

Also, petition of Metropolitan Association of Retail Druggists, favoring S. 4700 (Rayner bill) and H. R. 14639 (Bennet bill)—to the Committee on the Post-Office and Post-Roads.

Also, petition of People's Institute, against the Crumpacker census employee bill—to the Committee on the Census.

Also, petition of citizens of Washington, D. C., for extension of tracks of the Capital Traction Company—to the Committee on the District of Columbia.

By Mr. WALLACE: Paper to accompany bill for relief of Rebecca Walthall—to the Committee on War Claims.

By Mr. WILEY: Petition of Board of Trade of Columbus, Ga., for appropriation to improve the Chattahoochee River—to the Committee on Rivers and Harbors.

By Mr. WOOD: Petition of David W. Morton, for restoration of motto "In God we trust" to coins of the United States—to the Committee on Coinage, Weights, and Measures.

Also, petition of Alfred Garkill, for forest reservations in White Mountain and southern Appalachian Mountains—to the Committee on Agriculture.

SENATE.

FRIDAY, February 21, 1908.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

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

STREET CLEANING IN THE DISTRICT OF COLUMBIA.

The VICE-PRESIDENT laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of the 5th instant, a statement relative to the estimate for the coming fiscal year for sprinkling, sweeping, and cleaning streets in order to avoid further dumping of street sweepings and ashes along the banks of Rock Creek, which was referred to the Committee on the District of Columbia and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the following causes:

In the cause of the Trustees of the Methodist Episcopal Church South, of Decatur, Ala., *v.* United States;

In the cause of Bushrod W. Nash, trustee of the Union Baptist Association of North Carolina, successor in interest to the Hood Swamp Baptist Church, of Wayne County, N. C., *v.* United States;

In the cause of George H. Sampson et al., heirs at law of Daniel W. Sampson, deceased, *v.* United States;

In the cause of Elizabeth M. Pitkin and Carrie E. Pitkin McDowell, heirs of Henry S. Pitkin, deceased, *v.* United States;

In the cause of E. Rittenhouse Miller, executor of Dickenson Miller, deceased, *v.* United States;

In the cause of Alice C. McRitchie et al., heirs at law of Silas Reynolds, deceased, *v.* United States;

In the cause of Marie L. Clark, widow of Lewis Clark, deceased, *v.* United States;

In the cause of Charles A. White and Isabelle G. White, sole heirs at law of Leverette H. White, deceased, *v.* United States; and

In the cause of Emma M. Gay, widow and executrix of Thomas S. Gay, deceased, *v.* United States.

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. J. W. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 9079) to extend to Port Arthur, in the State of Texas, the privilege of immediate transportation without appraisal of dutiable merchandise, in which it requested the concurrence of the Senate.

The message also transmitted to the Senate resolutions of the House on the death of Hon. ASBURY C. LATIMER, late a Senator from the State of South Carolina.

The message further announced that the Speaker of the House had appointed Mr. FINLEY, Mr. LEVER, Mr. PATTERSON, Mr. ELLERBE, Mr. LEGARE, Mr. JOHNSON of South Carolina, Mr. AIKEN, Mr. BENNET of New York, Mr. BURNETT, Mr. COOK of Colorado, Mr. STAFFORD, Mr. RODENBERG, Mr. HINSHAW, Mr. POLLARD, Mr. LEE, Mr. DE ARMOND, Mr. FAIRCHILD, Mr. WEBB, and Mr. KÜSTERMANN members of the committee on the part of the House to attend the funeral of the late Senator.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

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

S. 57. An act granting a pension to Alvah Moulton;

S. 417. An act to extend the time for the completion of a bridge across the Missouri River at Yankton, S. Dak., by the Yankton, Norfolk and Southern Railway Company;

S. 523. An act granting an increase of pension to John S. Hyatt;

S. 524. An act granting an increase of pension to John Lowder;

S. 638. An act granting a pension to Emily Ayres;

S. 920. An act granting an increase of pension to Martha A. Kenny;

S. 1171. An act granting a pension to Mary A. Sands;

S. 1403. An act granting an increase of pension to Martha Stewart;

S. 1404. An act granting an increase of pension to John Lourcey;

S. 1405. An act granting an increase of pension to William C. O'Neal;

S. 1406. An act granting an increase of pension to Hester Kite;

S. 1408. An act granting an increase of pension to Elizabeth Sweat;

S. 1423. An act granting an increase of pension to Nancy Motes;

S. 1757. An act granting an increase of pension to Jane C. Stingley;

H. J. Res. 130. Joint resolution providing for salaries of the Resident Commissioners from the Philippine Islands; and

H. J. Res. 139. Joint resolution to fill a vacancy in the Board of Regents of the Smithsonian Institution.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of Local Union No. 11, International Photo-Engravers' Union, of Indianapolis, Ind., praying for the repeal of the duty on white paper, wood pulp, and the materials used in the manufacture thereof, which was referred to the Committee on Finance.

He also presented the petition of Jens Jensen, landscape architect and general superintendent of the West Chicago Park Commission, of Chicago, Ill., praying for the enactment of legislation to establish a national forest reserve in the southern Appalachian and White mountains, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a memorial of California Harbor, No. 15, American Association of Masters, Mates, and Pilots, of San Francisco, Cal., remonstrating against the enactment of legislation amending section 4438 of the Revised Statutes so as to make the provision contained therein inapplicable to masters of sailing vessels of over 700 gross tons, which was referred to the Committee on Commerce.

Mr. PLATT presented a memorial of Clayton Harbor, No. 67, American Association of Masters and Pilots of Steam Vessels, of Clayton, N. Y., remonstrating against the enactment of legislation to remove discriminations against American sailing vessels in the coastwise trade, which was referred to the Committee on Commerce.

He also presented a petition of the American Paper and Pulp Association, of New York City, N. Y., praying for the passage of the so-called "Aldrich emergency bill," which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Schenectady, N. Y., praying for the enactment of legislation to establish a national forest reserve in the southern Appalachian and White Mountains, which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. BURNHAM presented the memorial of D. Eugene Rowell, of Lancaster, N. H., remonstrating against the adoption of a certain amendment to the present copyright law relating to photographic reproductions, which was referred to the Committee on Patents.

He also presented a memorial of Local Union No. 24, Pulp, Sulphite, and Paper Mill Workers of Cascade, N. H., remonstrating against the enactment of legislation to repeal the duty on paper and wood pulp imported into the United States, which was referred to the Committee on Finance.

He also presented a petition of the congregation of the First Baptist Church of Tempe, Ariz., praying for the adoption of a certain amendment to section 2139 of the Revised

Statutes relating to the sale of intoxicating liquors in the Indian Territory, which was referred to the Committee on the Judiciary.

Mr. FULTON presented a petition of the Commercial Club of Eugene, Oreg., praying that an appropriation be made for the improvement of the Suislaw River in that State, which was referred to the Committee on Commerce.

Mr. SCOTT presented a petition of Sinks Grove Grange, No. 59, Patrons of Husbandry, of Sinks Grove, W. Va., praying for the enactment of legislation to provide for the advancement of instruction in agriculture, manual training, and home economics, through national and State direction, of all State normal schools, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Woman's Christian Temperance Union of the State of West Virginia, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented petitions of sundry citizens of Rindge, Franklin, and Dover, all in the State of New Hampshire; of Brooklyn, N. Y.; Washington, D. C.; Grand Rapids, Byron Center, and Muskegon, all in the State of Michigan, and of Elkhart, Ind., praying for the enactment of legislation to prohibit the manufacture and sale of intoxicating liquors in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of the East End Suburban Citizens' Association, of the District of Columbia, praying for the enactment of legislation providing for the widening of Benning road, in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a memorial of sundry citizens of the District of Columbia, remonstrating against the enactment of legislation providing for the extension of New Hampshire avenue to the District boundary line in any other direction than in a continuation of the line as now opened through the subdivision known as "Petworth," in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Columbia Heights Citizens' Association, of the District of Columbia, praying for the enactment of legislation providing for lower rates for illuminating gas in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a memorial of the Anacostia Citizens' Association, of the District of Columbia, remonstrating against the passage of the so-called "Dolliver bill," providing for the direction and control of public education in the District of Columbia, which was ordered to lie on the table.

Mr. McLAURIN presented the petition of Benjamin S. Chase and sundry citizens of Mississippi, praying for the enactment of legislation referring their claims to the Court of Claims, which was referred to the Committee on Claims.

Mr. HOPKINS presented a petition of Local Union No. 215, International Typographical Union, of Decatur, Ill., and a petition of Local Union No. 174, International Brotherhood of Bookbinders, of Joliet, Ill., praying for the repeal of the duty on white paper, wood pulp, and the materials used in the manufacture thereof, which were referred to the Committee on Finance.

He also presented a petition of Local Union No. 1, Commercial Telegraphers' Union of America, of Chicago, Ill., praying for the enactment of legislation placing the telegraph systems of the United States under the provisions of an act whereby any controversy threatening to interfere or interrupt the telegraph service may have Federal investigation, which was referred to the Committee on the Judiciary.

He also presented a petition of the American Paper and Pulp Association, of New York City, N. Y., praying for the passage of the so-called "Aldrich emergency currency bill," which was referred to the Committee on Finance.

Mr. KEAN presented a petition of the Woman's Club of Orange, N. J., praying for the enactment of legislation to regulate the employment of child labor in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented the petition of G. H. Putnam, of Vineland, N. J., and the petition of W. B. Keighley, of Vineland, N. J., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which were referred to the Committee on the Judiciary.

He also presented a petition of Local Union No. 399, International Typographical Union, of Plainfield, N. J., praying for

the repeal of the duty on white paper, wood pulp, and the materials used in the manufacture thereof, which was referred to the Committee on Finance.

Mr. CULLOM presented a petition of Local Union No. 174, International Brotherhood of Bookbinders, of Joliet, Ill., praying for the repeal of the duty on white paper, wood pulp, and the materials used in the manufacture thereof, which was referred to the Committee on Finance.

He also presented a petition of the Epworth League of the Avondale Methodist Church, of Avondale, Ill., praying for the enactment of legislation to prohibit the interstate transportation of intoxicating liquors in prohibition districts, which was referred to the Committee on the Judiciary.

Mr. WETMORE presented a memorial of sundry citizens of Peace Dale, R. I., remonstrating against the adoption of a certain amendment to the present copyright law relating to musical compositions, which was referred to the Committee on Patents.

He also presented a petition of the Federation of Labor of Providence, R. I., praying for the enactment of legislation to prohibit Army and Navy bands from entering into competition with civilian bands, which was referred to the Committee on Military Affairs.

Mr. FLINT presented a petition of Cornman Post, No. 57, Department of California and Nevada, Grand Army of the Republic, of San Bernardino, Cal., praying for the enactment of legislation to create a volunteer retired list in the War and Navy Departments for the surviving officers of the civil war, which was referred to the Committee on Military Affairs.

Mr. HEYBURN presented a petition of the board of trustees of the State Normal School, of Lewiston, Idaho, praying for the enactment of legislation to provide for the advancement of instruction in agriculture, manual training, and home economics through national and State direction of all State normal schools, which was referred to the Committee on Agriculture and Forestry.

Mr. BULKELEY presented petitions of sundry organizations of New Haven, Bridgeport, Middletown, Hartford, Seymour, New Britain, Ansonia, and Meriden, all in the State of Connecticut, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which were referred to the Committee on the Judiciary.

Mr. STEPHENSON presented a petition of Local Union No. 211, International Typographical Union, of Oshkosh, Wis., praying for the repeal of the duty on white paper, wood pulp, and the materials used in the manufacture thereof, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Sheboygan, Wis., remonstrating against the passage of the so-called "Crumpacker bill" providing for the employment of additional clerks for taking the Thirteenth Census, which was referred to the Committee on the Census.

He also presented memorials of sundry citizens of Neillsville, Depere, Sharon, Spring Valley, Spring Green, Boscobel, Viola, Watertown, New London, Cascade, and inmates of the Wisconsin Veterans' Home, all in the State of Wisconsin, remonstrating against the enactment of legislation to abolish certain pension agencies throughout the country, which were referred to the Committee on Pensions.

Mr. McCUMBER presented a petition of sundry citizens of Northwood, N. Dak., praying for the enactment of legislation to prohibit the interstate transportation of intoxicating liquors, which was referred to the Committee on the Judiciary.

He also presented a petition of the North Dakota Retail Hardware Association, praying for the enactment of legislation setting aside certain lands in that State for forest reserves; for the improvement of certain waterways, and for the enactment of a national paint law, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Commercial Club of Bismarck, N. Dak., praying for the adoption of a certain amendment to the present interstate commerce law relating to the compensation for the transportation of passengers or property for a shorter or longer distance, which was referred to the Committee on Interstate Commerce.

Mr. LODGE presented a petition of sundry citizens of Amesbury, Mass., praying for the establishment of a permanent court of arbitration at The Hague, which was referred to the Committee on Foreign Relations.

Mr. LONG presented the petition of C. L. Ingwerson and seven other veterans of the Kansas "Price raid" of 1864, of Burlington, Kans., praying for the enactment of legislation extending the provisions of the pension laws to the survivors of that raid, which was referred to the Committee on Pensions.

He also presented petitions of the Woman's Christian Temperance Union, and sundry other organizations of Wichita, Mayfield, Iola, Laharpe, Larned, Howard, Prettyprairie, Phillipsburg, Columbus, Emporia, Independence, and Manhattan, all in the State of Kansas, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. PENROSE presented sundry papers to accompany the bill (S. 5101) granting an increase of pension to C. W. Couser, which were referred to the Committee on Pensions.

Mr. DICK presented sundry papers to accompany the amendment submitted by himself on the 13th instant relative to the Bureau of Yards and Docks, Navy Department, intended to be proposed to the legislative, etc., appropriation bill, which were referred to the Committee on Appropriations.

He also presented petitions of sundry citizens of Cleveland, Cincinnati, and Elyria, all in the State of Ohio, praying for the passage of the so-called "Crumpacker bill," providing for the employment of additional clerks for taking the Thirteenth Census, which was referred to the Committee on the Census.

He also presented memorials of sundry citizens of Cincinnati and Massillon, in the State of Ohio, remonstrating against the passage of the so-called "Crumpacker bill," providing for the employment of additional clerks for taking the Thirteenth Census, which were referred to the Committee on the Census.

He also presented a petition of Canfield Post, No. 124, Department of Ohio, Grand Army of the Republic, of Ohio, praying for the passage of the so-called "Sherwood bill," granting more liberal rates of pensions, which was referred to the Committee on Pensions.

He also presented a petition of the Pattern Makers' Association of Akron, Ohio, praying for the enactment of legislation providing for the construction of all battle ships at Government navy-yards; which was referred to the Committee on Naval Affairs.

He also presented a petition of the congregation of the Friends' Church of Alliance, Ohio, praying for the enactment of legislation to prohibit the manufacture and sale of intoxicating liquors in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a memorial of the German-American Alliance of Steubenville, Ohio, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Cincinnati, Cleveland, Springfield, Columbus, and Toledo, all in the State of Ohio, praying for the repeal of the duty on white paper, wood pulp, and the materials used in the manufacture thereof, which were referred to the Committee on Finance.

He also presented a petition of Local Union No. 1, American Federation of Musicians, of Cleveland, Ohio, and a petition of Local Union No. 103, American Federation of Musicians, of Columbus, Ohio, praying for the enactment of legislation to prohibit Army and Navy bands from entering into competition with civilian bands, which were referred to the Committee on Military Affairs.

He also presented a petition of Rear-Admiral Henry E. Pickering Garrison, No. 4, Army and Navy Union, of Erie, Pa., praying for the enactment of legislation to increase and equalize the pay officers and enlisted men of the Army, Navy, Marine Corps, and Revenue-Cutter Service, which was referred to the Committee on Naval Affairs.

He also presented a memorial of Buckeye Council, No. 75, United Commercial Travelers of America, of Cincinnati, Ohio, remonstrating against the enactment of legislation to secure the use of United States rural mail equipment and to place the rural service on a paying basis, and also against the consolidation of third and fourth class mail matter, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BURKETT presented a petition of sundry citizens of Lincoln, Nebr., praying for the enactment of legislation providing for the construction of at least one of the proposed new battle ships at one of the Government navy-yards, which was referred to the Committee on Naval Affairs.

