMITH of Texas. Mr. Speaker, if the gentleman from Iowa is to use the balance of his time, I would be obliged if he would use it at this time.

Mr. LACEY. I would ask the gentleman from Texas if he intends to move the previous question at the close of his hour?

Mr. BURLESON. Yes.

Mr. LACEY. How much time have I remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Iowa has seven minutes remaining.

Mr. LACEY. I yield that time to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Speaker, I have no stones to throw at the State of Texas. Texas is a great State—great in resources, great partially because of the 120,000,000 acres of public lands she had when she came into the Union, and which belong to her, and great because she is a part of the United States—too great to be a mendicant here at the hands of Congress at the expense of the United States.

Mr. BURLESON. We are not in the attitude of mendicants.

Mr. PAYNE. I have only seven minutes.

Mr. BURLESON. I wish to say that we are not in the attitude of mendicants here.

Mr. PAYNE. I can not yield now to the gentleman from Texas. I would like to do so, but I can not do it.

Now, Mr. Speaker, it has been said that this fund now amounts to \$30,000,000. I think that is approximately correct. It is also true that the contracts let upon it amount now to about \$32,000,000, as I am informed by an officer who has charge of it. Also that the probable cost of the work now in contemplation will amount to \$100,000,000.

Now, it is proposed to turn a part of this fund over to the

State of Texas, not simply for the benefit of the people of the State of Texas, not simply to establish homes in Texas, but for the benefit of the great State of Texas. I do not think we ought to go into that sort of business. It is not in the law to-day. It is true that where there are individual ownerships in the arid land districts which are a part of the great scheme of irrigation in these other States that a provision of law has been made by which we can take a portion of the water provided on paying the United States a reasonable sum—one that is fixed for that purpose. But that is not an arrangement with the State of Texas or with any other State. That is an arrangement with the individual owners of that portion of the territory of the United States.

I am opposed to the proposition of turning this sum or any part of it over to Texas for the reason suggested that it belongs to the States. You have got it to divide. Why not divide it among the States according to their population and wipe out the fund and thereby benefit the poor in Texas and the poor in other States equally? I am opposed to it, because it would be a step in the wrong direction, and because it is a bad step in the wrong direction. If you vote this bill, if you inaugurate this principle of giving a portion of the money of the United States to a State for the benefit of public improvement on the land in that State, what excuse will you have when a bill comes along here for draining the great Dismal Swamp in order to furnish homes in some of the Atlantic Coast States? What answer will you have to any of these myriads of schemes that are brought in here to be fastened on to the Treasury of the United States if you vote this bill to-day to the great and rich and prosperous State of Texas? Why should we be asked to give this subsidy? Now, that is outside of the home question. Texas ought to be able to take care of the homes in Texas. We are able to do so in the State of New York. Why, we have been building our great canals in the State of New York, and we do not think of calling upon the Treasury of the United States to pay for the work, although the canals, free to all, benefit half a continent. I invite my friends from Texas to come out into the open, on to the higher ground, and be willing to take for their State a part of the responsibility that belongs to them, take care of their own internal improvements, as they were so anxious within ten days to take care exclusively of the question of quarantine in the State of Texas. You were so manly, you were on such a high plane, you stood up so above the level of your southern brethren in that respect, why not stand there to-day? Why come here as a suppliant, why come here with a hat passed around for a contribution from the Treasury of the United States? Withdraw your bill. Do not ask the people of the United States in one breath to allow you to regulate your quarantine, and to refuse with disdain the aid of the National Treasury to keep yellow fever out of the United States, and in the next breath come into the Congress of the United States and ask them to develop the wonderful domain that belongs to your State in fee simple.

Do not ask the Congress of the United States to drain this poor reclamation fund in order to simply benefit the treasury of your own State. I am against doing it as a gratuity; I am against doing it as a loan; I am against all this sort of thing of benefiting the public property of any State out of the Treasury of the United States. [Loud applause.]

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. SMITH of Texas. I yield the balance of my time to the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, this debate is a very excellent illustration of how much ado may be raised over a comparatively small matter. After this discussion never let it be again stated that the House does not carefully consider even minor and relatively unimportant legislation. Those of us who from the beginning have been favorable to the theory and practice of national irrigation, and who labored faithfully for the passage of the act which this bill proposes now to extend to the State of Texas, are delighted at the large number of recruits we find to our ranks. It is certainly creditable to the gentlemen who favored the irrigation act in the first instance, and who voted for it, that those who most vehemently opposed it are now the most earnest guardians of the funds.

But these new-found friends of national irrigation are somewhat belated in their solicitude for the reclamation fund, for the House a year ago by a unanimous vote (I think not a record vote) extended to the valley of the Rio Grande in Texas the national reclamation act. That action became necessary because it was discovered that in order to carry out comprehensive irrigation projects under the law, to cover lands in New Mexico, it would be necessary to place a dam at a point where, to make

the scheme a paying one, some land in Texas must be irrigated to help repay the cost.

Since that time there has been much discussion among the friends of irrigation in the West as to the advisability of extending the law generally to the State of Texas. The irrigation congress last year recommended that that be done. The President of the United States recommended it in his message. The Committee on Irrigation of Arid Lands, having charge of these matters, after very careful consideration, came to the conclusion that in order to make the law in fact what it is in name—a national law—the arid and semiarid lands in the United States not now under the provisions of the law should be included, and come under the provisions of the law, thereby rounding out the measure and making it in fact a national irrigation law.

This is the more important in the case of Texas, Mr. Speaker, in view of the fact that not only the Rio Grande, but the Pecos and the Canadian, flowing, when they flow at all, out of territory now under the national irrigation law, flow into the State of Texas. And in order to carry out any comprehensive project on either of those streams at any time in the future when it might seem wise to do so and the condition of the funds will allow it, it is necessary that the provisions of the law be extended to the State of Texas. Hence, the committee unanimously and without a thought that there would be any special opposition to the bill, reported it. And we find the curious condition existing, that most of the opposition to the measure, advocated, as it is, by the friends of irrigation, comes from gentlemen who, if they now favor the national irrigation policy, are very recent converts to it.

And in this connection I wish to suggest to these converts to the faith that they are doing a great injury to the cause of irrigation when they suggest on the floor of this House that we of the West do not expect a return of the moneys which the Government invests. We believe that the carrying out of that scheme in the largest possible way, to the fullest extent, and to the benefit of the greatest number of people—aye, the very continuance of the policy—depends upon the full return to the Government of the moneys expended in construction.

Now, Mr. Speaker, the question as to whether or not Texas has contributed to this fund is a relatively unimportant one. Why, the State of Nevada has only contributed \$64,000 to the national irrigation fund, and yet we have already expended in that State \$2,000,000, and the officers in charge of the work are proposing to further expend a million dollars in the near future. It is not possible that the States shall benefit in proportion to their contributions to the fund, but in proportion to the existence within their borders of feasible and practicable irrigation projects. It is true that the law provides that the major portion of the fund which the sale of lands in a given State brings to the fund shall be expended in that State, provided that in the State there are feasible and practicable irrigation projects, but that is only a direction to the departmental officers, and merely places upon them the responsibility of ascertaining whether there are feasible projects in the various States contributing to the fund, and if there are, they shall expend a major portion of the fund in the State from which it flows.

Mr. McCLEARY of Minnesota. I wish to ask a question for information that may affect the judgment of some Members of the House. In case that this bill should pass and money from the reclamation fund were expended as proposed, would that money be refunded to the reclamation fund?

Mr. MONDELL. Yes, sir; it must be refunded under the terms of the reclamation act, and the only difference between Texas and the balance of the arid-land States is that Texas does not in the first instance contribute to the fund; but, as I have just stated to the House, the State of Nevada has so far only contributed \$64,000, while we have expended \$2,000,000 within her borders. The State of Oregon has turned into the fund \$4,750,000, and up to this time only \$114,000 has been expended there, though large sums will eventually be expended in Oregon as soon as the details of projects can be worked out, and in all of the other States which are contributing to the fund where feasible projects exist. The mere fact that the sales of public lands in a given State are large does not in itself constitute a claim that money shall be expended in the State.

Now, Mr. Speaker, all there is to this bill is simply a proposition to round out and nationalize the national irrigation law, to make it complete, to cover the comparatively small portions of semiarid lands not now under its provisions.

Mr. YOUNG. Will the gentleman tell me about what portion of the land to be reclaimed, outside of the State of Texas, is public land and what is owned by private parties?

Mr. MONDELL. In some instances practically all the lands

in a project are private lands and in others all or nearly so are public lands.

Mr. YOUNG. You could not tell the proportion as a whole?

Mr. MONDELL. No, I could not. There are some large projects involving the expenditure of millions of dollars where nine-tenths of the land is private land and where the conditions exist exactly as they do in Texas.

Mr. Speaker, I move the previous question on the bill to its passage.

The previous question was ordered.

The question being taken on the engrossment and third reading of the bill, on a division (demanded by Mr. LACEY) there were—ayes 88, noes 51.

Mr. LACEY. Mr. Speaker, I demand the yeas and nays.

Mr. GROSVENOR. This is not on the passage of the bill. All time taken on this vote is wasted.

Mr. LACEY. I withdraw the demand.

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

The SPEAKER pro tempore (Mr. CAMPBELL of Kansas). The question is on the passage of the bill.

Mr. LACEY. On that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 121, nays 89, answered "present" 17, not voting 153, as follows:

YEAS—121.

Table listing names of members who voted 'YEAS' (121 total). Includes names like Adamson, Alken, Ames, Barchfeld, Beall, Tex., Bonynge, Bowers, Broocks, Tex., Broussard, Brundidge, Burgess, Burleson, Campbell, Kans., Candler, Chapman, Clark, Fla., Clark, Mo., Cole, Cooper, Pa., Davis, Minn., Dickson, Ill., Dixon, Ind., Dixon, Mont., Ellerbe, Ellis, Field, Floyd, Foster, Ind., Foster, Vt., Garber, Garner, Garrett, Gilbert, Ky., Gill, Gillespie, Glass, Graham, Granger, Gregg, Hardwick, Hay, Henry, Conn., Henry, Tex., Hinshaw, Hopkins, Humphreys, Miss., Hunt, Jones, Va., Jones, Wash., Kennedy, Nebr., Kline, Lamar, Lamb, Lawrence, Lee, Lever, Lilley, Pa., Lindsay, Lloyd, Lorimer, McCall, McGavin, McLain, Macon, Marshall, Maynard, Meyer, Miller, Mondell, Moon, Pa., Moore, Mouser, Mudd, Murdoch, Murphy, Padgett, Patterson, N. C., Patterson, S. C., Pou, Randell, Tex., Reeder, Richardson, Ala., Richardson, Ky., Rixey, Robinson, Ark., Rucker, Russell, Ryan, Samuel, Schneebell, Shackleford, Sheppard, Silms, Slayden, Smith, Ky., Smith, Md., Smith, Tex., Southall, Sparkman, Spight, Stanley, Steenerson, Stephens, Tex., Sulzer, Talbot, Taylor, Ala., Thomas, N. C., Townsend, Trimble, Vreeland, Wachter, Wanger, Watkins, Weeks, Weems, Weisse, Wharton, Wiley, Ala., Wiley, N. J., Zenor.

NAYS—89.