He also presented memorials of sundry citizens of the State of Nebraska, remonstrating against the enactment of legislation to prevent Sunday banking in post-offices in the handling of money orders and registered letters, which were referred to the Committee on Post-Offices and Post-Roads.

Mr. DEPEW presented a petition of the Woman's Christian Temperance Union of Philmont, N. Y., praying for the enact-

ment of legislation to regulate the interstate transportation of intoxicating liquors, which was referred to the Committee on the Judiciary.

He also presented a memorial of Clayton Harbor, No. 67, American Association of Masters, Mates, and Pilots, of Baltimore, Md., remonstrating against the enactment of legislation to remove discriminations against American sailing vessels in the coastwise trade, which was referred to the Committee on Commerce.

He also presented a petition of the United Trades and Labor Council of the port of Buffalo, N. Y., praying for the passage of the so-called "Goulden bill," relating to crews on steam vessels, which was referred to the Committee on Commerce.

CLAIMS OF LOYAL CREEK INDIANS.

Mr. TELLER. There has been pending before Congress for a number of years a claim known as "the loyal Creek Indians claim." I present a brief concerning this question. I do not ask that it be printed in the RECORD, but I move that it lie on the table and be printed as a document.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. LODGE, from the Committee on the Philippines, to whom was referred the bill (S. 5507) to increase the membership of the Philippine Commission, reported it with an amendment.

Mr. FLINT, from the Committee on the Geological Survey, to whom was referred the bill (S. 4171) to provide for continuation of investigations of the rivers and water resources of the United States, reported it without amendment and submitted a report thereon.

Mr. HEYBURN, from the Committee on Public Buildings and Grounds, to whom was referred the amendment submitted by Mr. PERKINS on the 4th instant, proposing to increase the limit of cost heretofore fixed for the construction of the custom-house building at San Francisco, Cal., intended to be proposed to the sundry civil appropriation bill, reported it with amendments, submitted a report thereon, and moved that it be referred to the Committee on Appropriations, which was agreed to.

Mr. PERKINS, from the Committee on Commerce, to whom was referred the bill (S. 5341) to authorize the enlargement, improvement, and equipment of the light-house depot at Yerba Buena Island, California, reported it without amendment and submitted a report thereon.

Mr. SUTHERLAND, from the Committee on Indian Affairs, to whom was referred the bill (S. 5038) for the relief of the White River Utes, the Southern Utes, the Uncompahgre Utes, the Tabeguache, Muache, Capote, Weeminuche, Yampa, Grand River, and Uintah bands of Ute Indians, known also as the "confederated bands of Ute Indians of Colorado," reported it without amendment and submitted a report thereon.

Mr. PILES. I am directed by the Committee on Commerce, to whom was referred the bill (S. 5333) relating to yachts, to report it without amendment, and I submit a report thereon. I ask unanimous consent for the present consideration of the bill.

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

The Secretary read the bill.

Mr. CULBERSON. I ask that the bill may go over, so that I can look into it.

The VICE-PRESIDENT. Objection is made to the present consideration of the bill, and it will go to the Calendar.

Mr. BULKELEY, from the Committee on Military Affairs, to whom was referred the bill (S. 4454) authorizing the Secretary of War to accept for the Government the Gallatin turnpike, from the city of Nashville to the national cemetery, in the county of Davidson, State of Tennessee, reported it without amendment and submitted a report thereon.

Mr. WETMORE, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 418) to provide for the purchase of a site and the erection of a public building thereon at Huron, in the State of South Dakota, reported it with an amendment and submitted a report thereon.

He also, from the Committee on the Library, to whom was referred the bill (S. 1761) for the erection of a statue of Maj. Gen. Nathanael Greene upon the Guilford battle ground, in North Carolina, reported it with an amendment and submitted a report thereon.

Mr. NELSON, from the Committee on Territories, to whom was referred the bill (S. 4351) for the relief of the Alaska Pacific Railway and Terminal Company, reported it without amendment and submitted a report thereon.

Mr. PENROSE, from the Committee on Post-Offices and Post-

Roads, to whom was referred the bill (S. 1204) for the relief of J. M. Bloom, reported it with amendments and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 1751) to reimburse Anna B. Moore, late postmaster at Rhyolite, Nev., for money expended for clerical assistance and supplies;

A bill (S. 1752) to reimburse Garrett R. Bradley, late postmaster at Tonopah, Nev., for money expended for clerical assistance; and

A bill (S. 3248) for the relief of James A. Russell.

Mr. ALDRICH, from the Committee on Finance, to whom was referred the bill (S. 2911) for the relief of the Columbus Gas and Fuel Company, asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

MARKING OF GRAVES OF CONFEDERATE SOLDIERS.

Mr. FORAKER. I am directed by the Committee on Military Affairs, to whom was referred the joint resolution (H. J. Res. 138) to continue in full force and effect an act entitled "An act to provide for the appropriate marking of the graves of the soldiers and sailors of the Confederate army and navy who died in northern prisons and were buried near the prisons where they died, and for other purposes," to report it favorably without amendment, and I submit a report thereon. I ask for the immediate consideration of the joint resolution.

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

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

SURVEY OF PROVIDENCE RIVER AND HARBOR, RHODE ISLAND.

Mr. GALLINGER. I am directed by the Committee on Commerce to report back favorably without amendment the concurrent resolution providing for a survey of Providence River and Harbor, Rhode Island, and I call the attention of the senior Senator from Rhode Island to it.

Mr. ALDRICH. I ask to have the resolution, to which there will be no objection, put upon its passage.

The concurrent resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring). That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of Providence River and Harbor between Kettle Point, Rhode Island, and Gaspee Point, Rhode Island, with a view to widening and straightening the channel and dredging the same to a depth of 25 feet at mean low water, and submit a plan and estimate for such improvements.

HEARINGS BEFORE COMMITTEE ON EDUCATION AND LABOR.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. DOLLIVER on the 18th instant, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Education and Labor be, and the same is hereby, authorized to employ a stenographer from time to time, as may be necessary, to report such hearings as may be had on bills or other matters pending before said committee and to have the same printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

CANAL AT FALLS OF WILLAMETTE RIVER, OREGON.

Mr. HOPKINS, from the Committee on Commerce, to whom was referred the following concurrent resolution submitted by Mr. FULTON on the 3d instant, reported it without amendment:

Resolved by the Senate (the House of Representatives concurring). That the Secretary of War be, and he is hereby, directed to cause such survey and examination to be made of the existing canal and locks at the Falls of the Willamette River at Oregon City, Oreg., as may be necessary to ascertain what sum of money, at present prices of labor and material, should be appropriated by Congress, in addition to the appropriation already made by the State of Oregon therefor, to enable the Government to acquire said canal and locks and properly repair the same.

Mr. FULTON. The concurrent resolution being local in its nature and character, I ask for its present consideration.

The concurrent resolution was considered by unanimous consent and agreed to.

IMPROVEMENT OF MISSOURI RIVER, KANSAS.

Mr. DEPEW, from the Committee on Commerce, to whom was referred the following concurrent resolution submitted by Mr. CURTIS on the 13th instant, reported it without amendment:

Resolved by the Senate (the House of Representatives concurring). That the Secretary of War be, and is hereby, authorized and directed

to submit an estimate to Congress as to the cost of improvements and works necessary to restore the Missouri River to its proper channel at the city of Atchison, in the State of Kansas.

Mr. CURTIS. I ask unanimous consent for the immediate consideration of the concurrent resolution.

The concurrent resolution was considered by unanimous consent and agreed to.

HITCHMAN COAL AND COKE COMPANY V. JOHN MITCHELL.

The VICE-PRESIDENT. Are there further reports of standing or select committees?

Mr. CULBERSON. Before passing from that order I ask the Senator from New Jersey [Mr. KEAN], the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate, if there has yet been any report on resolution No. 81, respecting the issuance of a preliminary injunction by the United States district judge for one of the districts of West Virginia? The resolution was referred to that committee several weeks ago.

Mr. KEAN. If the Senator will withhold his request for a moment, I have sent to the committee room to get the papers.

Mr. CULBERSON. I do not mean any discourtesy to the chairman or to the committee, but it occurs to me that there has been ample time to consider the resolution and make some character of report with reference to it.

Mr. KEAN. I will say to the Senator from Texas that I am ready to report upon it at any moment he desires. I have sent for the papers.

Mr. CULBERSON. I would be glad to have some character of report from the committee at an early day, now or at such time as the committee sees proper to report. I do not want it delayed unnecessarily. If there is any reason why the committee desires further time to consider this matter, I have no objection to deferring it; but if it is the mere purpose, which I will not assume at all is the case, to bury the resolution in the committee, then probably some action may be taken in the Chamber.

Mr. KEAN. I have no such desire, Mr. President, I will say to the Senator.

Mr. CULBERSON. I am sure of that; I have said that I would not assume that there was any such purpose, but if the Senator or the committee for any reason should desire further time to consider the matter and will so state, I have no objection to its being deferred until such time as may be reasonable. However, it occurs to me that there has been ample time to give the resolution full consideration, and that some character of report ought to have been made upon it.

Mr. KEAN. What is the Senator's wish about it?

Mr. CULBERSON. The wish of the Senator from Texas is to know whether or not a report on the resolution may be expected from the committee at an early day.

Mr. KEAN. I can assure the Senator that there will be one.

Mr. CULBERSON. Very well.

The VICE-PRESIDENT. Bills and joint resolutions are in order.

BILLS INTRODUCED.

Mr. ALDRICH introduced a bill (S. 5530) to establish a fish-hatching and fish-culture station at Strawberry Island, Point Judith Pond, Rhode Island, which was read twice by its title and referred to the Committee on Fisheries.

He also introduced the following bills, which were severally read twice by their titles and referred on the Committee on Pensions:

A bill (S. 5531) granting an increase of pension to Emily W. Tilley;

A bill (S. 5532) granting an increase of pension to James A. Miller; and

A bill (S. 5533) granting an increase of pension to Bridget Malloy.

He also introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 5534) granting a pension to Maria B. Wheaton;

A bill (S. 5535) granting a pension to Abbie W. Fessenden;

A bill (S. 5536) granting an increase of pension to Darius A. Sweet;

A bill (S. 5537) granting an increase of pension to Hazzard P. Gavitt;

A bill (S. 5538) granting an increase of pension to John S. Bagley, formerly John S. Brown;

A bill (S. 5539) granting an increase of pension to William R. Drake;

A bill (S. 5540) granting an increase of pension to Thomas J. Griffin; and

A bill (S. 5541) granting an increase of pension to Edwin A. Chase.

Mr. CULLOM introduced a bill (S. 5542) granting an increase of pension to William F. Windle, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

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

A bill (S. 5543) for the relief of the Methodist Episcopal Church South, of Lebanon, Ky.;

A bill (S. 5544) for the relief of the Ascension Protestant Episcopal Church, of Mount Sterling, Ky.;

A bill (S. 5545) for the relief of Joseph E. Lindsey, surviving partner of John Lindsey & Son;

A bill (S. 5546) for the relief of the estate of Mrs. Prudence Hensley, deceased;

A bill (S. 5547) for the relief of the administrator of T. J. Pritchett, deceased;

A bill (S. 5548) for the relief of the estate of John H. Seebold, deceased; and

A bill (S. 5549) for the relief of the estate of Julia E. Rightor.

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

A bill (S. 5550) to carry into effect the findings of the Court of Claims in the case of John B. Jarratt, administrator of the estate of Sarah T. Jarratt, deceased (with the accompanying paper);

A bill (S. 5551) to carry out the findings of the Court of Claims in the case of Robert M. Lay, administrator of Nancy Lay, deceased; and

A bill (S. 5552) for the relief of certain owners of cotton taken by the United States military authorities in Adams County, Miss., in 1863.

Mr. FORAKER introduced a bill (S. 5553) for the relief of Worthington Kautzman and other officers of the Philippine Volunteers, which was read twice by its title and, with the accompanying papers, referred to the Committee on Claims.

Mr. PLATT introduced a bill (S. 5554) to complete the military record of William M. Burrows, which was read twice by its title and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. BURROWS (for Mr. LODGE) introduced a bill (S. 5555) to compensate civilian Government employees for personal injury in line of service, which was read twice by its title and referred to the Committee on the Judiciary.

Mr. GALLINGER introduced a bill (S. 5556) granting an increase of pension to Elenor Sanborn, which was read twice by its title and referred to the Committee on Pensions.

Mr. KEAN introduced a bill (S. 5557) to correct the military record of John McKeon, which was read twice by its title and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 5558) granting an increase of pension to Laura Dennett, which was read twice by its title and referred to the Committee on Pensions.

Mr. DICK introduced a bill (S. 5559) for the relief of the board of education of Gallipolis, Ohio, which was read twice by its title and referred to the Committee on Claims.

He also introduced a bill (S. 5560) to establish a Soldiers' Home at or near Gulfport, Harrison County, Miss., which was read twice by its title and referred to the Committee on Military Affairs.

Mr. BURNHAM introduced a bill (S. 5561) granting an increase of pension to Hiram B. Lord, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. NELSON introduced a bill (S. 5562) for the relief of Henry W. Lee, which was read twice by its title and referred to the Committee on Claims.

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

A bill (S. 5563) granting an increase of pension to Martha S. Taylor;

A bill (S. 5564) granting an increase of pension to James S. Wheeler; and

A bill (S. 5565) granting a pension to George Forbus, alias George Davidson.

Mr. HEYBURN introduced a bill (S. 5566) to amend an act entitled "An act to prevent cruelty to animals while in transit by railroad or other means of transportation from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, and repealing sections 4386, 4387, 4388, 4389, and 4390 of the United

States Revised Statutes," approved June 29, 1906, which was read twice by its title and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 5567) granting an increase of pension to James P. Nowland, which was read twice by its title and referred to the Committee on Pensions.

Mr. LONG introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 5568) granting an increase of pension to Thomas Kidd; and

A bill (S. 5569) granting an increase of pension to John L. Middleton.

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

A bill (S. 5570) granting an increase of pension to Ann Eliza Hemenway; and

A bill (S. 5571) granting an increase of pension to George C. Simmons.

Mr. CLAPP introduced a bill (S. 5572) to provide for the disbursement of funds, under certain circumstances, by the White Earth bands of Chippewa Indians, which was read twice by its title and referred to the Committee on Indian Affairs.

Mr. WETMORE introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 5573) granting an increase of pension to John F. Leach; and

A bill (S. 5574) granting an increase of pension to Richard Pascoe.

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

A bill (S. 5575) for the relief of John J. Curran in his own right and as sole heir of Murty Curran, deceased (with accompanying papers); and

A bill (S. 5576) for the relief of Col. Littleton W. T. Waller, United States Marine Corps.

Mr. CURTIS introduced a bill (S. 5577) for the relief of John Birkett, which was read twice by its title and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 5578) granting an increase of pension to William Mitchell; which was read twice by its title and, with the accompanying paper, referred to the Committee on Pensions.

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

A bill (S. 5579) granting an increase of pension to Henry W. Howe (with accompanying papers); and

A bill (S. 5580) granting an increase of pension to Arthur Ruble.

Mr. CULBERSON introduced a bill (S. 5581) pensioning the surviving officers and enlisted men of the Texas volunteers employed in the defense of the frontier of that State against Mexican marauders and Indian depredations from 1855 to 1860, inclusive, and for other purposes, which was read twice by its title and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 5582) authorizing the appointment and retirement as brigadier-generals of certain officers of the Army below the grade of colonel who served during the war of the rebellion, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. BACON introduced a bill (S. 5583) for the relief of the trustees of the Lutheran Church of the Ascension, of Savannah, Ga., which was read twice by its title and referred to the Committee on Claims.

Mr. HOPKINS (by request) introduced a bill (S. 5584) for the extension of Otis place from Holmead place to Fourteenth street N.W., which was read twice by its title and referred to the Committee on the District of Columbia.

Mr. SMITH introduced a bill (S. 5585) to provide for the appointment of an additional judge of the district court of the United States for the eastern district of Michigan, which was read twice by its title and referred to the Committee on the Judiciary.