Table listing names of members who voted 'NAYS' (89 total). Includes names like Adams, Pa., Allen, Me., Andrus, Bannon, Beldler, Bennett, N. Y., Bennett, Ky., Bishop, Bowersock, Brown, Burton, Ohio, Butler, Pa., Calder, Capron, Cocks, Cousins, Curtis, Cushman, Dale, Dalzell, Darragh, Davidson, Dawson, Dovener, Draper, Driscoll, Dwight, Esch, Flack, Fordney, French, Fuller, Gaines, W. Va., Gardner, Mass., Gardner, Mich., Gardner, N. J., Goebel, Graff, Grosvenor, Hamilton, Currier, Haugen, Hedge, Hermann, Higgins, Hill, Conn., Hoar, Hogg, Howell, N. J., Howell, Utah, Hubbard, Huff, Hughes, Humphrey, Wash., Keifer, Lacey, Landis, Frederick, Law, LeFevre, Littauer, Longworth, Loud, Loudenslager, McCreary, Pa., McKinley, Ill., McKinney, Mahon, Minor, Olcott, Olmsted, Payne, Perkins, Pollard, Reynolds, Roberts, Rodenberg, Scott, Smith, Iowa, Smith, Wm. Alden, Smyser, Southwick, Sperry, Stafford, Stevens, Minn., Sulloway, Tawney, Taylor, Ohio, Thomas, Ohio, Wood, N. J., Young.

ANSWERED "PRESENT"—17.

Table listing names of members who answered 'PRESENT' (17 total). Includes names like Alexander, Bartlett, Boutell, Brick, Cooper, Wis., Crumpacker, Goldfogle, Moon, Tenn., Currier, Goulden, Watson, Fitzgerald, Houston, Gaines, Tenn., Jenkins, Gillett, Mass., Johnson.

NOT VOTING—153.

Table listing names of members who did not vote (153 total). Includes names like Acheson, Adams, Wis., Allen, N. J., Babcock, Bankhead, Bartholdt, Bates, Bede, Bell, Ga., Bingham, Birdsall, Blackburn, Bowie, Bradley, Campbell, Ohio, Cassel, Dunwell, Brooks, Colo., Chaney, Edwards, Brownlow, Clayton, Fasset, Buckman, Cockey, Finley, Burke, Pa., Conner, Fletcher, Bates, S. Dak., Cromer, Flood, Bede, Burleigh, Davey, La., Foss, Bell, Ga., Burnett, Davis, W. Va., Fowler, Bingham, Burton, Del., Dawes, Fulkerson, Birdsall, Butler, Tenn., De Armond, Gilbert, Ind., Blackburn, Byrd, Deemer, Gillett, Cal., Bowie, Calderhead, Denby, Greene.

Table listing names of members who were present but did not vote (153 total). Includes names like Griggs, Gronna, Gudger, Hale, Haskins, Hayes, Hearst, Hedfin, Hepburn, Hill, Miss., Hitt, Holliday, Howard, Hull, James, Kahn, Kelther, Kennedy, Ohio, Ketcham, Kitchin, Claude, Kitchin, Wm. W., Klepper, Knapp, Knopf, Knowland, Lafean, Landis, Chas. B., Legare, Lester, Lewis, Lilley, Conn., Little, Littlefield, Livingston, Lovering, McCarthy, McCleary, Minn., McDermott, McKinlay, Cal., McLachlan, McMorran, McNary, Madden, Mann, Martin, Michalek, Morrell, Needham, Nevin, Norris, Otjen, Overstreet, Palmer, Parker, Parsons, Pearre, Powers, Prince, Pujo, Rainey, Ransdell, La., Reid, Rhinock, Rhodes, Rives, Robertson, La., Ruppert, Scroggy, Shartel, Sherman, Sibley, Slemp, Small, Smith, Cal., Smith, Ill., Smith, Samuel W., Smith, Pa., Snapp, Southard, Sterling, Sullivan, Mass., Sullivan, N. Y., Tirrell, Towne, Tyndall, Underwood, Van Duzer, Van Winkle, Volstead, Wadsworth, Waldo, Wallace, Webb, Webber, Welborn, Williams, Wilson, Wood, Mo., Woodyard.

So the bill was passed.

The following pairs were announced:

For the session:

- Mr. CONNER with Mr. FINLEY.
Mr. SHERMAN with Mr. RUPPERT.
Mr. MORRELL with Mr. SULLIVAN of New York.
Mr. BRADLEY with Mr. GOULDEN.

Until May 9:

Mr. WATSON with Mr. SHERLEY.

Until further notice:

- Mr. BURKE of South Dakota with Mr. DAVEY of Louisiana.
Mr. KAHN with Mr. WOOD of Missouri.
Mr. HITT with Mr. LEGARE.
Mr. STERLING with Mr. BURNETT.
Mr. MANN with Mr. HOWARD.
Mr. LILLEY of Connecticut with Mr. HILL of Mississippi.
Mr. CROMER with Mr. VAN DUZER.
Mr. ALEXANDER with Mr. CLAYTON.

For this day:

- Mr. HASKINS with Mr. JOHNSON.
Mr. KENNEDY of Ohio with Mr. JAMES.
Mr. DRAPER with Mr. BOWIE.
Mr. JENKINS with Mr. RAINEY.
Mr. McLACHLAN with Mr. KELIHER.
Mr. KNAPP with Mr. SULLIVAN of Massachusetts.
Mr. FOSS with Mr. RHINOCK.
Mr. WALDO with Mr. LEWIS.
Mr. SCROGGY with Mr. TOWNE.
Mr. CHARLES B. LANDIS with Mr. COCKRAN.
Mr. BINGHAM with Mr. HEARST.
Mr. SAMUEL W. SMITH with Mr. McDERMOTT.
Mr. PEARRE with Mr. SMALL.
Mr. DAWES with Mr. WEBB.
Mr. POWERS with Mr. PUJO.
Mr. WOODWARD with Mr. UNDERWOOD.
Mr. OVERSTREET with Mr. WILLIAMS.
Mr. KETCHAM with Mr. ROBERTSON of Louisiana.
Mr. BABCOCK with Mr. DE ARMOND.
Mr. BARTHOLDT with Mr. BRANTLEY.
Mr. ADAMS of Wisconsin with Mr. BANKHEAD.
Mr. BIRDSALL with Mr. BUTLER of Tennessee.
Mr. BROWNLOW with Mr. FLOOD.
Mr. BUCKMAN with Mr. BYRD.
Mr. BURKE of Pennsylvania with Mr. GUDGER.
Mr. LAFEAN with Mr. GAINES of Tennessee.
Mr. BURLEIGH with Mr. CLAUDE KITCHIN.
Mr. CASSEL with Mr. WILLIAM W. KITCHIN.
Mr. DEEMER with Mr. LESTER.
Mr. FASSETT with Mr. LITTLE.
Mr. GREENE with Mr. HEFLIN.
Mr. HEPBURN with Mr. LIVINGSTON.
Mr. GRONNA with Mr. McNARY.
Mr. HALE with Mr. RANDELL of Louisiana.

On this vote:

- Mr. ALLEN of New Jersey with Mr. FITZGERALD.
Mr. BRICK with Mr. BARTLETT.
Mr. CRUMPACKER with Mr. GRIGGS.

The result of the vote was then announced, as above recorded.

On motion of Mr. SMITH of California, a motion to reconsider the vote whereby the bill was passed was laid on the table.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. LITTAUER. Mr. Speaker, I am directed by the Committee on Appropriations to report a bill (H. R. 18334) making an appropriation to supply a deficiency in the appropriation for

bringing home the remains of officers and men of the Navy and Marine Corps who die abroad, which I send to the desk and ask to have read, and I ask unanimous consent for its present consideration, and also that the bill may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That to supply a deficiency in the appropriation for "bringing home the remains of officers and men, Navy and Marine Corps, who die abroad," on account of the fiscal year 1906, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$4,000.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The gentleman further asks unanimous consent that it may be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

Mr. SULZER. Mr. Speaker, I wish to ask if these officers died in the Philippines?

Mr. LITTAUER. The annual naval act carries an appropriation of \$10,000 for bringing home the remains of officers and men who die abroad. The extreme urgency of this case is because of the accident that happened on the U. S. S. *Kearsarge* a few days ago.

Mr. SULZER. Then this bill does not refer to officers that have died in the Philippines. I want to know the fact, and have the truth stated, that is all. I have no objection to the bill. I want its phraseology accurate.

Mr. TAWNEY. Mr. Speaker, I desire to say that the deficiency in this appropriation rises because of the death of so many men in connection with the accident on the U. S. S. *Bennington*, where there were sixty-five men and a number of officers brought home. On account of that accident the appropriation has been entirely exhausted. There is no money with which to bring home the remains of the men who have recently been killed in the accident that occurred on the *Kearsarge*.

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

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

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

RIGHT OF GOVERNMENT TO APPEAL IN CRIMINAL CASES.

The SPEAKER laid before the House the following message from the President of the United States; which, with the accompanying documents, was ordered printed, and referred to the Committee on the Judiciary:

To the Senate and House of Representatives:

I submit herewith a letter of the Attorney-General, inclosing a statement of the proceedings by the United States against the individuals and corporations commonly known as the "beef packers," and commenting upon the decision of District Judge Humphrey. The result has been a miscarriage of justice. It clearly appears from the letter of the Attorney-General that no criticism whatever attaches to Commissioner Garfield. What he did was in strict accordance with the law and in pursuance of a duty imposed on him by Congress, which could not be avoided; and, of course, Congress in passing the Martin resolution could not possibly have foreseen the decision of Judge Humphrey.

But this interpretation by Judge Humphrey of the will of the Congress, as expressed in legislation, is such as to make that will absolutely abortive. Unfortunately there is grave doubt whether the Government has the right of appeal from this decision of the district judge. The case well illustrates the desirability of conferring upon the Government the same right of appeal in criminal cases, on questions of law, which the defendant now has, in all cases where the defendant had not been put in jeopardy by a trial upon the merits of the charge made against him. The laws of many of the States, and the law of the District of Columbia, recently enacted by the Congress, give the Government the right of appeal. A general law of the character indicated should certainly be enacted.

Furthermore, it is very desirable to enact a law declaring the true construction of the existing legislation, so far as it affects immunity. I can hardly believe that the ruling of Judge Humphrey will followed by other judges; but if it should be followed, the result would be either completely to nullify very much, and possibly the major part, of the good to be obtained from the interstate-commerce law and from the law creating the Bureau of Corporations in the Department of Commerce and Labor; or else frequently to obstruct an appeal to the criminal laws by the Department of Justice. There seems to be no good reason why the Department of Justice, the Department of Commerce and Labor, and the Interstate Commerce Commission, each, should not, for the common good, proceed within its own powers without undue interference with the functions of the other. It is, of course, necessary, under the Constitution and the laws, that persons who give testimony or produce evidence as witnesses should receive immunity from prosecution. It has hitherto been supposed that the immunity conferred by existing laws was only upon persons who, being subpoenaed, had given testimony or produced evidence as witnesses relating to any offense with which they were, or might be, charged. But Judge Humphrey's decision is, in effect, that, if either the Commissioner of Corporations does his duty, or the Interstate Commerce Commission does its, by making the investigations which they by law are required to make, though they issue no subpoena and receive no testimony or evidence, within the proper meaning of those words, the very fact of the investigation may of itself operate to prevent the prosecution of any offender for any

offense which has been developed in even the most indirect manner during the course of the investigation, or even for any offense which may have been detected by investigations conducted by the Department of Justice entirely independently of the labors of the Interstate Commerce Commission or of the Commissioner of Corporations—the only condition of immunity being that the offender should have given, or directed to be given, information which related to the subject out of which the offense has grown.