Mr. FLINT introduced a joint resolution (S. R. 58) authorizing the Secretary of War to establish harbor lines in Wilmington Harbor, California, which was read twice by its title and referred to the Committee on Commerce.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. FLINT submitted an amendment proposing to appropriate \$2,000 for a monthly pilot chart of the Northern Pacific Ocean,

etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate \$930, being the balance due James H. Owen, of Los Angeles, Cal., for the erection of buildings and construction of irrigation works for the Truxton Canon Indian School, Arizona, etc., intended to be proposed by him to the Indian appropriation bill, which was ordered to be printed and, with the accompanying paper, referred to the Committee on Indian Affairs.

Mr. FORAKER. I submit an amendment intended to be proposed by me to the post-office appropriation bill. I ask that it be referred to the Committee on Post-Offices and Post-Roads and printed.

Mr. CULBERSON. May I ask that the amendment submitted by the Senator from Ohio be read?

The VICE-PRESIDENT. The Secretary will read the amendment, as requested by the Senator from Texas, in the absence of objection.

The Secretary read as follows:

An amendment intended to be proposed by Mr. FORAKER to the bill (H. R. 18347) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1909, and for other purposes. Insert the following proviso:

Provided, That from and after July 1, 1908, railway postal clerks shall be paid their actual and necessary travelling expenses, not to exceed \$2 per day, while away from the terminal where their runs, or series of runs, begins and ends, when actually on duty, such expenses to be paid under the direction of the Postmaster-General; but in no case shall a greater sum be paid a clerk than he shows has actually been expended by him; and the sum of _____ dollars is hereby appropriated to carry the provisions of this act into effect.

Mr. CULBERSON. I misconceived the amendment. I thought it had reference to the prohibition of the payment of salaries of postmasters where the nomination had been rejected by the Senate. [Laughter.]

Mr. FORAKER. No; that will come later.

The VICE-PRESIDENT. The proposed amendment will be referred to the Committee on Post-Offices and Post-Roads and printed.

Mr. GAMBLE submitted an amendment proposing to make the Committee on Transportation Routes to the Seaboard a standing committee of the Senate, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment relative to the Office of the Commissioner of the General Land Office, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to increase the salaries of two translators in the Office of Naval Intelligence, Navy Department, from \$1,400 each to \$2,100 each, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. DICK submitted an amendment proposing to increase the salary of the foreman and captain of the watch at the Naval Observatory, Washington, D. C., from \$1,000 to \$1,200, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. SMOOT submitted an amendment relative to certain changes in the personnel of the Office of the Secretary of the Interior, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. BULKELEY submitted an amendment relative to an increase in the pay of all clerks to committees of the Senate, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CLAPP submitted an amendment authorizing the Secretary of the Interior to pay \$1,000 to the treasurer of the executive committee of the White Earth bands of Chippewa Indians, in Minnesota, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. LODGE submitted an amendment proposing to increase the salary of the Senate keeper of stationery from \$2,220 to \$2,500, intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

AMENDMENTS TO OMNIBUS CLAIMS BILL.

Mr. TELLER submitted an amendment intended to be proposed by him to House bill 15372, known as the "omnibus claims bill," which was referred to the Committee on Claims and ordered to be printed.

Mr. BURNHAM submitted two amendments intended to be proposed by him to the House bill 15372, known as the "omnibus claims bill," which were referred to the Committee on Claims and ordered to be printed.

Mr. McCUMBER submitted an amendment intended to be proposed by him to House bill 15372, known as the "omnibus claims bill," which was referred to the Committee on Claims and ordered to be printed.

RURAL FREE DELIVERY.

On motion of Mr. BURNHAM, it was—

Ordered, That there be printed for the use of the Post-Office Department 10,000 copies of Senate bill No. 5122, Sixtieth Congress, first session, "To provide a rural delivery parcel-post for merchandise and other articles mailed on rural delivery routes, and for other purposes."

TRANSPORTATION FACILITIES.

On motion of Mr. CULLOM, it was—

Ordered, That 2,500 additional copies of Senate Document, Sixtieth Congress, first session, "Prompt furnishing of transportation facilities," etc., be printed.

ADVANCEMENT OF INSTRUCTION IN AGRICULTURE.

On motion of Mr. BURKETT, it was—

Ordered, That the bill (S. 3392) to provide for the advancement of instruction in agriculture, manual training, and home economics in the State normal schools of the United States be reprinted.

REPORT OF COMMITTEE ON DEPARTMENT METHODS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Appropriations and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of the Congress a report by the Committee on Department Methods on the subject of superannuation in the classified civil service; also a draft of a proposed bill which provides for the payment of annuities to employees upon retirement.

THEODORE ROOSEVELT.

THE WHITE HOUSE, February 21, 1908.

HOUSE BILL REFERRED.

H. R. 9079. An act to make Port Arthur, in the State of Texas, a port of delivery in the customs collection district of Sabine, with the privilege of immediate transportation without appraisement of dutiable merchandise, was read twice by its title and referred to the Committee on Commerce.

MISSISSIPPI RIVER BRIDGE AT RICE, MINN.

Mr. CLAPP. Day before yesterday the junior Senator from Virginia [Mr. MARTIN] reported back favorably, from the Committee on Commerce, the bill (H. R. 12401) to legalize a bridge across the Mississippi River at Rice, Minn., and the bill was placed on the Calendar. 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 bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GROUNDS FOR PUBLIC BUILDINGS IN THE DISTRICT OF COLUMBIA.

Mr. GALLINGER. Mr. President, some days ago I presented a concurrent resolution which was laid on the table subject to call. I ask to have it now considered, and I desire to change it so as to make it a simple Senate resolution, the bill to which it applies being now before the Senate.

The VICE-PRESIDENT. The concurrent resolution will be stated.

The SECRETARY. Senate concurrent resolution No. 39, by Mr. GALLINGER, relative to the purchase of certain blocks and parcels of land south of Pennsylvania avenue.

Mr. GALLINGER. The resolution has been read. Let it be modified so as to make it a Senate resolution.

The VICE-PRESIDENT. The resolution will be so modified.

Mr. FRYE. The resolution has not been read.

Mr. GALLINGER. It was read the other day.

Mr. CLAPP. Let the resolution be read.

The VICE-PRESIDENT. The resolution will be read by the Secretary at the request of the Senator from Minnesota.

The resolution as modified was read and agreed to, as follows:

Resolved, That the Commissioners of the District of Columbia are hereby authorized and directed to ascertain the lowest purchase price of blocks numbered 226, 227, 228, 229, 230, 236, 257, 258, 259, 260, 292, 293, 294, 295, 349, 350, 380, 381, 382, 461, 575, 576, reservation A,

reservation B, reservation C, reservation D, reservation 12, according to the official plat of the city of Washington, not already owned in whole or in part by the Government of the United States, report to be made to Congress at the earliest practicable day, the proposed price of the land and the proposed price of the improvements thereon being separately stated in each case.

OCEAN MAIL SERVICE.

Mr. GALLINGER. Mr. President, by reference to the Calendar it will be observed that Thursday, February 20, was fixed by unanimous consent for the consideration of the bill (S. 28) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce." Certain Senators have asked me, two of whom are absent from the city in pursuance of the order of the Senate, to let the measure go over until Monday next. For the purpose of carrying out their wishes, I ask unanimous consent that the date may be changed, making it Monday next at the conclusion of the morning business.

The VICE-PRESIDENT. The Senator from New Hampshire asks unanimous consent that the unanimous-consent agreement by which Senate bill 28 was made the special order for this morning after the close of the morning business be modified, and that the bill be made the special order after the routine morning business closes on Monday the 24th instant. Is there objection? The Chair hears none, and it is so ordered.

Mr. DEPEW. Mr. President, I desire to give notice that immediately after the Senator from New Hampshire concludes his remarks on Monday next I shall make some remarks on the same subject.

INQUIRY AS TO CERTAIN WESTERN LAND GRANTS.

Mr. FULTON. Mr. President, some days ago I called up the joint resolution (S. R. 48) instructing the Attorney-General to institute certain suits, etc. At that time there was some objections made to its consideration, but I am advised that those who then objected, after an examination of the joint resolution, do not wish to further object. The joint resolution simply authorizes the Attorney-General to institute such suits or take such proceedings as he shall ascertain and deem to be necessary in order to determine whether certain land-grant companies have complied with the conditions enacted by Congress. I therefore ask that the joint resolution may be now taken up and put on its passage.

The VICE-PRESIDENT. The Senator from Oregon asks unanimous consent for the present consideration of a joint resolution, which will be read for the information of the Senate.

Mr. FULTON. It has been read.

Mr. KEAN. Let it be read again.

Mr. FULTON. Very well.

The Secretary proceeded to read the joint resolution.

Mr. FULTON. The preamble is no part of the joint resolution as reported by the committee, and unless the Senator from New Jersey desires that the preamble shall be read it may be omitted.

Mr. KEAN. I was going to move to strike out the preamble.

Mr. FULTON. The Committee on the Judiciary has reported a substitute without any preamble, and therefore it seems to me unnecessary to read the preamble.

The VICE-PRESIDENT. The Secretary will read the joint resolution as reported by the committee.

The SECRETARY. The Committee on the Judiciary report to strike out all after the resolving clause and in lieu thereof to insert:

That the Attorney-General of the United States be, and he hereby is, authorized and directed to institute and prosecute any and all suits in equity, actions at law, and other proceedings which he may deem adequate and appropriate to enforce any and all rights and remedies of the United States of America in any manner arising or growing out of or pertaining to either or any of the following-described acts of Congress, to wit: "An act granting lands to aid in the construction of a railroad and telegraph line from the Central Pacific Railroad in California to Portland, in Oregon," approved July 25, 1866, as amended by the acts approved June 25, 1868, and April 10, 1869; also "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," approved March 3, 1869; also "An act granting lands to aid in the construction of a railroad and telegraph line from Portland to Astoria and McMinnville, in the State of Oregon," approved May 4, 1870, including all rights and remedies in any manner relating to the lands, or any part thereof, granted by either or any of said acts; and in and by any and all such suits, actions, or proceedings the Attorney-General shall, in such manner as he shall deem appropriate, assert all rights and remedies existing in favor of the United States relating to the subject of such suits, actions, and proceedings, including the claim on behalf of the United States that the lands granted by each of said acts respectively, or any part thereof, have been and are forfeited to the United States by reason of any breaches or violations of any of the terms or conditions of either or any of said acts which may be alleged and established in any such suits, actions, or proceedings; it not being intended hereby to determine the right of the United States to any such forfeiture or forfeitures, but it being intended to fully authorize the Attorney-General in and by such suits, actions, or proceedings to assert on behalf of the United States and the court or courts before which such suits, actions, or proceedings may be instituted or pending to en-

tertain, consider, and adjudicate the claim and right of the United States to such forfeiture or forfeitures, and if found to enforce the same.

Resolved further, That the authority and direction hereinbefore given shall extend to any and all suits, actions, or proceedings which may be instituted or pending under the authority of the Attorney-General at the time of the adoption and approval hereof.

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

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

Mr. FULTON. Mr. President, the Secretary has read the joint resolution as if the committee had recommended that the original joint resolution should be amended by striking out all after the resolving clause. That would have been a very good report to have made; I think, indeed, better than the report that was made; but, as a matter of fact, the record shows that the amendment reported by the committee is a substitute. Therefore I ask that the substitute be adopted instead of the original joint resolution. The substitute omits the preamble.

The VICE-PRESIDENT. The preamble can be disagreed to after the joint resolution itself has been acted upon. The question is on the amendment, in the nature of a substitute, which has been reported by the Committee on the Judiciary.

The amendment was agreed to.

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

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

The preamble was rejected.

THE UNITED STATES NAVY.

Mr. PERKINS. Mr. President, I offer the resolution which I send to the desk, which I ask to have read.

The VICE-PRESIDENT. The resolution submitted by the Senator from California will be read.

The Secretary read the resolution, as follows:

Resolved, That it should be the policy of this Government, while not adopting a continuous programme fixing the number of naval vessels of any type to be built in future years, to maintain the present relative position in comparison with the navies of the other great powers.

Mr. PERKINS. Mr. President, before asking the reference of the resolution to the Committee on Naval Affairs, with the permission of the Senate, I desire to submit some remarks bearing upon the subject to which it pertains.

The VICE-PRESIDENT. The Senator from California.

Mr. PERKINS. Mr. President, the departure of a United States battle-ship fleet to the Pacific has called attention to our Navy as perhaps no other possible event could have done. Sixteen armored vessels, ranging from 11,525 to 16,000 tons, make a formidable sea force which would command respect from any nation in time of trouble. But there is, happily, no chance of international difficulties which would call for the dispatch of such a fighting force to any part of the world. The simple fact is that, as our Navy has become large enough for the purpose, it has been possible to form a homogeneous fleet of fighting ships and give it, by a long voyage, a chance to solve important tactical problems and afford practice which is invaluable to the proper management of a large sea force. It is also important to establish the fact that our fleets are free from any local tie or dependence, and that perfect mobility is possible. So it is determined to have a regular interchange of vessels between the Atlantic and Pacific, with occasional concentration into large fleets under one general command. But besides the great benefit to be derived from the experiences of the long voyage by both officers and men is the lasting effect it will have in promoting good relations between this country and the South American States which have been visited by the fleet. The cordiality between the United States and the South American republics has been demonstrated by the character of the receptions given to our sailors, and the bonds of friendship have thereby been strengthened. This was one of the objects of the long voyage, and alone would justify the movement.

A BIG FLEET IN THE PACIFIC.

The fleet which is now making its way up the west coast of South America consists of sixteen battle ships aggregating 223,066 tons displacement, carrying sixteen 13-inch breech-loading rifled guns, forty-eight 12-inch, and eighty 8-inch, besides secondary batteries of 5 and 6 inch rapid-fire guns. The ships are manned by about 14,000 men. The six torpedo-boat destroyers, which have preceded the fleet, add to its effective force very materially. When Rear-Admiral Evans's squadron reaches San Francisco it will be in touch with other vessels of the United States and, joining with them, will form a strong fleet. There are already on the Pacific coast two battle ships, the *Nebraska* and *Wisconsin*, one in commission and the other ready for commission in April, aggregating 26,500 tons. There

are also eight armored cruisers in commission, aggregating 111,080 tons; nine protected cruisers, aggregating 49,726 tons, five now in commission, one to be ready in March, and three in July. There are also three torpedo boats, five destroyers, and two submarines. On the Asiatic station we have four more protected cruisers, aggregating 12,800 tons, and five torpedo-boat destroyers. Harbor-defense vessels and unprotected cruisers are disregarded in this enumeration of sea strength, which really means fighting strength on the high seas.

The Pacific fleet, when completed by the arrival of the vessels now on the way, will consist of eighteen battle ships, eight armored cruisers, thirteen protected cruisers, thirteen torpedo-boat destroyers, five torpedo boats, and two submarines. The battle ships and cruisers alone aggregate 423,172 tons, which shows that ours will be by far the most powerful fleet in the Pacific, as the effective forces of Japan, the only other naval power bordering on that ocean, including coast-defense vessels, unprotected cruisers, torpedo boats, destroyers, and submarines, aggregate 374,701 tons, according to latest figures. The vessels of the Pacific fleet, when the battle ships arrive in that ocean, will carry twenty 13-inch rifles, fifty-two 12-inch, and one hundred and twenty-four 8-inch guns, besides several hundred 5 and 6 inch rapid-fire guns. Thus the Pacific fleet will be imposing in the dignity of its great strength.

NATIONAL PRIDE IN OUR NAVY.

The Navy of the United States is one branch of the public service in which the people have a just pride. They also have a direct interest in it, for there is no section of the United States that has not a representative on the decks of our ships of war. Each Senator and each Congressman has the privilege of two appointments to the Naval Academy, each vacancy, upon the graduation of a cadet, to be filled by other appointments, so that there are constantly at Annapolis two cadets appointed through each Member of the two Houses of Congress. Thus every section of the country is reached, and every class of our citizens is represented in the Navy. Cadets do not come from the maritime States alone; the greater number come from the farms and manufacturing towns of the interior. Farmers' boys have been among the most brilliant of our naval men. The sons of mechanics have made records of which we are all proud. So the entire country is knit together in its common interest in our Navy, which represents the people of all sections and of all classes. In addition, the President has twenty appointments per year to Annapolis, and selects the sons of naval officers, thus giving to the service the advantages of the naval spirit which is characteristic of the families of those whose lives have been devoted to the Navy and its work.