In offenses of this kind it is at the best hard enough to execute justice upon offenders. Our system of criminal jurisprudence has descended to us from a period when the danger was lest the accused should not have his rights adequately preserved, and it is admirably framed to meet this danger. But at present the danger is just the reverse—that is, the danger nowadays is not that the innocent man will be convicted of crime, but that the guilty man will go scot-free. This is especially the case where the crime is one of greed and cunning perpetrated by a man of great wealth in the course of those business operations where the code of conduct is at variance not merely with the code of humanity and morality, but with the code as established in the law of the land. It is much easier, but much less effective, to proceed against a corporation than to proceed against the individuals in that corporation who are themselves responsible for the wrongdoing. Very naturally outside persons, who have no knowledge of the facts and no responsibility for the success of the proceedings, are apt to clamor for action against the individuals. The Department of Justice has, most wisely, invariably refused thus to proceed against individuals, unless it was convinced both that they were in fact guilty and that there was at least a reasonable chance of establishing this fact of their guilt. These beef-packing cases offered one of the very few instances where there was not only the moral certainty that the accused men were guilty, but what seemed, and now seems, sufficient legal evidence of the fact.

But in obedience to the explicit order of the Congress the Commissioner of Corporations had investigated the beef-packing business. The counsel for the beef packers explicitly admitted that there was no claim that any promise of immunity had been given by Mr. Garfield, as shown by the following colloquy during the argument of the Attorney-General:

"Mr. MOODY. * * * I dismiss almost with a word the claim that Mr. Garfield promised immunity. Whether there is any evidence of such a promise or not I do not know and I do not care.

"Mr. MILLER (the counsel for the beef packers). There is no claim of it.

"Mr. MOODY. Then I was mistaken, and I will not even say that word."

But Judge Humphrey holds that if the Commissioner of Corporations (and therefore if the Interstate Commerce Commission) in the course of any investigations prescribed by Congress asks any questions of a person not called as a witness, or asks any questions of an officer of a corporation not called as a witness, with regard to the action of the corporation on a subject out of which prosecutions may subsequently arise, then the fact of such questions having been asked operates as a bar to the prosecution of that person or of that officer of the corporation for his own misdeeds. Such interpretation of the law comes measurably near making the law a farce; and I therefore recommend that the Congress pass a declaratory act stating its real intention.

THEODORE ROOSEVELT.

THE WHITE HOUSE, April 18, 1906.

REQUEST FROM THE SENATE.

The SPEAKER. The Chair lays before the House the following request from the Senate, which the Clerk will report.

The Clerk read as follows:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 4952) making an appropriation for the improvement of the mouth of the Columbia River.

The SPEAKER. If there be no objection, the request will be granted. [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

By unanimous consent, Mr. DAVEY of Louisiana was granted leave of absence indefinitely, on account of important business.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GILLETT of Massachusetts. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the District of Columbia appropriation bill.

The SPEAKER. The gentleman from Massachusetts moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the District of Columbia appropriation bill.

Mr. BURLESON. Mr. Speaker—

Mr. GILLETT of Massachusetts. And, Mr. Speaker, pending that motion, I would like to ask the gentleman from Texas, representing the minority, if we can not agree upon some limit for general debate? The gentleman appreciates how important it is that this bill gets into the Senate as early as possible.

Mr. BURLESON. I will state to the gentleman from Massachusetts I really believe that we could expedite the passage of the bill by not entering into a hard and fast agreement at this time as to the limit that should be placed upon the time for general debate. I have requests for three hours and five minutes of general debate upon the bill.

Mr. GILLETT of Massachusetts. Let me say to the gentleman I have had requests upon this side of the Chamber, but finally I persuaded them to withdraw all requests for debate not upon the bill, and I think if the gentleman will endeavor we can agree upon some time, which will shorten the discussion.

Mr. BURLESON. Well, the gentlemen who have requested

this time of me have stated they desired to use the time upon the floor—

Mr. GILLETT of Massachusetts. Upon this bill?

Mr. BURLESON. One gentleman proposes to discuss the bill itself, and I have a request for another hour—

Mr. GAINES of Tennessee. Let me ask my friend—

Mr. BURLESON. Included in that time is half an hour for the gentleman from Tennessee.

Mr. GAINES of Tennessee. I was a little bit surprised that the gentleman from Massachusetts would, as it were, drive off the gentlemen on his side of the House from discussing subjects generally. We have very little chance for debate in the House anyway, and when the opportunity comes along we ought to throw open the doors a little bit. There are enough speeches suppressed at best.

Mr. GILLETT of Massachusetts. We debated a whole week on the post-office bill, and the agricultural appropriation bill is to immediately follow this bill.

Mr. GAINES of Tennessee. And there are nearly 400 Members in this House, and there are thousands of subjects that ought to be discussed, and we have gotten along pretty well in discussing matters in this Congress, better than we have for the last eight or ten years, by allowing freer debate.

Mr. BURLESON. And I would state to the gentleman from Massachusetts that the gentleman from Mississippi has just submitted a request for an hour additional, which will make the request for four hours and five minutes which I already have.

Mr. GAINES of Tennessee. So far as I am concerned, I will say to the gentleman from Texas I will surrender whatever time he has accorded to me. I do not want to block anything. I am simply speaking generally for reasonable chance for anyone to speak who desires.

Mr. GILLETT of Massachusetts. Suppose I suggest to the gentleman we agree upon five hours of general debate, and I will yield to the gentleman. I do not expect to use more than an hour on this side—

Mr. BURLESON. With that understanding, that I may have four hours of the five, I will agree with the gentleman that debate be closed at the end of five hours, and whatever time is not consumed by the gentlemen who have mentioned the matter to me requesting time I will yield back to the gentleman from Massachusetts.

Mr. GILLETT of Massachusetts. Mr. Speaker, I will accept the gentleman's proposition, making it six hours, so that I may have an hour's leeway in case I have to yield to somebody.

Mr. BURLESON. We must make some provision for a statement to be made by the gentleman from Massachusetts [Mr. GILLETT], and I shall submit about a ten minutes' statement.

Mr. GILLETT of Massachusetts. Does the gentleman state that he needs four hours?

Mr. BURLESON. I have requests for four hours and five minutes outside of the time that is to be consumed by the gentleman on the committee.

Mr. GILLETT of Massachusetts. Outside of that?

Mr. BURLESON. Outside of that.

Mr. GILLETT of Massachusetts. Then you would probably need four hours and a half?

Mr. BURLESON. Four hours and a half.

Mr. GILLETT of Massachusetts. Mr. Speaker, I think we had better go on without an agreement.

FRANKLIN MEMORIAL.

The SPEAKER. Pending the gentleman's motion, the Chair will say that Messrs. FASSETT and WATSON ask to be relieved from committee service in connection with the Franklin memorial, and the Chair designates, if there be no objection, Messrs. FOSTER of Vermont and BENNET of New York.

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GILLETT of Massachusetts. I will propose to the gentleman from Texas [Mr. BURLESON] that we make this provision, namely, call it seven hours, to be divided equally between two sides, to be controlled by the gentleman and myself. That will leave the gentleman three hours and a half. I will agree to yield to him at least an hour from our side.

Mr. BURLESON. That will give four hours and a half?

Mr. GILLETT of Massachusetts. Yes.

Mr. BURLESON. That will leave twenty-five minutes to the gentleman from New York and myself. I will content myself with ten minutes if the gentleman from Massachusetts [Mr. GILLETT] can content himself with fifteen minutes.

Mr. GILLETT of Massachusetts. It seems to me you are getting most of our time in that way.

Mr. BURLESON. I think we can enter into that agreement.

Mr. FITZGERALD. Mr. Speaker, I suggest that the debate

go on without any agreement until we know something about the time.

REPRINT OF BILL.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent for a reprint of the bill H. R. 16550.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. LACEY. Mr. Speaker, before going into the Committee of the Whole I would like to have consent to extend my remarks on the Texas bill in the RECORD.

Mr. BURLESON. Mr. Speaker, I wish to submit a similar request.

The SPEAKER. Is there objection?

There was no objection.

THE SAN FRANCISCO DISASTER.

Mr. GILLETT of Massachusetts. Mr. Speaker, it has been suggested to me by many Members in my neighborhood here that on account of the terrible calamity in California it would be proper for the House to adjourn.

Mr. GROSVENOR. Mr. Speaker, the gentleman from California [Mr. KAHN] has prepared a resolution which he desires to offer.

Mr. GILLETT of Massachusetts. I will yield to the gentleman from California. I withdraw my motion.

Mr. KAHN. Mr. Speaker, the messages that have been coming from San Francisco in the past hour or two are of the most appalling nature. The latest that I have heard is that fifty-four blocks of the city of San Francisco have been destroyed, while the cities on the other side of the bay are also in a terrible condition. No doubt there is a great loss of life and consequent calamity. I therefore desire to offer a resolution that the War Department and the Navy Department place at the disposal of the mayors of the city of San Francisco and other afflicted communities such supplies as may be necessary.

The SPEAKER. The Chair would suggest to the gentleman from California [Mr. KAHN] that the joint resolution which he proposes should be in black and white, and drawn with care, in order to cover the ground. Perhaps it would take but a short time to do so.

Mr. PAYNE. Mr. Speaker, I would suggest to the gentleman, then, that the House might go into the Committee of the Whole House on the state of the Union for a time, until such a joint resolution could be prepared.

Mr. KAHN. I can prepare the resolution in a very few minutes.

Mr. PAYNE. And then the committee can rise.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Then, on motion of Mr. GILLETT of Massachusetts, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 18198) making appropriation to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1907, and for other purposes, Mr. DALZELL in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 18198—the District of Columbia appropriation bill.

Mr. GILLETT of Massachusetts. I ask that the first reading of the bill be dispensed with.

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

Mr. GILLETT of Massachusetts. Mr. Chairman, this is my first service in connection with this District of Columbia appropriation bill, and it is perhaps but fair to say that of the subcommittee which prepared this bill, four of the five were equally inexperienced. Consequently we went into the preparation of the bill with more care, perhaps, at least in more detail, than is generally expended by a committee on such a bill and have felt more than usual deference for the experience of our predecessors.

I appreciate, Mr. Chairman, that a bill of this kind, so local in its character, has nothing intrinsically interesting to the membership of the House. Indeed, when I was first assigned to membership of this subcommittee, I felt that it was the most undesirable and unpleasant of all subcommittees of the Appropriations Committee; but I have found it much less irksome than I expected, for it presents the great problem of municipal government, which is to-day one of the most pressing and most interesting problems before the country, and the one which apparently is least near a satisfactory solution.

One feature which has impressed me in the consideration of the bill is that all the pressure that came on the committee

was for increased expenditure. Now, every member of every appropriation committee in the House has doubtless had the same feeling—that the pressure is always for increased expenditures and nobody is interested in economy. But I felt it even more strongly than ever in this District appropriation bill. It has seemed that nobody in the District of Columbia is interested in economical expenditures of money, and everybody is interested that more appropriations shall be made in one line or another. This, I suppose, comes partly from the fact that the United States pays half the expenses of the District and consequently each citizen of the District feels that what is spent is coming from Uncle Sam. But it comes also, I think, from another reason—from the way the taxes in the District are imposed. It comes from the fact that here, if the expenditures are large, it makes no increase in the individual taxes. In our home cities, if an administration makes a large or extravagant expenditure, it knows that it has an immediate effect on the pockets of the citizens; that the tax rate will be raised, and that criticism will follow, for nothing is more sensitive than a man's feeling about paying larger taxes. But in the District of Columbia, no matter how large the expenditure is, that has no effect upon the amount of taxes, because of the cast-iron rule that is adopted, imposing \$15 on a thousand each year, no matter what the expenditure is. Moreover, that \$15 a thousand is not imposed upon the par or market value of the property, but imposed upon a 66 per cent valuation.

Now, I think here at the outset that this present system of taxation in the District of Columbia is unfortunate. It seems unnatural that there should be no relation between the amount of expenditure and the amount of taxation. It seems to me unfortunate that an extravagant administration should not run the risk of bringing down upon itself criticisms from the taxpayers who have had money taken from them. And if we allow this system to exist, it seems to me it ought to be put upon a fairer basis than \$15 a thousand upon a 66 per cent valuation, which is lower than that of any city in my Commonwealth that I know of.

Mr. SIMS. Will the gentleman allow me to ask him this question: Why is it limited to \$15 a thousand, or why limit it to 66 per cent in assessing the value?

Mr. GILLETT of Massachusetts. Because the law provides it.

Mr. SIMS. What I wanted to know was why it should be that way?

Mr. GILLETT of Massachusetts. I do not think it should be so. I think the gentleman's committee should change it.

Mr. SIMS. I am very anxious to change it.

Mr. SMITH of Kentucky. I want to ask the gentleman from Massachusetts whether personalty was assessed and paid taxes upon the same basis as alluded to by him—66 per cent of its market value?

Mr. GILLETT of Massachusetts. It is 66 per cent on personalty. But, of course, the tax on personalty does not include all personalty, but only includes visible property.

Mr. SMITH of Kentucky. Does it include stocks and bonds?

Mr. GILLETT of Massachusetts. Oh, no; not at all.

Mr. SIMS. Stocks, bonds, and money?

Mr. GILLETT of Massachusetts. It is practically only household effects.

Mr. SMITH of Kentucky. Does not the law require it?

Mr. GILLETT of Massachusetts. The law does not require it.

Mr. SMITH of Kentucky. That seems to me to be a very great exemption from taxation.

Mr. SCOTT. I would like to ask the gentleman this question: He says no matter what the expenditure, the rate of taxation and the rate of assessed valuation is never changed?

Mr. GILLETT of Massachusetts. The assessed valuation is changed once in three years.

Mr. SCOTT. But the rate of taxation is not changed?

Mr. GILLETT of Massachusetts. No, sir.

Mr. SCOTT. I should think that would result either in a very large deficit when the expenses are large or in a very large surplus when the expenses are small.

Mr. GILLETT of Massachusetts. That is exactly the result.

Mr. SCOTT. I should like to inquire what arrangement is made when there is a deficit?

Mr. GILLETT of Massachusetts. This arrangement has been made, Mr. Chairman: For the last five years there has been a provision in the appropriation bill of each year that the deficit shall be advanced from the Treasury of the United States, and that the District shall pay 2 per cent on such advance. So it is practically loaned from the United States Treasury.

Mr. SCOTT. What arrangement is made for eventually paying this loan?

Mr. GILLETT of Massachusetts. We are to pay it off in

five years from next July. No bonds have been issued, but the provision is that it shall be paid in annual installments in the next five years. That must be saved out of the money that is raised by taxation, of course.

Mr. SCOTT. That is within the jurisdiction of your committee?

Mr. GILLETT of Massachusetts. No; I am sorry to say it is not.

Mr. PERKINS. I should like to ask the gentleman if it would not be perfectly possible to have a provision of law by which, after the amount of the expenses of the District has been fixed, the assessors should then be directed to impose upon the taxable property of the District one-half of the expense and collect it?

Mr. GILLETT of Massachusetts. Of course.

Mr. PERKINS. That is the procedure in every city that I know anything about.

Mr. GILLETT of Massachusetts. There are an indefinite number of ways in which this result could be reached.

Mr. PERKINS. That is the way it is ordinarily done. The amount is fixed and then the assessors levy it on the taxable property. Why is it not done here?

Mr. GILLETT of Massachusetts. So far as the Committee on Appropriations is concerned, it is because that committee has no legislative power.

Mr. PERKINS. You get a good many legislative provisions enacted on your bill.

Mr. GILLETT of Massachusetts. But it is all done by unanimous consent.

Mr. SIMS. I want to say this by way of compliment to your committee, that the small amount of tax which is imposed on personal property was imposed as the result of a provision put on the District bill by the Committee on Appropriations.

Mr. GILLETT of Massachusetts. I am glad to know that.

Mr. SIMS. I want to ask the gentleman if he will offer to this bill an amendment making stocks, bonds, promissory notes, money, and other intangible personal property taxable at the same rate that other personal property is taxable?

Mr. GILLETT of Massachusetts. If the gentleman will listen to me a little further I will state my opinion. It seems to me that is not the most crying evil for which there is a necessity of a change in the law.

Mr. SIMS. Would it not be a very desirable change?

Mr. GILLETT of Massachusetts. I am not certain about that. I will develop what I think could be done.

Mr. SIMS. Would you object or make a point of order to such an amendment if offered to this bill?

Mr. GILLETT of Massachusetts. I do not know. I will consider that when it comes.

Mr. SIMS. It is useless to prepare an amendment if the gentleman would make a point of order against it.

Mr. GILLETT of Massachusetts. I do not know whether I would or not. Of course, Mr. Chairman, there is an obvious objection to any tax on stocks and bonds. All persons who live where that is the custom, as it is in my State, recognize that that kind of a tax has two objections. One that is usually raised is that it is inquisitorial; but the great objection to that tax is the impossibility of levying it with any fairness.

The man who divulges just what he has got pays the full tax, and the nine-tenths or ninety-nine one-hundredths who do not divulge just what they have escape in varying proportions. Consequently, I think everybody admits that there is always that unequal and unfair effect incident to any tax upon intangible personal property. But what it seems to me the gentleman's committee might wisely do is to change this \$15 on a thousand, or else change the 66 per cent valuation. I do not believe there is a city in the whole State of Massachusetts that does not have to pay above \$15 a thousand; not on a 66 per cent valuation, but on a full valuation. I suspect the tax rate runs from \$15 to \$20 per thousand on the market value. Now, in Washington it runs \$15 on the thousand on a 66 per cent valuation, which amounts to \$10 per thousand on a full valuation. It seems to me that is far too low, and it is producing the natural tendency to make Washington a paradise for persons who wish to evade taxes. Persons come here and escape any taxation upon their investments. They pay no personal tax, except upon their household effects, and then only pay \$10 a thousand upon the real value of their estate. That is far less than is paid in most of the Commonwealths of this country. I do not think it is right that so little should be paid here.

Mr. PERKINS. I would like to ask the gentleman if, whatever the rate in other cities—and it probably averages \$20 on a thousand of assessable property for general city expenses—there is not also thrown upon the real estate the cost of local improvements, while here this is entirely defrayed out of the gen-

eral fund, and thus the entire taxes paid here are very much less than in corresponding cities?

Mr. GILLETT of Massachusetts. That is also a proper criticism, I think. So one result of my study of this bill has been to convince me that the tax law of the District needs revision, and that there ought to be a higher rate of taxation on the property here.

The Government now is paying one-half of the expenses. I do not suppose that will always remain true. I do not think it ought always to remain true, because, although we all recognize that this being the national capital we wish that it should be made a model city and we are willing that the Government should contribute toward that end, yet I think we recognize, too, that Washington is growing so fast, and that the residential and business portions are so far exceeding in growth the national portion, that in a few years the same half-and-half division, which may have been fair years ago and may be fair to-day, will not be fair and undoubtedly will be changed.

Mr. WM. ALDEN SMITH. Will the gentleman allow me a question?

Mr. GILLETT of Massachusetts. Certainly.

Mr. WM. ALDEN SMITH. I would like to ask how long that has been the rule here?

Mr. GILLETT of Massachusetts. Since 1878 at least.

Mr. WM. ALDEN SMITH. What was the object of it?

Mr. GILLETT of Massachusetts. And it may have been before 1878, but it has been certainly since 1878.

Mr. WM. ALDEN SMITH. What was the object of that rule?

Mr. GILLETT of Massachusetts. I was not here in 1878, but the theory on which it has been generally defended is that the Government owning so large an amount of property in the city which is exempt from taxation—and at that time I suppose it owned more proportionately than now—it was jumped at as a fair proposition that as more than one-half of the property was owned by the Government and was exempt from taxation the Government should pay one-half of the expenses.

Mr. WM. ALDEN SMITH. I had assumed that it was due to the fact that the Government exercises almost absolute control over the property rights in this District, subject to constitutional limitations, and that in exercising those rights the Government's necessities grow with each year; the property holder is necessarily at the mercy of the Government, and therefore he got his compensation for the risk in this cession of taxes and sharing of the expenses. Now, I want to know if the same reason does not exist to-day as much as it ever did, and if it will not continue to exist as the Government's interest grows larger?

Mr. GILLETT of Massachusetts. That is an argument for that proposition, but the other argument is the one I have heard put forward as the main argument. I was not here in 1878, and can not, of course, tell what was in the minds of those who devised the scheme.

Mr. SIMS. With the permission of the gentleman from Massachusetts, I would like to state to the gentleman from Michigan—

Mr. GILLETT of Massachusetts. I will yield to the gentleman from Tennessee.

Mr. SIMS. I would like to state to the gentleman from Michigan, that after the municipal form of government was abolished and they established a board of public works, they entered into such a scheme of improvement that they run the city hopelessly in debt and were practically confiscating the property of the small owners, and this act of 1878 was in part passed to redeem them from a hopeless case of insolvency which that form of government brought them into.

Mr. GILLETT of Massachusetts. Mr. Chairman, it seems to me that if the rate of taxation was made as high here as it is in the average city throughout the country we would have money enough in the next few years to make this really a model city, to do away with the portions of it which are a disgrace to any city, and to have our streets well paved and well kept and well lighted, and to have our schools well housed and conducted, all our departments efficiently maintained, and, in fact, to have all the duties of government so performed as to make this the model city, which I am sure the country wants.

Mr. WM. ALDEN SMITH. If it does not interrupt the gentleman, I want his judgment as to whether the streets are kept clean and in good repair now?

Mr. GILLETT of Massachusetts. I do not consider that they are well kept, though they are better than in most cities.

Mr. WM. ALDEN SMITH. I consider them in very bad condition, a disgrace to the District—I want to emphasize that as strongly as I know how.

Mr. GILLETT of Massachusetts. To-day the condition of the finances of the city is this: There is a debt of about \$11,000,000, the residue of a bond issue of over twenty millions

about thirty years ago. To-day that debt is about \$11,000,000, and we pay into a sinking fund every year to cancel it at maturity \$975,000.

Mr. SCOTT. In what form is that debt carried?

Mr. GILLETT of Massachusetts. It was a bond issue.

Mr. SCOTT. Does the Government pay one-half interest on those bonds?

Mr. GILLETT of Massachusetts. Yes. They were issued at the time the city was really made over, about thirty or forty years ago, as the gentleman will recollect. Those bonds have been taken up and canceled, until now there are only about \$11,000,000 of them outstanding.

Mr. SCOTT. When the Government is called upon in the way of current expenses to advance money at the rate of 2 per cent, as the gentleman suggested a moment ago, are bonds issued to cover that debt?

Mr. GILLETT of Massachusetts. No. This is besides that, which I shall come to in a moment.

Mr. SCOTT. Let me ask the gentleman this further question: Does the Government pay one-half of the 2 per cent interest on this advanced money?

Mr. GILLETT of Massachusetts. No. The District alone pays that. We pay half the interest and principle on those other bonds. Now, besides that \$11,000,000, which we are paying at the rate of \$975,000 a year into the sinking fund, and which will cancel them at maturity, in the last few years we have incurred an indebtedness of about \$2,000,000, which is advanced from the Treasury of the United States, and on which we pay 2 per cent. That debt has been created in this way.