The Navy is non-sectarian in the strictest sense, and politics is virtually unknown in the service; and so single-minded in this respect are men of all grades that the highest officers believe that by law no one under the naval flag should even be permitted to vote. In their opinion the sole duty of officers and men is to defend on the sea the honor of our country—not to engage on shore in ballot battles between political parties and rival candidates for civil offices.

A GLORIOUS RECORD.

From the time when a few fighting ships were sent out during the Revolution against the great navy of England to the present time there has been an unbroken record of bravery, self-sacrifice, and patriotism which has made the naval establishment a model of efficiency. The Continental navy was, from the nature of the circumstances, an experiment, and though it was not a formidable factor in the war, it covered itself with glory and caused the American flag on the high seas to be respected. The American-built frigate *Alliance* came out of the war with a brilliant reputation; but nearly all the other Continental vessels were destroyed or captured.

John Paul Jones won his most famous victory in a French-built ship, the *Bon Homme Richard*. The 30 Continental cruisers of 1776 had shrunk to 9 in 1781, carrying all together only 164 guns. But of privateers—the irregular navy of the Colonies—there were 449, carrying 6,735 guns, and these scourges of the sea did much to bring England to terms. In them were educated the masters and men who played so great a part in the naval wars which were to follow.

Soon after the adoption of the Constitution and the establishment of the Federal Government the question of a navy was brought prominently forward by reason of the attacks of the Barbary coast pirates on American shipping. Congress had pleaded that to authorize a fleet capable of protecting our commerce would be to create a menace to our Republican institutions, and recommended that, instead, the pirates be bought off, and an attempt to do this was actually made in the treaty with the Dey of Algiers, by which the United States

bound itself to pay him \$1,000,000 in money, besides presents, which latter took the form of the magnificent frigate *Crescent*, built at Portsmouth, N. H. But this exhibition of faint-heartedness on the part of Congress was condemned by Washington, who then laid down the sound maxim that "to secure respect to a neutral flag requires a naval force organized and ready to vindicate it from insult and aggression." A navy was determined on, and the first fighting ship of the United States was the *Ganges*, an old-fashioned, deep-waisted merchantman, purchased and refitted as a man-of-war, with twenty-four guns. Under the spur of Washington, Congress authorized the construction of six frigates, one of which, the *Constellation*, became later famed for her capture of the French frigate *Insurgent*, while the *Constitution* captured the *Guerriere*. And in the war which unexpectedly sprang up with France American ships of war performed most notable feats of arms, which placed the Navy of the United States in the van of the navies of the world.

THE WAR OF 1812.

But with the occasion for use lacking, our naval vessels fast diminished in number, and, as on previous occasions, it required the stimulus of impending attack to awaken the nation to the necessity for a navy. The war of 1812 found us with not a single two-deck man-of-war afloat and only six serviceable frigates. Jefferson and his party had opposed line-of-battle ships, so that when war was declared we had only seventeen national vessels, not one of first class in power or size, mounting 442 guns, and carrying 5,000 men, to oppose a thousand ships, 27,000 guns, and 150,000 seamen of England. But our Navy, inadequate as it was, covered itself with glory, and England found herself no match, ship for ship, for the United States cruisers. In twelve single-ship actions we won ten. No brighter pages of naval history exist than those which chronicle the victories of the *Constitution* over the *Guerriere*, the *Java*, the *Cayane*, and the *Levant*; of the *United States* over the *Macedonian*; of the *Hornet* over the *Peacock*; of the *Wasp* over the *Frolic* and *Reindeer*; of the great victories on Lakes Erie and Champlain, and the heroic defense of the *Essex* by David Porter, with Farragut as midshipman, against the combined attack of the *Phœbe* and the *Cherub*. But notwithstanding all this valor, all this burning patriotism which made a United States vessel superior as a fighter to any other fighting vessel then afloat, nearly all of our frigates and sloops were finally blockaded by overwhelming squadrons simply because we had no line-of-battle ships. For lack of heavy ships of the line the achievements of our sailors went for naught. The last frigate to run the gantlet of the blockade was the *President*, and she was defeated and captured by a hostile fleet before she cleared the land.

But the loss of the national fleet did not end the warfare by sea, for the American privateer was abroad and made such havoc with the commerce of Great Britain that her merchants cried for quarter. They were fighters which did not single out defenseless merchant ships. They constantly sought British privateers, armed like themselves, and vanquished them. They did not hesitate to attack ships of the royal navy. The cruiser *St. Lawrence* was captured by the famous American brig *Chasseur*, and there are numerous other instances where American merchant vessels defeated and captured ships flying the colors of the King.

THE NAVY IN THE CIVIL WAR.

But with peace the United States Navy was again neglected, and it required the crisis of the civil war to bring about a full realization of its importance. When war began the United States Navy consisted of only 30 steam ships of war, with about twice as many obsolete sailing vessels, with 1,450 officers and 7,600 seamen. Before the war ended this force was expanded to 600 steamers, with 9,000 officers and 51,000 men. Although the Government began to build new war vessels on the commencement of hostilities, the exigencies of the situation demanded a fleet for immediate operation, and the best that could be done was to purchase merchant steamers and transform them into ships of war. It was these remodeled vessels that comprised the bulk of our blockading squadron, manned by captains and seamen from the merchant marine, which educated and had available the finest body of sailors on the globe. Without these men, trained on American vessels in time of peace, the North could not have created and maintained the effective fleets that swarmed along the southern coasts. During the war there were few opportunities for battles between ships of the contestants. The most notable was that between the *Monitor* and the *Merrimac*, which changed at once and finally the character of war-ship construction. Another encounter which will never be forgotten was that between the *Kearsarge* and the *Alabama*, and it is of interest

at this time to note that the notorious commerce destroyer of the Confederacy was built in England through the efforts of Capt. James D. Bulloch, Confederate naval agent, who was the uncle of one of the most distinguished men our country has produced. The trouble which began to brew between the United States and England on account of the devastation caused by this English-manned and English-built Confederate privateer, caused the United States to prepare for conflict by building commerce destroyers for use against British commerce. The *Wampanoag* was one of the ships so built, and as it and others built on the same model outclassed any and all vessels under the English flag in speed and endurance, they exercised no little influence in inducing the British Government to submit the *Alabama* matter to arbitration. There was then no vessel in the British navy that could steam 14 knots; the *Wampanoag* and her sisters made an average of 17 knots, which could easily be maintained across the Atlantic.

PITIFUL REDUCTION OF SEA POWER.

At the close of the civil war the United States Navy was undoubtedly the most powerful in the world, for it had a large fleet of vessels, which were manned by 50,000 of the best seamen on salt water, all of whom were well disciplined and seasoned by long service, and ready to fight anything that sailed the seas. But this fleet, when reduced after the war to a peace footing, consisted mainly of wooden ships, and only wooden ships, with two exceptions, were found therein for nearly twenty years. But among these structures of oak there were some whose names will never be forgotten—notably the *Hartford*, which bore Farragut into Mobile Bay. All of the vessels of the Navy at that time used sail power, to which steam was simply auxiliary. And the armament was, to us as we look back, as primitive as were the means of propulsion. For instance, the glorious *Hartford* was only 225 feet long (the same length as the *Mayflower*, the President's dispatch boat), 44 feet beam, drawing 18½ feet of water, with a displacement of 2,900 tons. Her coal capacity was 241 tons, horsepower 940, and speed 10 knots an hour. Her armament was one 8-inch, muzzle-loading rifle (converted from smoothbore) and twelve 9-inch smoothbores. The latest vessel constructed of this type was the *Trenton*, 3,900 tons and 2,813 horsepower, capable of making 12½ knots, with a coal capacity of 350 tons. Her battery consisted of ten 8-inch muzzle-loading rifles converted from smoothbores.

When the United States Navy became reduced to twenty-three such vessels as above—exclusive of a few single-turreted monitors—the question began to be asked, "Of what good is it?" The Old World nations, alive to the ideas inspired by the *Monitor* of Ericsson, were building new navies on plans which rendered our own as useless as paper boats. In case of trouble with any European power we should, we began to realize, be helpless. And as for asserting with any vigor the Monroe doctrine, that would be out of the question. Naval officers began to feel humiliated at the condition of the service, for the time had arrived when there could be found no excuse. Our Navy had, in fact, become practically the standard of inefficiency—not because of its personnel, but by reason of the obsolete type of its vessels and armament and the scanty number of armed ships carrying the American flag. Little Chile, with two or three modern fighting machines, could easily become an actual menace to our country, for we had nothing with which to oppose them.

THE MAN BEHIND THE GUN.

But though the old Navy was inefficient as far as its vessels and their armament were concerned, its officers and its seamen maintained the best traditions of the service, and were ready to fight the world with their smoothbores against modern rifles. That was the spirit exhibited by the last remnant of the old Navy before its glorious extinction in the harbor of Apia. The wooden *Trenton* and *Vandalia* and the little *Nipsic* were ready and anxious to come to close quarters with the modern German war ships *Adler*, *Eber*, and *Olga*, and a battle royal would probably have been fought between these representatives of the new and the old navies of the world had it not been for the hurricane that brought destruction to them all. And as the *Trenton* strained at her anchors while drifting slowly but surely on the fatal reef there was an exhibition of coolness and bravery of the kind that has always characterized our Navy. Another modern war ship, the British *Calliope*, of then tremendous horsepower, fought her way out of the crowded harbor in the face of the hurricane at the rate of a knot and a half an hour. As she passed the *Trenton*, whose crew knew that they would soon be cast upon the reef, every man, headed by the gallant Admiral Kimberly, rushed to some point of vantage—rail, shrouds, yardarms, or whatnot—and sent up cheer upon cheer for the courageous Englishman who dared to run his ship into

the teeth of the hurricane and who succeeded in beating the elements because he was the stronger. And with such men on board, the last vessels of the old Navy of the United States went to their doom, and their bones, with those of scores of the brave sailors who trod their decks, now lie amid the coral reefs of beautiful Samoa.

I remember, being president of the chamber of commerce of San Francisco, when Admiral Kimberly and the surviving men from that fleet reached San Francisco. The people of that great metropolis of the Pacific coast turned out en masse to give them a reception and applauded them for their gallant deeds and valor on that great and eventful occasion.

SPIRIT OF THE AMERICAN NAVY.

At every period in the history of the United States Navy there has been some notable example of the spirit of the men who sailed and manned the vessels. When John Paul Jones, on the deck of the sinking *Bon Homme Richard*, was asked if he had surrendered, his answer was, "I have not begun to fight yet."

In the Straits of Gibraltar, Commodore Preble, in the famed *Constitution*, hailed one dark night a ship that gave an evasive answer and then tried to get the weather gauge.

"I hail you for the last time," said the commodore. "If you don't answer I'll fire. What ship is that?"

"His Britannic Majesty's 84-gun ship-of-the-line *Donegal*. Send a boat aboard."

"This is the United States 44-gun ship *Constitution*, Capt. Edward Preble," returned the commodore, "and I'll be d—d if I send a boat on board any ship. Blow your matches boys."

Preble had no need to fire, for the stranger stood off.

Lawrence in the *Chesapeake*, manned by a green crew, and shattered by the shots of the *Shannon*, gave as his last order before being carried below, "Don't give up the ship. Never strike the colors. They shall wave while I live."

Farragut, on the *Hartford*, going into Mobile Bay, seeing the *Brooklyn* falter and learning that she feared torpedoes, trumpeted:

"Damn the torpedoes. Four bells. Captain Drayton, go ahead; Jouett, full speed."

And the new Navy, in its first action with an enemy, showed that the spirit of 1776, of 1812, and of 1861–1864 was still alive and ready to make itself manifest at any moment. Dewey, in Manila Bay, after his famous order: "You may fire when you are ready, Gridley," was to show anew the spirit of Commodore Perry when he fell in with the insolent Englishman. In this case the insolent offender was a German, who, forgetful of the character of American naval men, had manifested too great a sympathy for our enemies and had taken not only pains to aid them, but had endeavored to thwart us. With diplomatic patience Dewey endured it all until the proper time arrived, and then sent his flag lieutenant to Rear-Admiral Von Diederich, to call to his attention his extraordinary disregard of the usual courtesies of naval intercourse and to notify him that "If he wants to fight, he can have it right now." And the German rear-admiral knew that he would have a fight on his hands that would cost him dear, and further annoyance ceased.

Thus was the new Navy shown to be the worthy descendant of the old, maintaining the same traditions of gallantry, bravery, and force, and ready to uphold the national honor at all times and in all places. Such is the spirit abroad to-day in the fleet, and so we are assured that no fighting vessels in the world are in better hands.

IN A DEFENSELESS CONDITION.

Ericsson's little *Monitor* of the civil war indicated a change in the character of fighting vessels which was to be revolutionary and which was to cause all the maritime nations to cast aside the old wooden ships and to build of iron and steel on entirely different models. After the battle with the *Merrimac* in Hampton Roads, the London Times stated that whereas Great Britain, previous to the encounter, had available for immediate service 149 first-class war vessels, it had only two "that it would not be madness to trust to an engagement with that little *Monitor*." England at once began the construction of a new navy on the lines of the new fighting machine, but the United States, wearied by the long conflict it had just gone through, was naturally indisposed to rush immediately into further huge expenditures for the creation of a new fleet of battle ships, particularly as such construction would be in a great measure experimental. In consequence the ships of the old Navy were retained in service, and iron construction was attempted in only three vessels of little over 1,000 tons displacement, while old cast-iron, smoothbore cannon were converted into rifled muzzle-loaders. The few other small vessels that were built were of wood, with auxiliary steam power, of low speed, and a coal capacity ranging from 150 to 350 tons.

It may be fairly claimed that such vessels were simply make-shifts, pending the determination of fundamental principles which should govern in the construction of modern ships of war. But as naval architecture and armament were advancing with rapid strides abroad, the time soon came when we saw ourselves so far deficient in means of naval defense that the country was awakened to the danger of the continuance of such conditions, and a new and modern navy was seen to be an absolute necessity, and the Administration and Congress went to work with a will to provide adequate means of protection against the sea power of other nations. In 1879, just before this work was begun, the United States had only five steam vessels classed as first-rates, but which were obsolete and useless as men-of-war; only nine second-rates in condition for sea duty; only fifteen third-rates available for naval duty; six fourth-rates, none of any value whatever for war purposes; only five sailing vessels that could navigate the sea, and fourteen ironclads that might serve in some slight degree for coast and harbor defense. In the entire Navy there was not a single high-power, long-range rifled gun.

BEGINNING OF THE NEW NAVY.

It was high time, therefore, for radical action to be taken when President Arthur, in his first annual message, stated that "every consideration of national safety, economy, and honor imperatively demands a thorough rehabilitation of the Navy." Secretary of the Navy Hunt reinforced this advice of the President and called attention to the fact that our right of way across the Isthmus of Panama, becoming more and more important with the rapid growth of the Pacific coast, should be maintained against any and all foreign powers. An advisory board had been appointed which gave the subject of naval increase its attention and had recommended that thirty-eight unarmored cruisers should be built—eighteen of wood and twenty of steel—besides five steel rams and twenty torpedo boats. The designation of the material for construction was evidently a compromise, for there was great divergence of opinion, even among the naval experts on the board, as to the advisability of steel. Strange as it may now seem, the minority advocated iron instead of steel, for the reason that steel is only a high quality of iron, made at greatly increased cost, which cost to the Government would be excessive for the reason that there would have to be established plants for its manufacture and workmen would have to be educated to their use. Moreover, there was no assurance that contracts would not fall into the hands of middlemen who would import the necessary steel and charge exorbitant prices based on the cost of establishing here manufactories capable of turning out like products. But the majority held a different view and advocated the use of steel because the demand by the Government would give such an impetus to steel manufacture that we should soon have established plants capable of producing all the steel necessary for our entire domestic consumption, and for the further reason that "a bold and decided step should be taken to win back our former prestige as the best shipbuilders of the world." That the majority was right is evident from the fact that the United States is now the greatest producer of steel in the world, sending its products to every country under the sun. And the building of the new Navy has had a very potent influence in bringing about the development of the greatest industry on the globe. The question as to steel in naval construction was raised for a year or two, and in 1882 the chairman of the House Committee on Naval Affairs presented a report in which steel was recommended as the only proper material for the construction of vessels of war. The committee was not ready to go so far as the advisory board recommended, and proposed that six cruisers and one ram be built. Congress, however, did not feel disposed to adopt this limited programme, and by the act of August 5, 1882, it authorized the construction of two steel cruisers of full sail and steam power, one between 5,000 and 6,000 tons and one between 4,000 and 4,300 tons.