A few years ago we began the sewage-disposal plant, which is now nearly completed and which cost over \$5,000,000. Then we are just completing the filtration plant, at an expense of three and a half millions of dollars, making eight and a half millions of dollars. Then we are building our new municipal building, at an expense of two millions and a half, not yet all paid for, which makes eleven millions; and, further, we have agreed to pay to the Baltimore and Ohio Railroad Company and for the change of grade at the new station over \$3,000,000, making in all over \$14,000,000, all of which public works we have begun in the last five years, and for which we have paid as much as we could each year. Any balance that is left over any year went to pay that debt, and any deficit increased that debt; and there remains due upon those \$14,000,000 now \$2,000,000, and the completion of these various projects will cost between two and three millions more, making in all from four to five millions of dollars which the District will owe the United States and on which it pays an interest of 2 per cent. So that, in addition to our bonded indebtedness, there is this debt of \$4,000,000. I think no one will say that that debt was unwisely incurred, and I think it is very creditable that so much of it has been paid out of current income, and the only question is whether it would have been wiser to have issued bonds, as other cities would.

That indebtedness, by the terms of the resolution, is payable to the United States in the next five years, so it will take probably from seven to eight hundred thousand dollars a year to pay that off. So it seems to me if we are going to appropriate as we ought to for the current needs of the city and have the streets and the schools and all the other items of city expenses up to the proper standard, there is urgent need of increasing the revenues of the District.

Mr. JONES of Virginia. Mr. Chairman, just on that point I want to ask the gentleman if he does not think it would be fairer, instead of increasing the rate of taxation upon real estate and tangible personal property, to provide that intangible personal property shall be taxed? I understand the gentleman to say that the objection to the taxation of intangible property, money, bonds, stocks, etc., is that dishonest people will cover up their intangible property and make dishonest returns; but is it not a fact that in every State in the Union that character of property is taxed and is the source of considerable revenue?

Mr. GILLETT of Massachusetts. I don't know whether it is true in every State in the Union. It is in my State. But I do not think I care to go into that question as to what should be taxed. That is, of course, not the province of this committee.

Mr. JONES of Virginia. The gentleman is discussing this very question, however, and I simply want to make one or two observations, which I regard as timely and in point. I have been told that a great many very wealthy people, people whose wealth is composed almost entirely of money, bonds, and stocks, come here to reside for the sole purpose of escaping taxation.

I am told that a citizen of one of the cities of Virginia, worth probably several million of dollars, nearly every dollar of which was in intangible personal property, came here to live for the sole purpose of escaping taxation in my State, and it is very

unjust to the States of the Union that the laws of the District of Columbia should encourage this character of dishonesty. It makes the city of Washington a sort of asylum for the tax dodgers of the country—a city of refuge for millionaires who desire to escape just taxation.

Mr. GILLETT of Massachusetts. Mr. Chairman, I do not care to go into a general discussion of taxation. I alluded to the question because, this being my first year on this subcommittee, I thought I would suggest to the House how the existing conditions in the city impressed an unprejudiced mind, and it does seem to me that the taxation rate is much too low and that it ought to be changed; but of course that is not within the province of this committee, and I trust it will be taken care of by the proper committee.

Mr. GAINES of Tennessee. What committee has charge of that?

Mr. GILLETT of Massachusetts. The District Committee, of course. Now, taking up the bill itself, I do not suppose the House wants me to go into the details, but I want to point out a few salient features of it.

This bill appropriates \$573,000 less than the bill of last year, but I do not wish to impose upon the House a false claim for economy. This illustrates the dangers and uncertainty of comparisons, for really we do not deserve any encomiums for that saving. That saving comes not from current expenses, but comes because some of these large projects in which the city has been engaged for the last five years are reaching completion and more had to be expended for them last year than this year. For instance, for grade crossings about the Union Station last year we spent \$450,000 and this year only \$50,000. Last year we built the Potomac bridge for \$200,000. This year it is completed and we have no expense for it. Last year we spent \$394,000 on the Connecticut Avenue Bridge; this year we only spend \$150,000. On the other hand, this year we appropriate \$279,000 for the Anacostia bridge and \$38,000 for the K Street Bridge, for which last year nothing was spent. Last year we spent on the sewage-disposal system about a million and a half, on which we do not have to spend any this year. This year, however, on the filtration plant we have to spend \$80,000 and we shall spend \$500,000 on the municipal building, against \$300,000 last year. This year we appropriate for a tuberculosis hospital \$100,000, so comparing what I think might be called extraordinary expenses—permanent expenses of last year—with this I think that last year we spent about a million dollars more—

Mr. GAINES of Tennessee. What do you mean by "we"?

Mr. GILLETT of Massachusetts. Congress last year.

Mr. GAINES of Tennessee. "We" means Congress?

Mr. GILLETT of Massachusetts. As I was saying, we spent about a million dollars more last year for these extraordinary projects. Taking from that the \$573,000 which we seem to have saved leaves about \$425,000, which is the amount we appropriate this year more than last year for current expenses, but that is explained largely by a few big items. For instance, there is an appropriation of a hundred and seventy-seven thousand dollars more for new schoolhouses than there was last year, and for street cleaning we recommend \$34,000 more, and for collection of garbage \$68,000 more; repairs to streets, \$75,000 more. So that explains in a general way the difference of expenditures between the bill of last year and the bill which we report this year. The growth of the city would naturally demand an increasing expenditure each year.

Mr. NORRIS. Will the gentleman permit?

Mr. GILLETT of Massachusetts. Certainly.

Mr. NORRIS. I am not particular about the gentleman answering it now, but will the gentleman before he finishes his remarks explain the action of the committee in regard to the different hospitals? I notice in the report that you have cut out the appropriation for hospitals with the exception of the new one for which you provide. I am not at all criticising the committee, but I would like to understand why the appropriations heretofore were made for these hospitals, and if it was good to make them, why the committee ceased to make these appropriations this year.

Mr. GILLETT of Massachusetts. Well, I will explain that now as well as any other time. The practice in the city in the past has been this: There are in the city a number, from eight to a dozen, good-sized hospitals which were started as benevolent, charitable institutions and which grew up without any support by Congress. Gradually persons who were interested in those hospitals found that they were in need, found, I suppose, as we always do, that it was difficult to raise money—especially difficult in a city like Washington, where so large a proportion of the residents are transient, they must necessarily have less civic pride and interest than in our ordinary cities—they found that it was difficult to raise money, and so

they came to Congress for help and Congress yielded to their appeal began some years ago to appropriate lump sums for hospitals by name. The result of that would be that there was handed down right over to each hospital the amount which Congress appropriated to it and which they could spend as they pleased, and we never knew what return we got for it or how needy the patients were. I do not wish to reflect on the hospitals and I do not doubt they were run with the purest of purpose and that the money was well expended.

Mr. NORRIS. Now, were these appropriations provided by any law except the appropriation bill?

Mr. GILLETT of Massachusetts. No.

Mr. NORRIS. Then, as a matter of fact, the point of order would have been good against any of these items any time?

Mr. GILLETT of Massachusetts. Well, it's not necessary for me to admit that.

Mr. NORRIS. They would, if they were not in accordance—

Mr. GILLETT of Massachusetts. In accordance with existing law. We will not raise that question. It was done year by year, and we gave so much money to these hospitals. A few years ago it was suggested to Congress that it was not a wise way to do; that it would be better to appropriate, say, for a certain hospital \$10,000, and say that money shall be given to the hospital not outright, but shall be given to the order of the board of charities of the District, and then let that board make a contract with the hospital that they shall take care of so many patients, or that they shall receive so much a patient, until that money was exhausted, so that we would be sure that the city was getting back from the hospitals its money's worth, and that we might know how many and just what poor people were being treated. And that has been the rule for some years.

Now, the board of charities came before us and said that "different hospitals charge different prices, some hospitals charging one price and some another, and some are doing much more charity work than others. There is nothing to compel a hospital to fix any specific price. They get a certain amount that is appropriated to them, and they can make what contract they please with us. Some may charge just what it costs them, some may charge more, some less; but if you will give us, instead of appropriating for each hospital, a lump sum and allow us to appropriate it to which hospital we please, then we can distribute it, and we can say to each hospital: 'How much will you take care of the patients for? How much does it cost you to take care of them?' and then the hospitals will, as it were, be bidding against each other." And in that way they could distribute the money more fairly and get a better return for the city than if Congress simply voted this fixed sum to each hospital.

It impressed us that if the board of charities was intelligent and honest and fair they could do better in that way than if we appropriated so much to each hospital, and the committee said: "We will give them a year's trial; we will give the board of charities outright a sum of money, less than we gave before, because they said they could save money by it and could get just as good returns. We will give them this lump sum and will see if they can accomplish what they promise, namely, that they can get better returns for the money than they are now getting."

Mr. KEIFER. Will the gentleman yield?

Mr. GILLETT of Massachusetts. Certainly.

Mr. KEIFER. I agree with the gentleman's suggestion. I understand that there is no appropriation in this bill specifically for the Home for Incurables. I want to know whether this board of charities out of that lump sum will have the right to apply any of it for the purpose of maintaining the Home for Incurables, which heretofore has had about \$3,000 a year.

Mr. GILLETT of Massachusetts. I am not sure offhand whether that was one of the hospitals or not. My recollection is that it is not.

Mr. KEIFER. I would like to know why, then, there was no special appropriation for the Home for Incurables.

Mr. BURLESON. It was embraced in the number of hospitals.

Mr. KEIFER. If that is so—

Mr. BURLESON. It is. It was embraced in the number of hospitals that were not carried in the bill at this time.

Mr. KEIFER. The board of charities would make a specific appropriation in that distribution for the conduct of the Home for Incurables?

Mr. BURLESON. If they could reach a proper understanding with those who conduct it.

Mr. KEIFER. I understand. I think there has been allowed about \$3,000, which is only a small part of what they expend.

Mr. GILLETT of Massachusetts. I had forgotten whether it was in the list or not.

Mr. NORRIS. I do not suppose the gentleman means to convey the idea that it is necessary to get these different hospitals bidding against each other in order to get an economical expenditure of the money?

Mr. GILLETT of Massachusetts. I do not mean to reflect, of course, on the hospitals at all.

Mr. NORRIS. The gentleman made the statement that the board of charities would get the hospitals to bid against each other.

Mr. GILLETT of Massachusetts. We thought it would equalize the sums that were paid per man to each hospital.

Mr. NORRIS. I think so. I think that would be a pretty good idea; but I want to offer the suggestion that it seemed to me that there was not any money ever spent anywhere that we could spend with a clearer conscience than any appropriations that we would make to most any of these hospitals, all of which, I understand, never turn away a sick person, regardless of his financial ability, but always give him care and attention and retain him until his case is disposed of, unless it should be some disease that they can not keep in that particular kind of a hospital. So it seems to me we ought to be as liberal as we can, without any reckless expenditure of money, in dealing with these hospitals, none of which, as I understand, are organized for the purpose of making money. None of them are making money, and all of them are in debt, and all doing charitable work, in which we all, and the country, ought to take a great deal of just pride. So that we ought to treat them liberally.

Mr. GILLETT of Massachusetts. I heartily agree with the gentleman. I think I was unhappy in my expression. What I meant was to equalize the cost in the different hospitals, and the work would probably be better done than it is now, and would allow the board of charities the same control as to what amount is expended on each patient. But by our appropriation we expect the same amount of work will be done as done now.

I wish to say, moreover, in addition to what I have said about these hospitals, that though they have gradually come to depend on the Government for the money, I do not mean by that to reflect upon the management of the hospitals. They are noble charities, and Washington has disinterested and generous men and women who work for them. I happen to know that last year the appropriation of one of them was cut down \$5,000, and the good people interested in it went out and raised the money themselves and put it in the funds of the hospital. So that there is a charitable spirit in Washington, and these hospitals are an expression of it, and we do not wish to deny it or to reflect on them, but we thought this new plan a wiser business policy, and that we had better at least try it one year and see if it would produce the results promised from it.

I ought to mention one other phase—

Mr. SIMS. Before the gentleman does that, I notice an appropriation in the bill for the removal of garbage and ashes. Is the appropriation sufficient to do all that work?

Mr. GILLETT of Massachusetts. We have raised that appropriation \$65,000 over what it was last year. So we hope it will be sufficient.

Mr. SIMS. I just want to state to the gentleman in my own experience I have had to pay personally private persons for the removal of these very items.

Mr. GILLETT of Massachusetts. That is one of the places in the bill we have largely increased the appropriation.

Mr. SIMS. Does the gentleman know whether there has been any effort to get any pay for this garbage or not?

Mr. GILLETT of Massachusetts. We were told that there had been an effort, but it has not succeeded so far.

Mr. SIMS. I would like to ask the gentleman if he does not think that if the city owned an incinerating plant and a fertilizing plant that they could get all this garbage removed free and make a profit in addition?

Mr. GILLETT of Massachusetts. I do not know enough about that to express an opinion.

Mr. SIMS. If given a sufficient length of time in the way of contract, I am confident they could get it done.

Mr. GILLETT of Massachusetts. Now, there are a few other matters in the bill I should refer to. The clause about the Anacostia bridge is plainly subject to a point of order. It is suggested by us as practically a request for unanimous consent, because it seemed to us imperatively necessary now, and we hoped everyone would accede to it. The new Anacostia bridge was authorized a couple of years ago by the District Committee—

Mr. DAVIS of Minnesota. By the Appropriations Committee. I made the point of order against it.

the committee. I thought the District Committee authorized it. On the other side of the bridge, a short way over, the highway crosses the tracks of the Baltimore and Ohio Railroad. It was expected at that time they were going to abandon that track, which is a small branch track, but the new industry being launched near there, I understand, has changed the purpose of the railroad, and this branch is going to continue. Therefore it was suggested to the committee that it was indispensable that a change of grade should be made, so that it should no longer be a grade crossing.

Of course, that ought to be done before the bridge was completed. Therefore we have put into this bill a clause changing the grade of the highway and Baltimore and Ohio tracks just beyond the bridge, and provided also, which we thought was fair, that the Baltimore and Ohio should pay the expense of changing the grade. That, of course, is subject to the point of order.

We found, too, that this highway bridge had been built more wide and more expensively, in order that a street car line might use it, and we thought it but fair that the car company should pay some portion of the incurred cost, and we have provided that it should pay \$32,500, or one-tenth of the cost.

That, of course, is also subject to a point of order, and is simply suggested for the unanimous consent of the committee. We have also a provision that street railway companies shall sprinkle their tracks in the streets wherever the Commissioners order, because you all know that in summer the dust that rises from the passage of a street car goes far to make the street unendurable; and it is no more than fair, particularly as they said it would not be any very great additional expense to put on a few tank cars, that they should provide them.

We have also provided that the price of lighting the streets shall be reduced from \$20 to \$15 for plain gas lamps, from \$25 to \$20 for mantle burners, and from \$85 to \$80 for electric lamps.

One other provision that I wish to allude to, and then will yield the floor, is the appropriation of \$100,000 for the inauguration of water meters in private residences. It appeared before us that our present water supply has nearly reached the limit of consumption and that in some days last year the demand was greater than the supply, so that we must either increase the supply or reduce the demand, and it seemed to us after investigation that much the cheaper and better way was to reduce the use of the water.

Mr. SIMS. How many years will you be in putting in the meter system?

Mr. GILLETT of Massachusetts. We appropriate \$100,000 this year.

Mr. SIMS. What time is given in the bill for a complete system of meters to go in?

Mr. GILLETT of Massachusetts. The only provision is for \$100,000 worth to go in this year.

Mr. GILLETT of Massachusetts. It was before I was on.

Mr. SIMS. I want to ask the gentleman if he does not think that by the time these meters are installed the increased growth of the city will demand an increased water supply and that we will still be unable to provide it?

Mr. GILLETT of Massachusetts. I do not think that, Mr. Chairman, because the facts show that in Washington the enormous amount of 220 gallons per capita is used, which is a very unusually large amount. Sixty gallons is considered a fair amount. We ought to save over half the present use. And although the growth of the city will gradually use up even our present supply, and of course some time we will be compelled to have a larger supply, yet the longer we can postpone it the more economical for the city.

Mr. SIMS. But the expense of putting in these meters will all be lost when you do have a new water supply.

Mr. GILLETT of Massachusetts. Oh, no; not at all. When we get our new water supply we will still use the meters. It seems to me the meter system is the proper, scientific system to check waste, and we will want it just as much when we get our new system as we want it now, to check the extravagant use of water.

Mr. SIMS. Will not the meter system tend to the reduction of the use of water for sanitary purposes among the poorer classes?

Mr. GILLETT of Massachusetts. I do not think so. It will be so cheap that a man will not limit the necessary use of it. Where we suppose the waste comes very largely is that in Washington, the houses not being built for cold weather, a large portion of the population let the spigots run all through the cold weather and then in summer they let them run to keep the water cool.

Mr. DAVIS of Minnesota. Would not the gentleman think it advisable that his committee should recommend that the expense of putting in the meters should be borne by the property owners rather than by the Government? And is not that the usual way in cities throughout the United States?

Mr. GILLETT of Massachusetts. I do not think it is usual. We concluded that this was the best way for us to do—to put them in—and then, of course, the water service will ultimately pay for them. It will come back from the users of the water ultimately, and it is only a question of each user paying it at the outset, or all the users contributing to all the meters.

Mr. DAVIS of Minnesota. My experience is that the property owners usually put in the meters themselves. Of course that would of necessity reduce the water tax. It requires quite a large advance on the part of poor people to put in a meter.

Mr. GILLETT of Massachusetts. That is a strong argument for our plan. By the method we propose the District will put them in and then get back the price.

Mr. DAVIS of Minnesota. What is the cost of a meter?

Mr. GILLETT of Massachusetts. From ten to twenty dollars apiece, I think. Of course, it amounts to the same thing in the long run. The consumers pay for it.

Mr. DAVIS of Minnesota. Without criticising the committee, it seems to me that it is always expected here that the Government is to advance the money all the time.

Mr. GILLETT of Massachusetts. The Government advances the money, but it comes back. It is all paid for out of the water, so that ultimately the users pay for the meter, but nobody has to put up the money at first. That was the argument that convinced us. I think the Government fares better in this case than in most of our appropriations.

Mr. SAMUEL W. SMITH. Has the gentleman named all the provisions in the bill subject to a point of order?

Mr. GILLETT of Massachusetts. No; there are a few more, but I think they are all in the report, printed in italics.

Mr. NORRIS. Will the gentleman permit me a question?

Mr. GILLETT of Massachusetts. Certainly.

Mr. NORRIS. Is not the effect of the meter proposition about this, that if you required the meters to be put in by the property owners instead of the Government putting them in, and, as you say, the user eventually paying for them, you would make the owner of the property pay for the meters, whereas in the end you make the renter pay for it in this way?

Mr. GILLETT of Massachusetts. Yes; that would be true where the owner does not occupy the building. Now, Mr. Chairman, I have been asked by the gentleman from Ohio [Mr. GROSVENOR] to yield to him for a moment.

Mr. GROSVENOR. Mr. Chairman, it may be proper, in view of the message of the President calling the attention of the House to an apparent defect in the criminal procedure of the courts of the United States, as developed in the case of the packers at Chicago, to suggest two propositions. First, that on yesterday, in the United States court being held at Kansas City, Judge Macpherson decided the exact question raised in the Packers' case at Chicago exactly the reverse of that decided by Judge Humphrey; and to call attention to the fact that the defendants in the latter case have now an issue upon which, if they see fit, they can go direct to the Supreme Court of the United States to test the question whether Judge Macpherson's opinion is the true one, or whether Judge Humphrey is right in his definition of the law and in his ruling upon the question made in the Chicago case.

No doubt the proper practice in the United States ought to be so that in all criminal procedure the prosecuting side, "the State," as we usually call it, may have a direct avenue to the highest court of the State by exception to the ruling of the judge against the State or the prosecution. Such is the law in Ohio, and it is constantly practiced. The judge of the court, for instance, sustains a demurrer to the indictment, or makes a ruling upon a question of evidence, or any other important question, and the prosecuting attorney simply excepts to the opinion, and the statute permits him to go to the highest court for affirmation or reversal of the decision below. Of course the defendant can not again be put on trial. But the practice furnishes a ready way to ascertain the real legal and proper decision and settles the law for the future.

So the proposition is a correct one, and it is a defect in our legislation that it does not appear on the statute book of the United States, but it is proper that the House of Representatives shall make known to the country that on yesterday, in compliance with the report of the Judiciary Committee of this House, a bill in all respects conforming to the suggestions of the Attorney-General and of the President, was duly passed under a suspension of the rules in this House, and is now before the Senate of the United States. It is to be hoped that it may soon become

the law of the country, and furnish a speedy means of reaching true results in all our criminal trials and upon all our criminal pleadings.

Mr. GILLETT of Massachusetts. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. DALZELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 8198—the District of Columbia appropriation bill—and had directed him to report that they had come to no resolution thereon.

THE SAN FRANCISCO DISASTER.

Mr. KAHN. Mr. Speaker, I have just received the following dispatch through the War Department:

Fifty-four blocks have been destroyed by fire. Four hundred bodies have been brought into the morgue. The town of Berkeley been demolished. Martial law has been declared. Palace Hotel on fire. Postal Telegraph Building, Examiner Building, Call Building have been destroyed. Dynamite is being used to check flames. At 1.30 p. m. a succession of slight shocks reported.

The condition in San Francisco is appalling, and in view of that fact I desire to ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized and directed to loan to the mayors of the cities of San Francisco, Berkeley, Oakland, Alameda, and such other cities on the Pacific coast as may have sustained damage, under such regulations and restrictions as he may deem proper, a sufficient number of tents to temporarily shelter such persons as may have been rendered homeless and have lost property by the earthquake of this date and attending conflagration, and to issue rations and supplies and render such other aid to such as are destitute and unable to provide for themselves.

Be it further resolved, That the Secretary of the Treasury and the Secretary of the Navy are also hereby directed to cooperate with the Secretary of War in extending relief and assistance to the stricken people herein referred to, to the extent of the use of the naval vessels, revenue cutters, and supplies under their control on the Pacific coast.

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

There was no objection.

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

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

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 11976. An act for the relief of the Compañía de los Ferrocarriles de Puerto Rico;

H. R. 229. An act providing for the purchase of metal and the coinage of minor coins, and the distribution and redemption of said coins;

H. R. 17987. An act making an appropriation for the improvement of the mouth of the Columbia River; and

H. R. 13103. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1907, and for other purposes.

LEAVE OF ABSENCE.

Mr. SHERLEY, by unanimous consent, obtained leave of absence until May 9.

RESOLUTION OF SYMPATHY WITH CALIFORNIA.

Mr. GILL. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved by the House of Representatives, That the sympathy of the House is hereby extended to the people of the State of California in this hour of their great disaster and suffering, caused by the extraordinary evolution of nature in that State, and that as an expression of our profound sympathy we do now adjourn.

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

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

Then, in accordance with the foregoing resolution (at 4 o'clock and 42 minutes p. m.), the House adjourned until tomorrow, at 12 o'clock m.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Brazos River, Texas—to the Committee on Rivers and Harbors and ordered to be printed, with accompanying illustrations.