Mr. SCOTT. Will the Senator from California permit me?
Mr. PERKINS. Certainly.

Mr. SCOTT. What is the displacement of our largest battle ship to-day?

Mr. PERKINS. The new ships we are building will have a displacement of 20,000 tons.

Mr. SCOTT. Four times the size.

Mr. PERKINS. Nearly five times. It shows what the evolution of the Navy has been; the same as it has been with the merchant marine. We are a progressive people. The best index of what we have accomplished is the development of our steel manufactures and the building of these ships.

THE WHITE SQUADRON.

This was the act which may be said to have brought the new Navy into existence, although no appropriation was made for carrying the act into effect. A second advisory board, created by this act, advised that the larger vessel be not built, on the ground that so large a ship was not then necessary. The board suggested five vessels, one of 4,000 tons, three of 2,500 tons, to be built of steel, and one iron dispatch boat of about 1,500 tons. At the second session of the Forty-seventh Congress an act was passed and approved March 3, 1883, authorizing the construction of the vessels recommended by the board, with the exception of one of the smaller steel cruisers. Bids were invited from all American shipbuilders, and the ships built under the act were the *Chicago*, *Boston*, *Atlanta*, and *Dolphin*.

These, the first vessels of the new Navy, were, respectively, of 5,000 tons, 3,035 tons, 3,000 tons, and 1,486 tons displacement.

The three first were protected cruisers, the last a dispatch boat. The *Chicago* was of 18-knot speed, the other two cruisers of 15.60 knots, and the *Dolphin* of 15.50 knots. The cost of hull and machinery was, respectively, \$889,000, \$619,000, \$617,000, and \$315,000. The *Chicago* had an indicated horsepower of 5,000 and bunker capacity of 950 tons of coal. Her battery consisted of four 8-inch breech-loading guns in half turrets and eight 6-inch and two 5-inch breechloaders on the main deck. The *Boston* and *Atlanta* had 3,482 horsepower, 580 tons bunker capacity, and batteries composed of two 8-inch breechloaders and six 6-inch guns. The *Dolphin* has the distinction of being the first vessel, whether for naval or commercial purposes, built entirely of steel of domestic production. The rolled-steel plating of which she was built was the best in the world, and its character was the result of the impetus given to the steel industry by the policy of building a new and modern Navy. The Advisory Board prepared a set of strict regulations governing the acceptance of steel for the new ships, and the necessity for manufacturers to live up to the standard resulted in the production of better steel ship plates than could be made anywhere abroad. Before the work on the new vessels began steel was held at 8½ cents per pound, but it immediately dropped to 4½ cents, and this reduction, as well as the high quality of the material, caused it to be used in a great many ways from which it had been previously barred, and this increase in consumption in turn reacted on the manufactures, and the extension of plants and the employment of more workmen was the result.

TRIUMPH OF AMERICAN SHIPBUILDERS.

John Roach, of Chester, Pa., was the successful bidder for the first vessels of the new Navy, and his figures were \$774,100 below the estimate of the Advisory Board. But he was not permitted to complete the vessels, as his failure compelled the United States to take over the cruisers and finish the work. The result was that it was 1886 before the *Atlanta* was commissioned and not until 1887 that the *Chicago* and *Boston* were placed in active service. The speeds attained by these cruisers ranged from 16.35 knots for the *Chicago* to 16 for the *Atlanta*, and this at a time when there were only eight 16-knot vessels in the world. This fact speaks well for the builders of that time, especially when it is taken into consideration that there was disagreement in the Advisory Board over nearly every phase of the question—engines, screws, sail power, etc. But notwithstanding this the result was highly satisfactory, and the vessels so constructed are to-day among the most efficient of their class in the Navy. One of them, the *Boston*, was with Dewey at Manila, and the *Dolphin* took part in the Cuban blockade. The *Atlanta* and *Chicago* were undergoing repairs at the time of the Cuban war, and so did not have their baptism of fire.

Additional ships were not authorized until the session of 1884-85, when the *Newark* and *Charleston*, cruisers, and the gunboats *Yorktown* and *Petrel* were provided for. The *Charleston* was constructed from plans purchased in England, and her engines combined features of the machinery of several foreign countries. But this vessel, built on these lines, was criticized as being behind the times, for her engines were compound, where the naval practice of the period was to use triple expansion. But for all that she did good service. Her first work was on the Pacific coast, where she captured the steamer *Hata*, suspected of filibustering in connection with the Chilean revolution of 1891, after a chase of more than 6,000 miles, steaming to Iquique, Chile, under war conditions. During the Spanish war she was sent to Manila, and on her way across the Pacific she called at Guam and took possession of that island in the name of the United States, the Spanish garrison making no

opposition. In 1900, while cruising off the northern coast of Luzon, she ran on an uncharted reef and sank. When the *Yorktown* was completed, she, with the *Chicago*, *Atlanta*, *Boston*, and *Dolphin*, were sent to Europe to show our friends on the other side that we could really do that which they claimed we were incapable of doing, namely, build modern ships of war and sail them. That memorable cruise, the first of the new Navy, dispelled some of the doubts that had existed in European minds as to our mechanical and nautical skill; but there was still question whether we could really fight such vessels in case of need. The contempt of the Spanish toward us was only the exaggerated sentiment of the rest of Europe. But the events of the Spanish war very effectively removed the impression that we could not maneuver a fleet in action and shoot rapidly and straight. The practical annihilation of the navy of Spain was the answer the new Navy of the United States gave to the unfriendly critics of the Old World.

THE FIRST BATTLE SHIPS.

The Forty-seventh and Forty-eighth Congresses had authorized only eight vessels, aggregating 22,591 tons, and costing \$5,407,500 for hulls and machinery. It was but a fair beginning, for the little fleet had but little offensive power, and would have been of scant protection in case of war. But the Forty-ninth Congress began the work of constructing the fighting machines on which the burden of conflict must fall in time of trouble, and authorized two second-class battle ships, the *Texas* and *Maine*, and the protected cruisers *Baltimore*, *Philadelphia*, and *San Francisco*. A torpedo boat, the *Cushing*, was also authorized, besides six monitors, two gunboats, and the dynamite cruiser *Vesuvius*. The aggregate tonnage of these vessels was 56,491 tons and the cost over \$12,000,000.

Mr. SCOTT. Will the Senator from California allow me to interrupt him?

Mr. PERKINS. Certainly.

Mr. SCOTT. Has the Senator from California figured what percentage of the cost of a battle ship is represented by labor?

Mr. PERKINS. It is nearly all labor. The royalty on the iron ore that is taken from the ground is about 50 cents a ton. It is converted into pig iron, and the pig iron into steel, and the steel into steel plates, and they are then fashioned and shaped into form. It is nearly all labor.

Mr. SCOTT. It would be over 90 per cent?

Mr. PERKINS. At least 95 per cent of it is labor. Indeed, it is all labor, one might say, from the time the miner with his pick delves in the ground to extract the iron, and the miner digs coal in the coal fields of West Virginia to smelt the iron, by which it is converted into pig iron, and the pig iron into ingots of steel.

Mr. SCOTT. The Senator will allow me. The building of a navy, then, really is a benefit to the working classes of the country. The money all comes back and stays in this country.

Mr. PERKINS. My friend, the Senator from West Virginia, has anticipated what I was about to state.

Mr. SCOTT. Excuse me.

Mr. PERKINS. It is really a benefit to the laboring men of this country. In my story here, which is somewhat tedious, perhaps, I have endeavored to show, so far as it was practical for me to do so, the evolution of our Navy, and not only the evolution of the old Navy, which I have glanced over very rapidly, but also of our new Navy up to the present time. I will show that to-day we are the second power in the world, ship for ship, ton for ton, gun for gun—second only to England.

A NAVY JUST IN TIME.

Congress had, therefore, entered fully upon the course of creating a modern navy, and, as events proved, it was high time, for if we had not then got fairly at work, it is probable that the Spanish war would have found us unable to cope with such a weak naval power as Spain. The *Maine* and the *Texas* were the largest seagoing war ships we had at that time undertaken to construct, the former being 6,682 tons and the latter 6,315 tons, each of a little over 17 knots speed, and costing \$2,500,000 each for hull and machinery. The cruisers were of about 4,000 tons, with speeds of about 20 knots. The battle ships were the first armored cruising ships ever built in the United States, and the necessity for this type was realized when it was seen with what ease the French ships, in the Min River, China, caused the Chinese fleet to surrender in 1884. Then was demonstrated the terribly destructive effect of modern guns and the absolute necessity of armor to protect fighting vessels. The *Maine*, it will be remembered, was blown up in the harbor of Habana, and was the immediate cause of the Spanish war. The *Baltimore* was with Dewey during the historic episode in Manila Bay.

The nation, having fairly launched itself in the great undertaking of creating a modern navy, went steadily ahead. But

the progress, though sure, was not rapid, for it was not until 1892 that Congress authorized the *Iowa*, the last of the five battle ships that were ready to take part in the Spanish war, and without which we should at that time have been in far from a good condition to wage war in Cuba. Since that date every Congress has authorized one or more first-class battle ships. The *Iowa*, the most modern of our fighting ships at the time of the Spanish war, was of 11,340 tons and 17 knots speed, costing \$5,871,206. From that time the size of battle ships increased a few hundred tons each year until 16,000-ton ships were attained. A few years ago it was believed that this displacement would very rarely be exceeded, but suddenly the world began to build fighting machines still more huge, and the Congress just ended has authorized the construction of two monster battle ships of 20,000 tons each.

PRESENT STRENGTH OF OUR NAVY.

On the first of last July the Navy of the United States consisted of 325 vessels, of which 20 were under construction, 8 authorized and 12 unfit for service. There were ready for sea 285 vessels, including all classes. But the sea strength—the fighting strength—of the Navy excludes vessels over twenty years old unless they have been reconstructed or rearmed since 1900, transports, colliers, repair ships, converted merchant vessels and other auxiliaries, and all vessels less than 1,000 tons, except torpedo craft, and of these boats of less than 50 tons are excluded. There is thus left an immediately efficient sea going fleet of purely fighting craft numbering 144, as follows: Battle ships, 22; armored cruisers, 10; cruisers, 41; destroyers, 16; torpedo boats, 32; submarines, 12; coast-defense vessels, 11. But two battle ships, the *Mississippi* and *Idaho*, are so nearly completed that they will very soon be added to the fighting strength of the fleet. The effective vessels are manned by 2,081 officers, 34,062 enlisted men, and 8,414 officers and enlisted men of the Marine Corps. The battle ships range in size from 10,288 tons displacement to 16,000 tons, and the armored cruisers from 8,150 to 14,500 tons, only two being below 13,680 tons. The total tonnage of battle ships is 292,146; of armored cruisers, 128,445 tons; of cruisers, 131,487 tons; of coast-defense vessels, 45,334 tons. The tonnage of torpedo boats, destroyers, and submarines is 14,204. The total displacement of our effective vessels is therefore 611,616 tons.

Mr. NELSON. If it would not embarrass the Senator from California, I should like to ask him a question.

Mr. PERKINS. Not at all.

Mr. NELSON. How much water do these various ships draw, and can they enter most of our principal harbors?

Mr. PERKINS. That is quite an important question, and the answer to it is all important, too. Our battle ships draw from 26 to 28 feet of water. Anticipating the inquiry of my friend, the Senator from Minnesota, knowing how vigilant he is in whatever he undertakes—for I have been associated with him on the Committee on Commerce for many years—and thinking he might ask me some such question, I made inquiry of the Coast and Geodetic Survey as to the depth of water in the different principal ports of the United States.

It is said by some of our friends who are not in favor of subsidizing American shipping that we are appropriating fifty to seventy-five million dollars annually for the purpose of dredging our harbors and improving them to accommodate foreign ships, but it will be apparent that the work is necessary to enable our own ships of war to enter our own harbors.

In response to the inquiry of the Senator from Minnesota, I will, with his permission, give the list as given to me by the Coast and Geodetic Survey.

This is a statement of low water at various ports in the United States. First, on the east coast, Portland, Me., 30 feet; Boston, 27; New York, 35; Philadelphia, 23; Baltimore, 30; Norfolk, 28; Savannah, 22; Charleston, 26. Therefore there would be only three of those ports into which it would be safe for a battle ship to go at low tide. There ought to be 2 feet of water between the keel of a ship and the bottom.

Gulf ports: Key West, 26 feet; Mobile, 23 feet; New Orleans, 28 feet; Galveston, 27 feet. New Orleans may have it now, but I remember when I was on a ship as a boy we had to remain at the bar six weeks, and the ship drew only 16 feet of water. We had to wait for the freshets.

On the Pacific coast we have not so many ports, but many of them have ample depth of water. San Diego, 27½ feet; San Francisco, 33 feet; Portland, Oreg., about 19 or 20 feet; Seattle and those ports will supply any depth of water.

DEPTH OF OUR PRINCIPAL HARBORS.

Here is a list of vessels that have entered various ports drawing a certain draft of water. I will not weary the Senate by reading it, but I think, perhaps, it might be well to place it in the Record.

The matter referred to is as follows:

[Information furnished Senator Perkins, February 18, 1908.]

Low water at various United States ports.

	Feet.
East coast:	
Portland, Me.....	30
Boston.....	27
New York.....	35
Philadelphia.....	23
Baltimore.....	30
Norfolk.....	28
Savannah.....	22
Charleston, S. C.....	26
Gulf coast:	
Key West.....	26
Mobile.....	23
New Orleans.....	28
Galveston.....	27
Pacific coast:	
San Diego.....	27½
San Francisco.....	33
Portland, Oreg., about 19 or 20 feet.	
Seattle, deep enough for any draft.	

Vessels have actually entered various harbors within a year drawing:

	Ft.	In.
Portland, Me.....	28	
Boston.....	31	4
New York.....	34	8
Philadelphia.....	29	2
Baltimore.....	30	
Norfolk.....	30	
Charleston.....	25	
Savannah.....	23	
Key West.....	25	
New Orleans.....	28	
Mobile.....	24	8
Galveston.....	28	

Mr. PERKINS. I think the inquiry of my friend from Minnesota is very pertinent and to the point. In building ships of great draft, if lack of water would prevent them from entering the harbors, certainly there would not be any benefit. That is a question we shall have to consider in connection with the appropriations for building immense battle ships. I think the two large vessels of the Cunard Line recently constructed—the *Lusitania* and *Mauritania*—have a draft of water which makes it impossible for them to enter New York Harbor at low tide.

THE COMPARATIVE FIGHTING STRENGTH.

Such are the salient facts in relation to our sea force, but what of its comparative fighting strength? I think that the Scientific American explains the difficulties of the problem very clearly when it says:

It is a difficult matter to find a basis of comparison of the strength of the world's navies which will give satisfactory results. There are so many elements that affect naval efficiency, and the military value of these elements differ so widely that it is simply impossible to make a comparison based upon any one of them which will give a reliable result. A mere statement of the total number of ships in each navy will not suffice, since these ships vary in size, speed, armor, and armament. It has been claimed that a comparison based on the total number and weight of guns carried would suffice; but the value of a gun depends greatly upon the character of the ship which carries it, the kind of mount upon which it is placed, the degree of armor protection, etc. Because of these modifying conditions, a 12-inch gun in one ship may expect to have two or three times the battle life and efficiency of a 12-inch gun in some other ship. Nor will a comparison on the basis of armor protection suffice, for a fleet which is powerful only in its defensive qualities and in which the area and thickness of its armor plating has been increased at the expense of the armament and the speed, would be wanting in that mobility and power to swiftly concentrate and deliver a telling blow at the critical moment, upon which the success of a naval campaign so greatly depends. So, also, a comparison on a basis of speed would be misleading, for high speed is one of the most costly elements in a war ship, costly in the large demands which it makes upon displacement, and it is a fact that, unless the size of the units be very large, unusually high speed in war ships is always associated with limited gun power and inadequate protection. A fleet of exceedingly fast, but moderately armed and moderately protected ships, might sweep the seas of the smaller unprotected cruisers and the general sea-borne commerce of an enemy, but it would be powerless to force the issue by a decisive line-of-battle engagement. Then, lastly, and perhaps most important of all, there is the question of age. We do not recall any product of human industry which, as the years go by, depreciates so rapidly in value as the war ship; and the most elaborate estimate of the relative value of the fleets of the world is not worth the paper it is written on unless the question of the age of the ships be most carefully considered. War ships built to-day have at least twice the value of those built ten years ago, and from four to six times the value of those built twenty years ago. Great Britain awoke to this fact and acted upon it in the most trenchant way when she swept over 100 war ships off the list and placed them under the auctioneer's hammer.