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. TRIMBLE, from the Committee on Agriculture, to which was referred the bill of the House (H. R. 11032) to prevent the adulteration of blue grass, orchard grass, and clover seed, reported the same with amendment, accompanied by a report (No. 3337); which said bill and report were referred to the House Calendar.

Mr. BIRDSALL, from the Committee on the Judiciary, to which was referred the bill of the House H. R. 16551, reported in lieu thereof a bill (H. R. 18330) 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, accompanied by a report (No. 3343); which said bill and report were referred to the House Calendar.

Mr. TOWNSEND, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 8410) to authorize the Charleston Light and Water Company to construct and maintain a dam across Goose Creek, in Berkeley County, in the State of South Carolina, reported the same with amendment, accompanied by a report (No. 3345); which said bill and report were referred to the House Calendar.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 15078) granting to the Ocean Shore Railway Company a right of way for railroad purposes across Pigeon Point Light-House Reservation, in San Mateo County, Cal., reported the same with amendment, accompanied by a report (No. 3348); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

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. 17387) granting an increase of pension to David F. Eakin, reported the same with amendment, accompanied by a report (No. 3301); 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. 4965) granting an increase of pension to Samuel P. Holland, reported the same with amendment, accompanied by a report (No. 3302); 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. 18054) granting an increase of pension to Stewart J. Donnelly, reported the same with amendment, accompanied by a report (No. 3303); which said bill and report were referred to the Private Calendar.

Mr. KELIHER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 18019) granting an increase of pension to Milton A. Griffith, reported the same with amendment, accompanied by a report (No. 3304); 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. 17480) granting an increase of pension to Charles P. Lord, reported the same with amendment, accompanied by a report (No. 3305); 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. 17747) granting an increase of pension to Abraham I. Canary, reported the same without amendment, accompanied by a report (No. 3306); 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. 13991) granting an increase of pension to Wiley H. Dixon, reported the same with amendment, accompanied by a report (No. 3307); 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. 13979) granting a pension to Emeline A. Stewart, reported the same with amendment, accompanied by a report (No. 3308); 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. 14801)

granting an increase of pension to Thomas Armstrong, reported the same with amendment, accompanied by a report (No. 3309); 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. 17736) granting an increase of pension to Josephine B. Phelon, reported the same with amendment, accompanied by a report (No. 3310); 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. 15869) granting an increase of pension to Wilson H. McCune, reported the same without amendment, accompanied by a report (No. 3311); 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. 16044) granting an increase of pension to John C. Lindsey, reported the same with amendment, accompanied by a report (No. 3312); 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. 15565) granting an increase of pension to Josias R. King, reported the same with amendment, accompanied by a report (No. 3313); 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. 16783) granting an increase of pension to David W. Kirkpatrick, reported the same with amendment, accompanied by a report (No. 3314); 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. 15692) granting a pension to Frank M. Dooley, reported the same with amendment, accompanied by a report (No. 3315); 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. 16295) granting an increase of pension to Lawrence Foley, reported the same with amendment, accompanied by a report (No. 3316); 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. 16566) granting a pension to Whitman V. White, reported the same with amendment, accompanied by a report (No. 3317); 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. 16284) granting an increase of pension to George Rogers, reported the same with amendment, accompanied by a report (No. 3318); 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. 15152) granting an increase of pension to Mary T. Corns, reported the same with amendment, accompanied by a report (No. 3319); 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. 10922) granting an increase of pension to John McDonald, reported the same with amendment, accompanied by a report (No. 3320); 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. 11151) granting an increase of pension to John Sirmyer, reported the same with amendment, accompanied by a report (No. 3321); 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. 11365) granting an increase of pension to Robert D. Williamson, reported the same with amendment, accompanied by a report (No. 3322); 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. 12874) granting a pension to Ellen Dickens, reported the same with amendment, accompanied by a report (No. 3323); 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. 9529) granting an increase of pension to William Gibson, reported the same with amendment, accompanied by a report (No. 3324); 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. 16257) granting an increase of pension to Samuel Deems, reported the same

with amendment, accompanied by a report (No. 3325); 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. 17678) granting an increase of pension to Alexander Moore, reported the same with amendment, accompanied by a report (No. 3326); 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. 10319) granting an increase of pension to Harvey Deal, reported the same without amendment, accompanied by a report (No. 3327); 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. 4363) granting an increase of pension to Thomas D. Campbell, reported the same with amendment, accompanied by a report (No. 3328); 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. 5048) granting an increase of pension to William A. Failer, reported the same with amendment, accompanied by a report (No. 3329); 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. 4625) granting a pension to Anderson J. Smith, reported the same with amendment, accompanied by a report (No. 3330); 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. 5732) granting an increase of pension to Elias C. Kitchin, reported the same with amendment, accompanied by a report (No. 3331); 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. 1946) granting an increase of pension to James A. Sproull, reported the same with amendment, accompanied by a report (No. 3332); 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. 1768) granting an increase of pension to George W. Childers, reported the same with amendment, accompanied by a report (No. 3333); 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. 1557) granting an increase of pension to Frank J. Oatley, reported the same with amendment, accompanied by a report (No. 3334); 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. 549) granting an increase of pension to Charles W. Starr, jr., reported the same with amendment, accompanied by a report (No. 3335); 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. 9867) granting a pension to William Bieber, reported the same with amendment, accompanied by a report (No. 3336); which said bill and report were referred to the Private Calendar.

Mr. WALDO, from the Committee on Claims, to which was referred the bill of the House (H. R. 17957) for the relief of certain customs inspectors of the port of New York, reported the same with amendment, accompanied by a report (No. 3338); which said bill and report were referred to the Private Calendar.

Mr. BEALL of Texas, from the Committee on Claims, to which was referred the bill of the House (H. R. 2326) for the relief of J. W. Bauer and others, reported the same without amendment, accompanied by a report (No. 3339); 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 Senate (S. 5560) for the relief of Matthew J. Davis, reported the same without amendment, accompanied by a report (No. 3340); which said bill and report were referred to the Private Calendar.

Mr. HOWELL of Utah, from the Committee on Claims, to which was referred the bill of the Senate (S. 4819) for the relief of M. A. Johnson, reported the same with amendment, accompanied by a report (No. 3341); which said bill and report were referred to the Private Calendar.

Mr. WALDO, from the Committee on Claims, to which was referred the bill of the House (H. R. 10553), reported in lieu thereof a resolution (H. Res. 406) referring to the Court of Claims the papers in the case of Eli Pettjohn, accompanied by a report (No. 3342); which said resolution and report were referred to the Private Calendar.

Mr. SMITH of Arizona, from the Committee on the Public Lands, to which was referred the bill of the House H. R. 11957, reported in lieu thereof a bill (H. R. 18333) granting to the town of Albuquerque a section of land for public purposes, accompanied by a report (No. 3347); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2, Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. SLAYDEN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 16883) for the relief of Alva C. Peckham, reported the same adversely, accompanied by a report (No. 3344); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the Senate (S. 2056) to correct the military record of David Horner, reported the same adversely, accompanied by a report (No. 3346); which said bill and report were ordered laid on the table.

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. FASSETT: A bill (H. R. 18327) defining wine, sugared, compounded, and carbonated wines; for preventing adulteration, misbranding, and imitation of wines; for imposing a tax upon and regulating the manufacture of compounded wines; for regulating interstate traffic and foreign trade therein, and for other purposes—to the Committee on Ways and Means.

By Mr. FLOYD: A bill (H. R. 18328) to regulate the practice in certain civil and criminal cases in the western district of Arkansas—to the Committee on the Judiciary.

By Mr. BIRDSALL: A bill (H. R. 18329) providing for additional midshipmen at the Naval Academy—to the Committee on Naval Affairs.

Also, from the Committee on the Judiciary, a bill (H. R. 18330) transferring the county of Clinton, in the State of Iowa, from the northern judicial district of Iowa to the southern judicial district of Iowa—to the House Calendar.

By Mr. ANDREWS: A bill (H. R. 18331) for the appointment of a commission to select a site for a national Indian sanitarium—to the Committee on Indian Affairs.

By Mr. KEIFER (by request): A bill (H. R. 18332) to establish a representative form of government in the District of Columbia—to the Committee on the District of Columbia.

By Mr. GILL: A bill (H. R. 18335) to authorize the Secretary of Commerce and Labor to cooperate, through the Bureau of the Coast and Geodetic Survey and the Bureau of Fisheries, with the shellfish commissioners of the State of Maryland in making surveys of the natural oyster beds, bars, and rocks in the waters within the State of Maryland, and making an appropriation therefor—to the Committee on the Merchant Marine and Fisheries.

By Mr. FOWLER: A bill (H. R. 18336) for the current deposit of public moneys—to the Committee on Banking and Currency.

By Mr. HIGGINS: A bill (H. R. 18337) to aid in the construction of a railroad and telegraph and telephone line in the district of Alaska—to the Committee on the Territories.

By Mr. CALDER: A joint resolution (H. J. Res. 139) to provide for the publication of the names of the heads of families returned at the First Census of the United States—to the Committee on the Census.

By Mr. GARDNER of New Jersey: A resolution (H. Res. 403) requesting certain information from the Secretary of Commerce and Labor—to the Committee on Interstate and Foreign Commerce.

Also, a resolution (H. Res. 404) requesting certain information from the Secretary of Commerce and Labor—to the Committee on Interstate and Foreign Commerce.

By Mr. CURRIER: A resolution (H. Res. 405) providing for the appointment of a clerk to the Committee on Patents—to the Committee on Accounts.

By Mr. WALDO, from the Committee on Claims: A resolution (H. Res. 406) referring to the Court of Claims the bill H. R. 10553—to the Private Calendar.

By Mr. HAYES: A resolution (H. Res. 408) calling upon the Secretary of Commerce and Labor for information as to the enforcement of the Chinese-exclusion act—to the Committee on Foreign Affairs.

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. SMITH of Arizona, from the Committee on the Public Lands: A bill (H. R. 18333) granting land to the city of Albuquerque for public purposes—to the Private Calendar.

By Mr. BENNETT of Kentucky: A bill (H. R. 18338) granting an increase of pension to Wylder Branum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18339) granting an increase of pension to Corinth Cooper—to the Committee on Invalid Pensions.

By Mr. CALDER: A bill (H. R. 18340) granting a pension to Susan C. Sanford—to the Committee on Invalid Pensions.

By Mr. DAVIDSON: A bill (H. R. 18341) granting an increase of pension to Lora Milliken—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18342) granting an increase of pension to L. H. Nickel—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 18343) granting an increase of pension to John N. Oliver—to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 18344) granting an increase of pensions to William Todd—to the Committee on Invalid Pensions.

By Mr. GARRETT: A bill (H. R. 18345) for the relief of the Walnut Grove Baptist Church, of Gibson County, Tenn.—to the Committee on War Claims.

By Mr. GILBERT of Kentucky: A bill (H. R. 18346) for the relief of the estate of Mingo Peters—to the Committee on War Claims.

Also, a bill (H. R. 18347) for the relief of the estate of John C. Russell—to the Committee on War Claims.

Also, a bill (H. R. 18348) for the relief of William P. Wade—to the Committee on War Claims.

By Mr. GILL: A bill (H. R. 18349) granting an increase of pension to Myers Uhlfelder—to the Committee on Invalid Pensions.

By Mr. GOULDEN: A bill (H. R. 18350) for the relief of the heirs of Mary E. Neale—to the Committee on the District of Columbia.

By Mr. GUDGER: A bill (H. R. 18351) for relief of W. H. McFarland, of Tryon, N. C.—to the Committee on War Claims.

Also, a bill (H. R. 18352) granting an increase of pension to Andrew Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18353) granting an increase of pension to J. D. Herren—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18354) granting an increase of pension to Jesse A. Staton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18355) granting an increase of pension to Rachel A. Webster—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 18356) granting an increase of pension to W. A. Custer—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 18357) granting an increase of pension to William E. Starr—to the Committee on Invalid Pensions.

By Mr. KLINE: A bill (H. R. 18358) granting an increase of pension to Daniel Knauss—to the Committee on Invalid Pensions.

Mr. LILLEY of Pennsylvania: A bill (H. R. 18359) granting a pension to Edwin R. Smith—to the Committee on Invalid Pensions.

By Mr. LITTAUER: A bill (H. R. 18360) granting an increase of pension to Fanny G. Pomeroy—to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 18361) granting a pension to Josephine Honor—to the Committee on Pensions.

By Mr. LOUDENSLAGER: A bill (H. R. 18362) granting a pension to Annie Holloway—to the Committee on Invalid Pensions.

By Mr. MINOR: A bill (H. R. 18363) granting an increase of pension to Rudolph Bentz—to the Committee on Invalid Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 18364) granting a pension to Katharine H. Williams—to the Committee on Invalid Pensions.

By Mr. MOUSER: A bill (H. R. 18365) granting a pension to Roberta R. Haverlick—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 18366) granting an increase of pension to Isaiah Jewell—to the Committee on Invalid Pensions.

By Mr. RHODES: A bill (H. R. 18367) granting an increase of pension to John Wilkinson—to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 18368) granting a pension to Elbridge G. F. Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18369) granting a pension to A. C. Hogan—to the Committee on Invalid Pensions.

By Mr. SMITH of Iowa: A bill (H. R. 18370) granting an increase of pension to Andrew McCredden—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Ohio: A bill (H. R. 18371) granting an increase of pension to Thomas C. Green—to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 18372) for the relief of W. W. Warren, administrator of the estate of Jackson Warren, deceased, of Canton, Madison County, Miss.—to the Committee on War Claims.

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 Mr. BARCHFELD: Petition of the Trades League of Philadelphia, against the Little and Gilbert bills granting immunity to trades organizations in disputes—to the Committee on the Judiciary.

Also, petition of S. B. Neff Lodge, No. 225, Brotherhood of Railway Trainmen, for the Howell naturalization bill (H. R. 15442)—to the Committee on Immigration and Naturalization.

Also petition of the National Board of Trade, for the merchant marine shipping bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. BOWERS: Paper to accompany bill for relief of William Loggins, administrator of the estate of Tilman Loggins—to the Committee on War Claims.

By Mr. BURKE of Pennsylvania: Petition of the National Board of Trade, for the merchant marine shipping bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Trades League of Philadelphia, against the Little and Gilbert bills relative to immunity to members of labor organizations in disputes—to the Committee on the Judiciary.

By Mr. BUTLER of Pennsylvania: Petition of Dewees & Bracken, for a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. CHAPMAN: Petition of 36 citizens of Equality, Ill., against bill H. R. 7067—to the Committee on Indian Affairs.

By Mr. COOPER of Pennsylvania: Petition of the Trades League of Philadelphia, Pa., opposing the Little and Gilbert bills relative to granting immunity to labor organizations in case of disputes—to the Committee on the Judiciary.

Also, petition of Camp De La Loma, Army of the Philippines, No. 6, for medals for certain officers and soldiers serving in the Spanish war—to the Committee on Military Affairs.

By Mr. DAWSON: Petition of citizens of the District of Columbia, for relief from conditions incident to change of names of streets at Columbia Heights—to the Committee on the District of Columbia.

By Mr. DUNWELL: Petition of the Typothetæ of New York, against the anti-injunction bills—to the Committee on the Judiciary.

Also, petition of the Seventeenth Assembly District Republican Committee, for construction of battle ships at the Brooklyn Navy-Yard—to the Committee on Naval Affairs.

Also, petition of S. L. Glasgow, for bill H. R. 8989, creating in the War Department a volunteer retired list for officers of the civil war—to the Committee on Military Affairs.

Also, petition of the Woman's Health Protective Association of New York, for bills S. 50 and H. R. 4462, relative to child labor in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of the Merchant Marine League of the United States and the Brotherhood of Boiler Makers and Iron-ship Builders, for the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. ESCH: Petition of the Lang Canning Company et al., objecting to section 7, page 21, of the pure-food bill—to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Paper to accompany bill for relief of Capt. William Todd—to the Committee on Invalid Pensions.

By Mr. FRENCH: Petition of citizens of Nez Perces County, Idaho, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. FULLER: Resolutions of the National Metal Trades Association, for passage of the Gallinger shipping bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of Rockport, Ill., for the Littlefield bill relative to commerce between the States as affecting the liquor traffic—to the Committee on the Judiciary.

Also, petition of the Sorosis Club of New York, for bills S. 50 and 2962 and H. R. 4462, relative to child labor and a children's

bureau in the District of Columbia—to the Committee on the District of Columbia.

By Mr. GARRETT: Paper to accompany bill for relief of Walnut Grove Church, of Gibson County, Tenn.—to the Committee on War Claims.

By Mr. GRAHAM: Petition of the National Board of Trade, for the merchant-marine shipping bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Trades League of Philadelphia, against the Little and Gilbert bills for immunity to labor organizations in disputes—to the Committee on the Judiciary.

By Mr. GRANGER: Petition of the mayor and city council of Newport, R. I., for an increase in the United States artillery forces—to the Committee on Military Affairs.

By Mr. KINKAID: Petition of citizens of Chadron, Nebr., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. LEVER: Paper to accompany bill for relief of Rose Haynes—to the Committee on Invalid Pensions.

By Mr. LILLEY: Paper to accompany bill for relief of Edwin R. Smith—to the Committee on Invalid Pensions.

By Mr. LINDSAY: Petition of the New York Board of Trade and Transportation, for an appropriation to improve the Coney Island channel—to the Committee on Rivers and Harbors.

Also, petition of the Intermunicipal Research Commission, for bill H. R. 17511, relative to protection of the unemployed who seek work through employment agencies—to the Committee on the District of Columbia.

Also, petition of S. P. Onderdonk et al., for relief of the Indians in northern California and legislation for relief of the Indians of southern California—to the Committee on Indian Affairs.

Also, petition of Generals Raum, Crawford, and Birney, for bill S. 2162, to create a volunteer retired list of surviving generals of volunteers—to the Committee on Military Affairs.

By Mr. LOUD: Paper to accompany bill for relief of Josephine Honor—to the Committee on Invalid Pensions.

By Mr. MANN: Petition of women of Chicago, against conditions existing in the Kongo Free State—to the Committee on Foreign Affairs.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of Rebecca A. Cole—to the Committee on Pensions.

By Mr. ROBINSON of Arkansas: Paper to accompany bill for relief of Thomas Washington—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Hezekiah James—to the Committee on Invalid Pensions.

Also, petition of J. M. H. Major et al., of Saline County, for a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, paper to accompany bill for relief of Richard B. Rankin—to the Committee on Invalid Pensions.

By Mr. SMITH of Iowa: Petition of citizens of Council Bluffs, Iowa, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of the Methodist Episcopal Church of Woodbine, for an amendment to the Constitution abolishing polygamy—to the Committee on the Judiciary.

By Mr. SULZER: Petition of L. P. Onderdonk et al., for relief of the Indians of northern and southern California—to the Committee on Indian Affairs.

By Mr. TIRRELL: Petition of H. C. Hartwell et al., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. WEEMS: Petition of Pride of Maynard Council, No. 17, Daughters of Liberty, of Maynard, Ohio, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

SENATE.

THURSDAY, April 19, 1906.

The Chaplain, Rev. EDWARD E. HALE, offered the following prayer:

My soul thirsteth for God—for the living God. When shall I come and appear before God? O my God, my soul is cast down within me. Therefore will I remember Thee! Why art thou cast down, O my soul, and why art thou disquieted within me? Hope thou in God, for I shall yet praise Him who is the health of my countenance and my God.

Let us pray.

Father, we have thanked Thee for the blessings of the past; we have asked Thy help in every way in the duties of the day. Now we come to Thee in sorrow and in calamity to ask Thee to give us the same strength, the same blessedness, and to show

that in all partial evil Thy universal good shall prevail. Tell us what this is, that Thou art the living God with us always. We are weak, but Thou art strong; we know nothing, but Thou knowest everything; we are in darkness, but Thou art in the light.

O Father, come to us as a father to his children. Be with those who are in the greatest sorrow and trial. Strengthen us all by Thy infinite strength, that we may know Thee and enter into Thy service and go about Thy business; that in joy or in sorrow, in gladness or in weakness, we may know that we are the living children of a living God. So, not in vain for us that Thou hast spoken to us, and though we do not see Thee with the eye, that Thou art willing to write Thy laws upon our hearts. Father, we ask it in Christ Jesus.

Our Father who art in Heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is done in Heaven. Give us this day our daily bread. Forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the kingdom, Thine is the power, Thine is the glory, forever. Amen.

THE JOURNAL.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

RELIEF OF SUFFERERS IN CALIFORNIA.

Mr. PERKINS. Mr. President, out of the regular order of business I desire to introduce a joint resolution, and I ask unanimous consent for its immediate consideration.

The VICE-PRESIDENT. The joint resolution will be read for the information of the Senate.

The joint resolution (S. R. 48) authorizing the Secretary of War to use rations and quartermaster's supplies for the relief of destitute persons in the region devastated by earthquake and fire in the State of California, and making an appropriation to relieve the sufferers by said disaster, was read the first time by its title and the second time at length, as follows:

Whereas the most terrible disaster which has ever taken place on this continent has occurred in the State of California, in which one-half of the city of San Francisco has been practically destroyed by earthquake and fire, and many towns and cities along the coast have suffered from similar devastation; and

Whereas in all of the afflicted localities there has been wrought such ruin as has resulted in great loss of life and the serious injury of thousands of people; and

Whereas the destruction of dwelling houses has rendered homeless 100,000 of the inhabitants of San Francisco alone; and

Whereas there is most urgent need of means to bury the dead, care for the injured, and shelter and feed the homeless; and

Whereas the local administrations will for some time be unable to cope with the situation and extend such aid and assistance as is immediately necessary: Therefore, be it

Resolved, etc. That the sum of \$500,000, or such part thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended by and under the direction of the Secretary of War in the purchase and distribution of quartermaster's and commissary stores to such injured and destitute persons as may require assistance in the district devastated by earthquake and fire. And the Secretary of War is authorized to use the steamers and other boats and vessels belonging to or now employed by the Government upon San Francisco Bay or adjacent waters in the transportation and distribution of supplies furnished by the United States or individuals to and among such destitute and suffering people, and he may employ such other means of transportation as he may deem necessary to carry the purpose of this joint resolution into effect.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution just read?

There being no objection, the joint resolution was considered as in Committee of the Whole.

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

The preamble was agreed to.

Mr. PERKINS. I ask that the joint resolution be immediately transmitted to the House.

The VICE-PRESIDENT. The joint resolution will be immediately transmitted, as requested by the Senator from California.

Mr. HALE. Has there come from the House a small deficiency bill providing for the sending home of the bodies of the officers and seamen who were killed on board the *Kearsarge*?

The VICE-PRESIDENT. The Chair understands that no such bill has come to the Senate.

Mr. HALE. Whenever it does come I desire to have it put on its passage without a reference.

The VICE-PRESIDENT. The request of the Senator from Maine will be noted.

FISHING IN ALASKAN WATERS.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 267) to