I will say, having been engaged in the maritime business many years, that it is the rule of every prudent company to write off every year 5 per cent of the value of a vessel. The result is that the life of a vessel is but twenty years. Yet it requires a great deal of money to keep the vessels in order, as I shall show later on from figures taken from the records of the Bureau of Construction of the amount it would cost to keep a ship in ordinary repair, and they deteriorate, I will say, quite as much when laid up as when in service.

THE UNITED STATES SECOND IN NAVAL STRENGTH.

It is the opinion of the writer of the above and of many experienced naval men that the only true basis of comparison is total displacement modified by consideration of age. If this basis is adopted and comparison is made with the naval strength of the other principal nations of the world, the United States is found to be second only to Great Britain. The relative order of tonnage of effective fighting vessels stands as follows:

	Tonnage.
Great Britain.....	1,633,116
United States.....	611,616
France.....	609,079
Germany.....	529,032
Japan.....	374,701
Russia.....	232,943
Italy.....	207,632
Austria.....	113,235

According to the Bureau of Navigation, the tonnage of all naval vessels built or building November 1, 1907, shows France in the second place, with 836,112 tons, against 771,758 for the United States, and if we authorize two battle ships of the *Dreadnought* type the figures for the United States will be increased to about 812,000 tons, leaving France still second in tonnage on the sea. But these figures are, in a way, deceptive, for they include coast-defense vessels, which are not designed for cruising, and consequently should not figure in our computation of strength on the high seas. If we eliminate these we shall have 766,666 tons for the United States and 762,812 for France, leaving us still second by a small margin. But if we compute the strength of line-of-battle ships—the true fighting strength of the Navy—including battle ships and armored cruisers, we shall find a still greater margin in our favor.

As intimated in the resolution which I have offered and which we have under consideration, I think we ought to maintain our relative position as the second great naval power of the world. I will show you later, if I have not already done so, that for effective service we are to-day the second great naval power. It is a most popular branch of our Government to-day with the people, but they seem to underrate or underestimate the great progress we have made during the past ten years in building up our Navy.

According to the Navy Yearbook, compiled by Mr. Pitman Pulsifer, we have built, building, and provided for 563,591 tons in ships of this character. But foreign naval authorities class the *Charleston*, *Milwaukee*, and *St. Louis*—nominally protected cruisers—as armored cruisers, and if we add their tonnage—29,100 tons—and the 40,000 tons in two new battle ships of the *Dreadnought* type, we shall have 632,691 tons of purely fighting ships against 590,215 for France, giving us a lead of over 42,000 tons, while our vessels are not so old, and are thereby relatively more effective than the French. Two more big-gun battle ships, therefore, will assure us the second place as a sea power. We shall have thirty-one battle ships against twenty-seven for France, with twelve armored cruisers—or fifteen if we adopt the foreign classification of the three cruisers named above—against twenty-three French of the same class. But our armored cruisers will average 12,400 tons against 9,600 for the French, so that, on the basis of the greater number of guns in a shorter line, our cruisers should be at least equal in offensive strength to the greater number in the French navy.

CONSTRUCTION BY OTHER NATIONS.

In November Great Britain had under construction four battle ships and six armored cruisers; France, eight battle ships and four armored cruisers; the United States, seven battle ships and two armored cruisers; Germany, six battle ships and two armored cruisers; Japan, two battle ships and two armored cruisers. With the authorization of two more big-gun ships we should be far in advance of all other naval powers in the matter of new construction of battle ships, surpassing even Great Britain. And in the past ten years we have been next to Great Britain in the matter of appropriations for new construction and in the tonnage constructed. I refer to this more particularly because many claim that we ought to provide for four large battle ships. It is understood that provision will be made for two, which will give us, as I have endeavored to show, relatively, a position second only to that of Great Britain, and far in excess of that of France.

According to Lord Brassey, during the ten years from 1896 to 1906, the United States expended in new construction £48,938,200, while France did not expend so much by £520,000. And in that time we added 503,100 tons to the aggregate of the displacement of our naval vessels, while France added only 358,600 tons. No country except Great Britain equaled the United States in the total expenditure on the Navy, which was

for the United States in the ten-year period \$152,403,000, against \$120,610,000 for France, and only \$81,974 for Germany.

Yet, before projected ships are on the water, other and more formidable ships will be authorized or begun, and we may, I think, be assured that the additions to our Navy will be such as to keep us for all time in the second place as a sea power. Germany and Japan we have already so far outstripped that there is no likelihood that they will ever overtake us. But in the number of men we fall behind. Our effective fleet has 34,062 enlisted men, against 41,070 of Japan, 42,400 of Germany, 51,926 of France, and 98,973 of Great Britain. But, as is well known, the fighting strength of a body of men does not reside entirely in numbers. The character of the man behind the gun, as Rear-Admiral Mahan pointed out years ago, is a prime factor, which often makes a hundred men the superior in fighting power to a thousand.

So, I believe, the recent target practice in the Navy has given every evidence of the great energy, efficiency, and power of our ships and of the skill of our men behind the guns. We need have no uneasiness, therefore, on account of the lesser number of men per ton on our fighting ships.

Mr. HOPKINS. Will the Senator allow me to interrupt him right there?

Mr. PERKINS. Certainly.

Mr. HOPKINS. Have we men sufficient to man the different war and other vessels that we have so as to make them the most efficient possible?

Mr. PERKINS. I understand that now we can fill up the quota. We have not done so heretofore. I will say, by way of explanation to my friend from Illinois, that the sailor experience is not so much required now as in former days. The modern battle ship is a great machine shop, and men who have not been following the sea who are good machinists are very efficient in many ways on a battle ship. Under the old Navy, the Navy of 1812 that I referred to, it was the men of experience on sailing ships who were necessary to man our vessels of war. A man had to graduate in the fishing trade or the coast trade, but I am informed by the Chief of the Bureau of Ordnance that now they can fill at almost any time the demand for men for our fighting ships.

Mr. HOPKINS. I will state to the Senator that what caused me to ask the question is the great disparity in numbers as compared with Japan when you take into consideration the fact that our tonnage is so much greater than that of Japan.

Mr. PERKINS. The ships of war of Japan carry about 30 per cent more men than we do. Therefore it can be said that an American sailor is worth nearly two of Japan's.

Mr. HOPKINS. Why is that? Why do the Japanese ships carry so many more sailors?

Mr. PERKINS. It is a matter of expense. The sailor's wages on a Japanese ship is \$5 a month, while we pay our men \$16, and they do not care to go to sea for that. We have, however, first-class men now in our Navy.

The VICE-PRESIDENT. The Senator from California will kindly suspend while the Chair lays before the Senate the unfinished business, which will be stated by the Secretary.

The SECRETARY. A bill (S. 2982) to codify, revise, and amend the penal laws of the United States.

Mr. HEYBURN. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside.

The VICE-PRESIDENT. The Senator from Idaho asks unanimous consent that the unfinished business be temporarily laid aside. Without objection it is so ordered. The Senator from California will proceed.

AN ENGLISHMAN'S IDEA.

Mr. PERKINS. In further answer to the Senator from Illinois, I will quote what Lord Brassey says. It is the opinion of the British Engineering Magazine that we should supply more men. It says:

Of personnel it may be said in passing that the United States Navy is short some thousands of men; and although the officers responsible say that this deficit could easily be filled, it can not be considered that the Navy is an efficient service until this is done; and, in spite of official optimism, the supply of freeborn white Americans who seek a living on the sea is by no means on the increase.

This is British authority, and just here is a strong argument in favor of the rehabilitation of the American merchant marine, which can give us a reserve supply of seafaring men, as it did in times past, and such as England possesses to-day. My friend from New Hampshire [Mr. GALLINGER], who to-day I am relieving, says he will take the floor on Monday and show the necessity of rehabilitating the American merchant marine, in order to supply sailors.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from New Hampshire?

Mr. PERKINS. With pleasure.

Mr. GALLINGER. I was called from the Senate Chamber and I have not had the great pleasure I anticipated of listening to the Senator from California during his entire address to-day. I note that he has been discussing the American sailor—the matter of crews on our ships. I have been told that two-thirds of the men who have gone on the Pacific cruise on our battle ships have been recently recruited from the agricultural regions of the West and the Northwest. They make most excellent men, of course, but I anticipate that they have gone as on a pleasure trip, rather than with a view of remaining in the service. Is there not great danger that after the term of their enlistment expires they will leave the service and we shall then have a very great shortage of men for service on our ships?

Mr. PERKINS. I think, Mr. President, with the Senator from New Hampshire, that we ought to rehabilitate our merchant marine, so that we can have experienced sailors to draw from in case of emergency to fill places that do not require the training necessary in those who manage machinery, tend boilers, and have to do with the complicated machinery of a modern ship of war.

Mr. GALLINGER. I thank the Senator for expressing that view. Beyond doubt there is very great necessity for doing that.

Mr. PERKINS. Yes, Mr. President, that is quite true. We have naval training stations, and those men furnish the recruits for our Navy. The 14,000 sailors now en route to the Pacific enlisted for a term of years, and they were prompted and inspired to enlistment by patriotism. Our Navy has become very popular among the sailor men, although the wages we pay are not those paid in the merchant service.

ADVANCE IN NAVAL CONSTRUCTION.

The battle of the Sea of Japan, in which Japan wiped out the remnants of the naval power of Russia, taught lessons which have led to marked changes in the character of fighting ships. A study of that battle has convinced naval experts that in an engagement that fleet will be victorious which can place on the shortest battle line the greatest number of 12-inch or other larger guns. Therefore there has come upon the scene the huge 20,000-ton battle ship, armed with the most powerful 12-inch or 13-inch rifled guns, on whose smashing effect the results of battle rest. The big ship is designed for the purpose of shortening the battle line, thus concentrating the big-gun fire. The United States has authorized the construction of two of these 20,000-ton monster fighting machines, and the President recommends that the present Congress authorize four more. The terribly destructive effect of the modern 12 and 13 inch guns at close range is so great that the distance at which sea battles are fought has been greatly increased. It is estimated that in the battle of the Sea of Japan the distance between the hostile fleets was 5,000 yards, or about 3 miles, and it is believed that the newer and higher-power guns of to-day would lead to an increase of the distance to fully 7,000 yards, or 4 miles. Accuracy of fire is, therefore, a prime necessity, and for that reason the existing naval vessels of the different nations spend much time in target practice. It was the target practice of the Japanese that completely smothered the Russian fleet and destroyed in a few hours the sea power of the Czar. What the United States Navy is doing in this line of work is illustrated by the record of the battle ship *Connecticut*, flagship of the Pacific fleet, now on its way to San Francisco. Targets 30 feet high and 50 feet long—about an eighth the exposed surface of a modern battle ship—were hit by four 12-inch, nine 8-inch, and seventeen 7-inch shells as the vessels steamed for eight minutes from a position $4\frac{1}{2}$ miles from the target to one $5\frac{1}{2}$ miles distant. That is taken from the official record. It is a most wonderful exhibition of skill on the part of the men behind the gun on the ships. This is clearly a case of shooting straight, which has always characterized the men on board American ships of war.

IMPORTANCE OF THE BIG-GUN SHIP.

In heavy armor-piercing guns England, of course, is pre-eminent, having 292 that can be brought into action when the vessels under construction and authorized are completed. France comes next with 160, and the United States third with 144. Germany and Japan have 118 each. These are the guns which would probably prove decisive in any engagement, and the fleet which could bring the greatest number within the shortest battle line would undoubtedly be the victor. The big ships alone could shorten the line and concentrate the big-gun fire, and the fleet having the greatest number of big ships would, therefore, in all likelihood be the victor, the fighting qualities of the men being equal, even though the opposing fleet had a far greater aggregate displacement.

Mr. HOPKINS. I should like to ask the Senator another

question. If in the modern war vessel the distance between the contending navies will be 3 or 4 miles, of what great benefit are the torpedo boats? I ask the question in view of the fact, as I understand, that the other branch of Congress has authorized a larger number of torpedo boats than was recommended by the Department.

Mr. PERKINS. It is a question of evolution in high explosives.

Mr. GALLINGER. I was about to remark, if the Senator will permit me, that the increase allowed by the other House is not in torpedo boats, but in submarines, and it is not expected that the submarines will go very far from shore to do their fighting. They are largely designed for coast defense.

Mr. HOPKINS. But we have given a large amount of money from time to time for the construction of torpedo boats in our Navy, have we not?

Mr. GALLINGER. Certainly; but my suggestion was that, as far as the increase in the pending naval bill is concerned, it is for submarines proper.

Mr. HOPKINS. I understand that the submarines are used for coast service largely.

Mr. PERKINS. Answering the Senator from Illinois, in my opinion the torpedo is a very effective mode of warfare. It can be sent 3,000 yards from the torpedo destroyer, which goes with great speed—at 30 knots an hour, perhaps. It goes within a short distance of the battle ship and sends its torpedo on its mission of destruction and is particularly effective in a naval engagement against battle ships that have had their offensive power weakened by the fire of big guns. They are said to have been very effective in the hands of the Japanese in the battle of the Sea of Japan against the crippled vessels of the Russians. It is the opinion of Admiral Mahan and other eminent men in our Navy that torpedoes are most effective, both as offensive and defensive weapons.

Mr. GALLINGER. We had an illustration of that at Port Arthur.

Mr. HOPKINS. What is the opinion of the Navy people as to the number of torpedo boats that should be constructed in proportion to the number of cruisers and battle ships?

NEED OF MORE TORPEDO BOATS.

Mr. PERKINS. Japan has a very much greater proportion than we have. I think myself that we are deficient in torpedo boats. The Naval Board, of which Admiral Dewey is president, the Joint Army and Navy Board, and the General Board have this matter under consideration. Our Committee on Naval Affairs also have it under consideration; and I would hardly like to venture an opinion until we have had their evidence, which will materially aid in forming a conclusion on the various questions before our committee.

Mr. HOPKINS. Then, as I understand it, in constructing a great navy and maintaining it as we are seeking to do, there is a certain proportion of torpedo boats that will be constructed with other war vessels.

Mr. PERKINS. Certainly; that is the policy of the Navy Department. It is the policy of the Bureau of Construction, and also, I think, of both Houses of Congress. It is the part of wisdom, it seems to me, for the United States to profit by the experience of other countries. Great Britain has pursued that course, France has done so, and Japan used torpedoes most effectively in the recent war with Russia.

Mr. SCOTT. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from West Virginia?

Mr. PERKINS. With pleasure.

Mr. SCOTT. I should like to ask the Senator from California how many colliers are now in transit with our fleet to the Pacific coast for the purpose of carrying supplies of coal?

Mr. PERKINS. Does the Senator refer to American colliers?

Mr. SCOTT. I am asking for the total number.

Mr. PERKINS. Twenty-one, I think, left the Atlantic coast.

Mr. SCOTT. Of the twenty-one how many are American built or flying the American flag?

Mr. PERKINS. Two, I think; not more than three.

Mr. GALLINGER. Two.

Mr. SCOTT. There are only two of those colliers that belong to America and fly the flag?

Mr. PERKINS. That is one of the bad features.

Mr. SCOTT. Does the Bureau of Navigation recommend the building of additional colliers?

Mr. PERKINS. I understand so; and there are several bills for that purpose now pending before Congress. Two have been introduced in the Senate. One, I think, by the Senator from Massachusetts [Mr. LODGE], and another by the Senator from New Hampshire [Mr. GALLINGER], providing for the purchase of some colliers that have already been built in American yards.

Mr. SCOTT. How far could the battle-ship fleet possibly proceed, even on a pacific mission, without the aid of colliers to carry supplies of coal?

Mr. PERKINS. Three thousand miles, I think, would be an extreme distance.

Mr. SCOTT. Perhaps two or three days.

Mr. PERKINS. About ten days—that is, under ordinary speed.

Mr. SCOTT. From five to ten days?

Mr. DEPEW. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from New York?

Mr. PERKINS. With pleasure.

Mr. DEPEW. I have inquired about these colliers. I think the exact number is thirty-seven.

Mr. PERKINS. I took the statement in the press at the time that twenty-one left here. A part, I think, only went down on the southern coast. I think only ten went through the Straits of Magellan. However, it is a pretty serious question, and the Senator from West Virginia makes a very pertinent inquiry, "What would we do with the colliers which we have now chartered if we were at war with another nation?" Probably we would have to charter others.

Mr. SCOTT. I will ask another question, if the Senator will pardon me. In case we were engaged in a war, would it not be impossible for us to charter these vessels from a neutral power?

Mr. PERKINS. I think we could purchase them or press them into service.

Mr. SCOTT. We would have to purchase them before we declared war.

Mr. PERKINS. We purchased from England during the Spanish war. We have on the Pacific coast, I think, some six or eight foreign-built vessels now in the transport service between the Pacific coast ports and the Philippine Islands.

Coming down to the practical question, the big-gun ship has come to stay, and we are preparing to build two of 20,000 tons displacement and 21 knots speed, larger than any battle ship yet built by any other nation. The *Dreadnought*—that big-gun ship which England built with such astonishing rapidity and which has set the pace for other nations—is only 17,900 tons, and none of the six large fighters now on the stocks in England equals in size our *North Dakota* and *Delaware*, whose construction has just commenced. Three of the new English battle ships, building or authorized, are of 18,600 tons, and three of the improved *Dreadnought* class are of 19,250 tons displacement. It has been stated that the last three are to be given 13½-inch guns, but the accepted belief is that they will be armed with ten 12-inch rifles. The smaller ships will carry ten 12-inch guns.

France is constructing six battle ships of 18,350 tons and two of 14,865 tons, but the programme for 1909 contemplates only battle ships of 20,000 or 21,000 tons, 20 knots speed, with turbine engines, and is leaning toward an armament of 16 guns of 274 millimeters, or nearly 11 inches. They suggest even as many as 20 guns of 240 millimeters, or about 9½ inches.

THE LIFE OF A SHIP OF WAR.

As I said, the life of a ship is twenty years, and we write off every year 5 per cent. I think with a battle ship the improvements that have been made in the engines and boilers would make the life of the ship much less.

Mr. WARREN. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Wyoming?

Mr. PERKINS. Certainly.

Mr. WARREN. Does not the Senator think 10 per cent is about the average percentage of loss as applied to a battle ship and its machinery?

Mr. PERKINS. It is, undoubtedly; because the life of an engine and of a boiler is only about ten years. The corrosion and galvanic action upon the boilers will make the average life of a boiler not to exceed ten years.

Mr. WARREN. That would represent the entire percentage of loss on a large battle ship.

Mr. PERKINS. I think so.

Mr. WARREN. That would amount to the same thing as a battle ship being practically consumed in ten years.

Mr. PERKINS. That is the calculation made by my friend from Wyoming.

Japan is constructing a battle ship of 19,200 tons and one of 19,800 tons. The latter has a battery of four 12-inch and twelve 10-inch rifles. Four more ships are planned for this year, of 21,000 tons, 20 knots speed, each carrying twelve 12-inch guns. She has one armored cruiser, the *Tsukuba*, of nearly 20,000 tons, and plans two more such ships.

Italy seems to have set her limit at 16,000 tons and Austria at 14,500 tons.

RELATION OF SIZE OF SHIPS TO DEPTH OF HARBORS.

Mr. President, there must be a limit to the size of battle ships, which limit is set by the depth of harbors, for a ship must after all rely upon the land for support and must visit dockyards for supplies and repairs. This applies to what has already been anticipated by me in what I have said to my friend from Minnesota [Mr. NELSON].

It is apparent that that limit is nearly reached, for there are few harbors that will admit vessels of over 35-foot draft. The huge *Lusitania*, of the Cunard Line, of 38,000 tons displacement and drawing 33½ feet, is undoubtedly as large a vessel as can enter New York Harbor without a further expenditure for dredging. That harbor, Norfolk, San Francisco, and Puget Sound are, I think, the only harbors we have that can receive the largest vessels now afloat. I was surprised at the list given me by the Coast and Geodetic Survey relative to the depth of water at Baltimore.

It is pointed out by naval authorities that Germany is limited in the size of its fighting ships by the shallowness of its harbors. In spite of the energy of the Emperor and his intense desire to create as powerful a fleet as exists, he can not alter the physical configuration of the German coast. Thus at present Germany possesses no battle ships of over 13,200 tons, though four of 19,000 tons are projected. It is quite safe to say that these figures represent about the limit of size for German ships unless there is a great improvement in harbors. But even when the limit of size has been reached the building of war ships must continue, for the reason that a new vessel is hardly in the water before some other nation lays the keel of another which outclasses her in some important respects. Advances in the construction of engines, boilers, speed, armor, armament, guns, ammunition, and torpedoes are constantly made, and when incorporated in a new vessel create a new and more efficient fighting machine. Already foreign naval experts class the *Indiana*, the *Massachusetts*, and the glorious *Oregon*, which was the crack ship of the ocean at the time of the Spanish war, as obsolescent—hardly worthy of being considered as effective in line of battle when pitted against the newer ships of the world's navies. England has virtually wiped out eleven battle ships of from 10,500 to 14,150 tons as obsolescent, though among them we find the *Royal Sovereign*, the *Emperor of India*, and the *Hood*, which a few years ago were considered the most powerful ships of the British navy.

This proves what I said, in answer to a question already propounded to me, that the vessels have become obsolete by the greater improvements being made in structure, machinery, and general fighting capacity.

The new naval programme of Germany includes a proposition to decrease the nominal life of a battle ship from twenty-five to twenty years of active service, which, if adopted, will lead to the construction of five 19,000-ton battle ships instead of four. Thus progress in science is constantly lessening the efficiency of existing fleets by bringing into the field others which outclass them in many or all important points. Therefore the nation that would keep on the sea a fleet equal to all emergencies must be constantly building new ships and planning still others before the keels of those authorized are even laid. For that reason I have an idea that it will be a wise policy for us to limit the number of ships which we build yearly, and that one or two should be the maximum of these huge ships to be built each year.

The two huge battle ships authorized by the Fifty-ninth Congress are evidences of the sudden changes which occur in the ideals of naval construction. These big fighting machines are the results of the observations made during the progress of the war between Japan and Russia, and the study given to the details of the naval battles, particularly that of the Sea of Japan, in which Admiral Togo destroyed the Russian fleet. Up to that time it had been one of the cardinal points of naval construction to provide for what are called "secondary batteries," which consisted of a large number of guns of small caliber compared with the four big guns which composed the main battery of battle ships. The manner in which the Russo-Japanese battles were fought, the nature of the injuries received, and the controlling factors in the work of demolishing the Russian vessels seemed to teach that it was the big guns that were the most efficacious, and that the 8-inch and 6-inch rifles were of practically no avail against armored ships at the distances at which they are fought. The conclusion was that inasmuch as we had learned how to handle big 12-inch guns so as to secure accuracy of fire, a battle ship carrying only 12-inch guns as an offensive force, with simply small-bore rifles to repel torpedo-boat attacks, presented the very highest type

of efficiency. So the great European naval powers set about creating such ships, and England built the *Dreadnought* and commissioned her October 2, 1906. This great ship is 490 feet long, 17,900 tons displacement, of 21½-knot speed, with about 26,000 horsepower, and a bunker capacity of 2,700 tons. Her main battery consists of ten 12-inch breech-loading rifles in turrets. She has no secondary battery; her entire offensive power is centered in the ten great guns in her turrets.

OUR OWN BIG-GUN BATTLE SHIPS.

The United States had about the same time authorized the *South Carolina*, of 450 feet length, 16,000 horsepower, and 18½ knots, to be armed with eight 12-inch rifles, but when the details of the *Dreadnought* came to hand it was seen that our own big vessel was outclassed. Hence Congress was urged to authorize the construction of vessels of the *Dreadnought* class, and this was done by the Congress just ended. The two great battle ships which will now be built will cost, exclusive of armor and armament, \$6,000,000 each, and probably \$12,000,000 each when ready for commission. They will be 510 feet long, 85 feet 2½ inches beam, of 20,000 tons displacement, and 2,300 tons bunker capacity, with a speed of 21 knots. They will have for a main battery ten 12-inch breech-loading rifles, and for a secondary battery fourteen 5-inch rapid-fire guns; four 3-pound saluting guns; four 1-pound semiautomatic guns; two 3-inch fieldpieces, and two machine guns. There will be two submerged torpedo tubes. The hull will be protected by a water-line belt 8 feet wide and 11 inches thick. Above this 10-inch armor will extend in a belt 7 feet 3 inches wide, and above this there will be armor 5 inches thick to protect smokestacks, the secondary battery, etc. The arrangement of the main battery is such as to give a broadside fire 25 per cent greater than that of any battle ship now built, or, so far as known, under construction, and the average elevation of the guns above the water line is believed to be greater than that of any other vessel, thus giving a distinct advantage in long-range firing. By compartment arrangements, armor, protective decks, and other provisions, it is believed that those vessels will have defensive qualities greater than those of any vessel now afloat, or up to this time designed. The proportion of weight of hull and armor is greater than in any other battle ship, and the actual total 3,000 tons greater than in the largest battle ship built so far.

Mr. McCUMBER. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from North Dakota?

Mr. PERKINS. With pleasure.

Mr. McCUMBER. I wish to ask the Senator from California if the logic of his argument is not that we are simply trying to keep up with the other maritime nations of the world, and that every time they get out an immense ship we try to match it with one of equal capacity? Why not in the very beginning, or right now, if we are going upon that theory, proceed to estimate for the largest possible war ship that can be constructed which can enter any of our ports, build it at once, and man it with the largest possible guns, instead of changing year after year and going by a gradual scale, simply trying to keep up with some of the other nations? It seems to me the logic of the argument is that ships built this year will be of very little value two years from now, and that we are all the time reaching toward greater ships. Why not, then, in the beginning build, man, and equip the very greatest ships that we can put afloat which can enter our harbors?

Mr. PERKINS. Mr. President, that is a point which has developed itself in the ship which we are now building named after the State of my friend from North Dakota, of 20,000 tons displacement, I think it is. As I have stated, I think we have nearly reached the limit in the size of ships.

Mr. McCUMBER. I understand from the Senator that his view is now that we have finally reached the limit as to the size of ships that can be built for war purposes.

Mr. PERKINS. It would hardly be fair, Mr. President, to put it in that shape; but I have been endeavoring to show that from the time of the building of the *Constitution* we have been progressing until we have reached the construction of one of the largest battle ships. That is an evolution which has been gradually going on in development until we have reached a point which could not have existed even in the vivid imagination of my friend from North Dakota ten years ago.

EVOLUTION IN BATTLE-SHIP CONSTRUCTION.

Mr. McCUMBER. If the Senator will pardon me, the evolution that has been going on so far has been simply to keep abreast with other great nations in the construction of immense war ships. We have not tried to exceed them to any extent; we have not considered practically what we can do and what ought to be done; but we have been guided simply by the one

proposition, that we must have as great a ship of war as Great Britain has produced, and we go a few thousand tons ahead each time. It does seem to me that we ought to start on some plan which looks far enough ahead so that the ship built to-day will be worth something ten years from to-day. The Senator from California speaks of the practical life of a ship as being about ten years.

Mr. PERKINS. Twenty years.

Mr. McCUMBER. About ten years for a war vessel after taking off 10 per cent each year. The Senator's argument, if it establishes anything, establishes the fact that a war ship built ten years ago is practically of no value to-day, and, logically, from the same argument, one built to-day will be practically of no value ten years from to-day, irrespective of the ability to maintain it and keep it in working order during that time.

Mr. PERKINS. Our Navy Department is composed of as eminent men as there are in this or any other country. They are desirous of having geniuses submit plans to them or any new invention in connection with these matters or for experimental purposes; and if my friend from North Dakota will submit plans embodying his ideas, I shall take great pleasure in presenting them to the Department, and I am sure they will receive proper consideration. The evolution in the construction of a battle ship is like that of the rifle which my friend now shoots. A few years ago he shot a muzzle-loading rifle, using black powder, and now he shoots a Winchester, a Henry, or some other modern make of rifle, using smokeless powder. Such a rifle has been produced by this same process of evolution.

Mr. WARREN. Mr. President, I should like the Senator to state his views as to the kind of Navy he desires relatively to the other navies of the world. Does he desire a Navy relatively of a second or third size?

Mr. PERKINS. I desire to maintain our Navy in the present relative position which it now has, which is second only to that of Great Britain. I think our great country ought to maintain that position.

Mr. WARREN. I quite agree with the Senator. It is not a question as to how large a Navy we may be able to build. I think we have the best men in the world behind the guns; and if we hold our relative position as at present, I think we shall be doing quite well enough.

Mr. McCUMBER. Mr. President—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from North Dakota?

Mr. PERKINS. With pleasure.

THE MEN ON OUR SHIPS OF WAR.

Mr. McCUMBER. If I may be permitted, I should like to make a suggestion in answer to the suggestion that has been made by the Senator from Wyoming [Mr. WARREN]. I have heard a great deal of the argument about "the man behind the gun." I concede that we have about as good men behind the guns of the United States as has any nation on the face of the earth; but when our friends tell us that our ships are manned about 75 per cent or 80 per cent by foreigners, and not by American citizens at all, it does not seem to me that the question of the men behind the guns counts for so very much in view of the personnel of the present force upon our great war ships. It seems to me—if I may just take one second of the Senator's time—

Mr. PERKINS. I am in search of light.

Mr. McCUMBER. That the drift of our American populace for labor will be where they can get the best remuneration, and you can get good sailors only as you pay good remuneration to them. You are not going to get the very best of our American citizenship and character to be the men behind the guns unless you pay a remuneration that will justify them in giving their service to the Navy instead of to some branch of industry.

For my part, I can not see any difference in this respect between the man who comes from Norway, as the father of my friend from Minnesota [Mr. NELSON] came, and the man that was born in this country. When Ole Olsen lands in New York, he is just exactly the same Ole when he lands there that he was when he left Norway. The mere taking on of American citizenship does not give him an inherent quality any better than he had in his old country. What does he get here? He gets the practice. The "man behind the gun" is the man that has the practice; and the country that has got the wealth to expend in the practice—I do not care whether it is on the other side of the ocean or on this side of the ocean—will get good marksmen in time. Japan and Great Britain probably are doing just exactly as well as we are. After all, it is a question not so much of "the man behind the gun" as it is the dollars that are behind the guns and the dollars that can furnish new guns when the old ones are exhausted.

That is to me really the whole question that arises in connection with "the man behind the gun." It is practice. If we want good men for our Navy, we have got to pay for them; and I believe we can get them without even passing the bill recommended by our friend from New Hampshire [Mr. GALLINGER].

Mr. WARREN. Mr. President, will the Senator from California permit me?

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from Wyoming?

Mr. PERKINS. With pleasure.

Mr. WARREN. I ask the Senator from North Dakota [Mr. McCUMBER] if there has been any claim made that a man must be an American citizen in order to make a good gunner? I make no such claim, but I do say that men educated in the American Navy by American officers—and when I say "American officers" I mean those who are educated at Annapolis and in our schools—are the best in the world. I agree with the Senator perfectly that it is not a matter of where the men were born. They may be born in any country; but the American Navy as it is officered and manned, to my mind, furnishes the best gunners in the world, and they have the best practice and the best schooling.

Now, as to the pay. So far as the rank and file is concerned, the Navy is getting a very sufficient pay. As stated by the Senator from New Hampshire [Mr. GALLINGER], the late recruits are largely men from the Northwestern States—all educated men and good men. The Navy is paid to-day in the rank and file just a fraction of 1 per cent less than double what is paid in the Army for corresponding rank and file.

HOW AMERICAN CITIZENSHIP WORKS.

Mr. PERKINS. Mr. President, I can only answer my friend from North Dakota [Mr. McCUMBER] by relating an incident that once came under my observation. I was in a mining camp away back in the gold fields of California. A worthless fellow there, who amounted to nothing and had not the respect of anyone, was finally elected constable. They said, "He is a 'rum' customer for a constable, an officer of the law;" but immediately on his election he caused them to change their opinion. There was a riot and a row on hand, and he went into camp and said: "I am a little fellow and only weigh 120 pounds, but I represent this Government; the whole American people are back of me, and I will arrest every man of you." So it is with the men who join the Navy. They do it for patriotism, for love of the country which they have taken an oath to fight for, and not the dollars and cents that they receive.

My friend from Minnesota [Mr. NELSON], who went to the front during the war, did not go for the little measly \$12 or \$14 a month that he got. It was patriotism that inspired him, and so it is with nine-tenths of the men who enlist in the Navy. It is patriotism; it is love of country; it is the position they hold that inspires them to do their duty and not the per diem or the per month wages received.

Mr. McCUMBER. I should like to ask the Senator right there—

The VICE-PRESIDENT. Does the Senator from California yield to the Senator from North Dakota?

Mr. PERKINS. With pleasure.

Mr. McCUMBER. I should like to ask the Senator if he does not think that in time of war we get a great deal better citizen soldiery into the Army than we do in time of peace?

Mr. PERKINS. I think there is no question of that.

Mr. McCUMBER. In time of peace it is not so much a question of patriotism. In time of actual war, of course, it is a question of patriotism, and then we get our very best citizenship, irrespective of the remuneration; but to-day we are unable, as is stated, to get men into the Army. They will not go and serve. Still those men are patriotic, and if we were engaged in war they would go quickly and serve the country; but they do not care in time of peace about serving the country for that measly \$13 a month, nor will the average American care about going into the Navy in time of peace unless it is sufficiently remunerative. In time of war I think we would have no trouble in manning all our vessels.

THE NEWER SHIPS OF THE NEW NAVY.

Mr. PERKINS. Mr. President, I was about to say, when interrupted, that the ships to which I have referred should, in truth, be formidable antagonists in a naval battle, and they will cast into the shade the modest little ships with which Dewey achieved his immortal victory, or those with which Sampson and Schley destroyed the Spanish cruisers on the Cuban coast. The advantages claimed for the big-gun ships are concentration of fire, which is easy with a few ships, but difficult where the

same number of big guns are dispersed among many vessels. Besides this, it costs less to build and less to maintain a vessel of the *Dreadnought* type than two ships which will give as great offensive power. The big-gun ships, therefore, permit a very material gain in two ways, and these ways are such that they must be considered. Hence we have come to the all-big-gun battle-ship period, and the United States has set the pace for this style of naval architecture. We may truly feel a just pride in our Navy as it now stands, and when the two big battle ships are afloat we need have no fear on the sea of any other nation on the globe. There is no longer any danger that we shall fall behind in the march of naval progress. Congress has given evidence that it realizes the necessity for being "up to date" in our Navy, and we may be assured that we shall in the future keep at least abreast of the other nations of the world.

But if we are to do so we must avail ourselves of the knowledge of experts, wherever they may be found, who have devoted themselves to naval architecture. To confine ourselves to the experience of a given class of builders will deprive us of the benefits of the discoveries of those who have followed other lines of investigation, or when we are compelled to make use of them we shall find ourselves behind in the race. The most complicated machine yet constructed—the modern battle ship—should embody the results of the most advanced thought at the time it is designed. Constructors of the huge merchant vessels of to-day have ideas of value; private constructors of war ships have experience that is worth considering; the results of experiments of foreign nations must be taken into account. In fact, the whole field of naval architecture must be searched and every well-developed fact to date must be utilized in building a battle ship of to-day, if we are not to have the mortification of seeing our ships outclassed as soon as they are launched.

THE COST OF THE NAVY.

From March 3, 1883, to June 30, 1907, the cost of the vessels of the new Navy, built, building, and authorized, aggregated \$309,359,190. The actual cost of the completed battle ships, armored cruisers, protected and unprotected cruisers, aggregated \$227,403,833, and there has been expended on vessels under construction \$30,454,190. But this is only a part of the cost of the Navy to the nation. During the period above named, the entire pay of the officers and men manning the vessels in commission has been \$258,458,611, and the Marine Corps, which is a part of the naval establishment, has cost \$28,440,241. There must also be added the repairs to the vessels which will average from \$30,000 to \$50,000 per year for each of the fighting vessels. Then, there are other expenses at the navy-yards, etc., which add still more to the total of expenditures. The total expenditure on account of the new Navy is, indeed, very large, amounting since 1883 to \$1,244,651,029, and most of it is of the character which political economists class as unproductive, and therefore call an absolute waste. But in the case of our new Navy, is it a fact that we have wasted the hundreds of millions of dollars we have put into these ships and have paid to the men who man them? I think that the victory of Dewey and the affair of the Spanish cruisers off the Cuban coast, with the subsequent change of the world's opinion regarding the United States, give a conclusive answer. And, as our Navy grows, the attitude which other nations will take toward us will be further proof that the expenditure has been judiciously made. But in the mere matter of dollars and cents has our new Navy been a mistake? I think not, for these reasons:

HAS OUR NAVY BEEN A MISTAKE?

Up to the time the first steel cruisers were proposed no steel ship plates had been manufactured in this country, and when John Roach put in his bid for them and secured the contract he had to undertake the manufacture of this material, and succeeded in doing so through the steel works of Thurlow, Pa. After receiving the contract, he contracted with the Phoenix Iron Company and Park Brothers, of Pennsylvania, and the Norway Iron and Steel Works, of Boston, for similar material, and this introduced a new industry into this country. And this industry has grown, as everyone knows, but how much is not perhaps fully realized. In 1880, just before we began to build ships which called for steel of domestic manufacture, there were, according to the census of that year, 140,978 wage-earners in the iron and steel trades, earning \$55,476,000 in wages, and turning out products worth \$296,557,000. The demand for steel of the highest quality resulted, as stated before, in the introduction of processes for its manufacture, for there was a sure market for the product. This enabled manufacturers to improve plants and produce steel at lower and lower cost. Its lower cost enabled it to be used in structural work, where its high price previously prohibited it, and gave birth to the new style of construction which has

revolutionized the methods of the building trades, and has given us better structures than we ever had before. The increased plants of the steel manufacturers soon turned out the cheapest rails and railroad iron in the world, and rendered possible that marvelous growth of our railroad system which in time has led to the development of what were the waste places of the continent. And, as we all know, not only do we supply the domestic market with all the iron and steel it demands, but our manufactures go to all parts of the globe. We build bridges in Africa, Burmah, China, and wherever work of that kind is needed, and our rails bear the commerce of the world. The result is that in 1905 there were 857,298 wage-earners in the iron and steel industry, earning yearly \$482,357,503 in wages, and producing iron and steel worth \$2,176,739,726, according to the Census Bureau. And the average yearly wage per man has increased from about \$400, in 1880, to \$560, in 1905, or 40 per cent. The wages of the iron and steel workers for one year will more than pay the total cost, when ready for sea, of all the vessels of the new Navy built, under construction, or authorized from 1883 up to the present time, and one-half of the value of the iron products for a single year will pay the cost of the entire naval establishment for the last quarter of a century. That the encouragement given to this industry by the construction of the new Navy has had a very potent influence in bringing about this surprising result can not be doubted. The money expended on our war vessels, therefore, has been anything but an economic loss, judged by a single trade alone.

But there is not an industry in the land, in all probability, which has not felt the stimulus afforded by the construction of our new war ships. The coal industry is very greatly benefited as may well be imagined when it is remembered that every one of our naval vessels burns coal. The brass industry, the copper industry, the electrical industry, and aluminum industry, the food canners and meat packers, the clothing manufacturers, and all the industries which contribute to these different departments of employment of labor, all benefit from the steady demand of the United States for their products. The farmer feels it in the case of the products of his fields. Even the corn-stalks, which were formerly waste matter, are now sold to manufacture backing for the armor of battle ships. And whereas there were only eight firms that could bid for the first naval vessels constructed, there are now thirteen great plants fully capable of turning out the largest and most complicated ship of war that can be designed, employing tens of thousands of skilled laborers, who find constant employment in shaping the most wonderful of human productions. The great shipyards of San Francisco, Seattle, Newport News, Philadelphia, New York, Bath, Me., and Quincy, Mass., owe their development to the Government work given them. And our navy-yards have been developed with our Navy, so that now they are in a state of high efficiency, and some of them, like the yards at New York and Mare Island, have been supplied with machinery and all facilities for naval construction. And these yards, which in 1883 employed less than 5,000 men, now furnish work at good wages to nearly 20,000, and all are under civil service, which has supplanted the spoils system, which formerly made our navy-yards simple retreats for political camp followers.

THE NAVY AN EDUCATIONAL STIMULUS.

Educationally, too, the new Navy has been a stimulus in the line of technical, designing, engineering, and mechanical training, and has been no small factor in the success of our technical schools, which are increasing in number and efficiency. We are thus turning out young men of highest technical skill and training, who in turn will use their energy in industrial fields and add still more to the national prosperity. The high standard set by the United States for the material and supplies which go to build and maintain the new Navy have caused manufacturers to design machines to produce the highest class of work at the least expense, and the result is that not only are we now making such machines for European nations, but our product is so superior and so cheap that we find a market wherever steel products are in demand. And the standard set for food, clothing, and other supplies sets a higher standard for all domestic articles of the same class than would otherwise have been demanded. These high standards fixed by the United States on account of its Navy have promoted and improved our national products at large. As ex-Secretary of the Navy Long truly says:

They all necessitate and encourage the industrial training of our people, and are in line with that education which is now recognized as the most important education—the education of the hand and brain in the useful arts of life.

Since such are some of the benefits to the people at large from the construction of vessels of war, it can hardly be successfully

maintained that this expenditure, large as it may be, is a waste of money, particularly for a nation, one year's wages of whose iron and steel workers are sufficient to build a modern navy which has raised the United States from insignificant rank as a sea power to one which is second only to Great Britain. The wages of a second year of our workers in steel and iron would give us a navy equal to that of the mistress of the seas.

WAR SHOWS THE CHARACTER OF THE PERSONNEL.

The new Navy had no chance to show of what material it was made until the Spanish war. Even if there had been an opportunity for action, up to that time we had not fighting vessels enough to make a decent showing on the sea in case of trouble. But just before the breaking out of hostilities we had completed and got ready for commission a little fleet of five battle ships, two armored cruisers, a few protected cruisers and other vessels for lighter duties than fighting, so that when we were called upon to fight we had some good instruments used in the trade of war. The first act in the tragedy was the blowing up of the *Maine* in the harbor of Habana, and it was in this disaster that the spirit of the Navy, exemplified in the conduct of Captain Sigsbee and his men, showed the temper of the sailors who trod the decks of American men-of-war. Coolness, self-restraint, and bravery of the highest quality were manifest. Then came the brilliant feat of arms of Commodore Dewey in Manila, where were exhibited the sound judgment, dash, enterprise, contempt of danger, and invincible determination which has characterized the American Navy at all periods in its history. And not alone in action were these qualities exhibited in Manila Bay. A supreme test was made after destruction of the Spanish fleet, when Dewey held the city in his grasp for long weeks until the arrival of the Army, in the face of what was the almost hostile demonstrations of the German fleet, that clearly attempted to browbeat the American and wrest from him the fruit of his victory. No greater work during the war was done than was performed by Dewey while his ships were at anchor holding possession of Manila Bay and the hostile city, which he was unable to occupy by reason of his lack of men to land against the Spanish army. That he was able to gain this great though bloodless victory was due not only to his own indomitable courage, resource, and firmness, but to the fact, which the foreign navies soon recognized, that every man on the vessels under the American flag were actuated by the same fighting spirit as was their commander.

On the Cuban coast during the war there were numerous instances showing that the Navy had no exceptions in points of courage, daring, and self-sacrifice. The long blockade of Cervera's fleet displayed the qualities of steadfastness and determination, as the battle in which it was destroyed showed examples of bravery. The exploit of Commander Wainwright in sinking the two Spanish torpedo boats with a converted yacht was the most striking incident of that affair, but was recognized as showing the spirit and temper of the whole fleet. The sinking of the *Merrimac* by Hobson and his gallant crew of volunteers in the harbor's entrance was another instance of daring which many other events of the war showed to be characteristic of the Navy. The unprecedented voyage of the *Oregon* from San Francisco to Key West, by way of the Straits of Magellan, steaming 14,000 miles in sixty-eight days, was another vivid flash of light on the character of the officers and men who sailed under the American flag.

Mr. SCOTT. Will the Senator from California permit me?

Mr. PERKINS. Certainly.

THE MEN OF THE NAVY UNDER FIRE.

Mr. SCOTT. In reference to the *Oregon*, I should like to ask what was the condition of that vessel after her run of the number of thousands of miles stated, and what was the reply of her captain when he was asked if she was ready for battle?

Mr. PERKINS. In two hours' time he was ready to enter the engagement, and did gallant service there.

The war with Spain brought out the other side of humanity. I have in mind, passing before me like a panorama which has filled us all with patriotism and sympathy, Commodore Jack Phillips's observation when his crew were firing upon the other ships. He said: "Don't shoot, boys; don't you see that the poor fellows are dying!" The enemy's ship was ashore. It shows that after victory came to him his heart went out in sympathy to those whom he had sent ashore in distress.

And after the destruction of the Spanish cruisers the work of rescue of the survivors brought into play the courage and daring of the American sailors in as emphatic a manner as was afforded by battle. To the Navy, too, belongs the honor of having made the first permanent landing in Cuba, for a battalion of marines under Lieutenant-Colonel Huntington occupied Guantanamo in face of the enemy and retained possession

after several days of sharp fighting, and thus secured a safe station for coaling and repairing the fleet. The entire series of operations of the fleets during the Spanish war afforded numberless proofs that the new Navy had maintained the glorious standard of the old, and that the American flag covered no braver or more competent seamen in the world.

The history of operations in Samoa and in China during the Boxer outbreak only strengthens the high opinion which our Navy has deservedly secured among the nations of the globe. In Samoa our marines and blue jackets fought side by side with English sailors and earned their hearty praise. At Tientsin, Capt. (now Admiral) B. H. McCalla, with American marines and blue jackets was the first foreign force to land to aid the foreign settlement, and he and his little detachment were the first to enter Peking. In the subsequent expedition of the foreign troops to the Chinese capital, it was the American sailors and marines who cleared the road when the force was compelled to retreat, showing an appetite and aptitude for fighting that elicited praise from every foreign observer. And in the defense of the legations in Peking, it was to the little band of American marines that was intrusted the defense of the wall, and well and heroically did they do their duty. No harder fighting was done during the siege than was done by the men from the American ships of war, and no armed force from any foreign nation exhibited greater courage, steadfastness, bravery, and devotion than did the American marines and blue jackets during those trying days.

You will remember it was only during the last session of Congress, I think, that Germany presented to Admiral McCalla a sword and other trophies in appreciation of his heroic deeds in defense of the German legation at Peking during that siege.

Our new Navy has been tried and has not been found wanting. It is the same Navy which answered the call of John Paul Jones, of Decatur, of Preble, of Porter, and of Farragut, and has proved itself capable of as daring deeds of valor and of as great heroism as have been manifested by the old Navy in times of stress. The old Navy was the strong arm which inspired fear and respect in foreign antagonists. The new Navy will worthily perpetuate the reputation of the old, and while the American flag floats over a keel our country will know that its interests will be protected and its dignity maintained.

THE AMERICAN FLEET IN THE PACIFIC.

As the fleet of Admiral Evans steams up the west coast of the Americas the men behind the guns will be constantly reminded of notable deeds of daring, courage, and enterprise. Pizarro in Peru, Balboa at the Isthmus of Darien, Cortes in Mexico, and along its coast the names of his famous lieutenants will call to mind stirring deeds. At Magdalena Bay, where the big guns will be fired for the first time on the Pacific, they will see the land to which the great conqueror of Mexico gave the name California, which was later made to cover the entire region between the Sierra and the sea. At San Diego they will hear of the brave and earnest Father Junipero Serra, the advance guard of Christian civilization, who founded there the first of the twenty-one missions that linked the fertile region of Alta California to Spain. Monterey will recall the Spanish count whose expedition to that coast in 1602 gave to the bay its name. Sir Francis Drake also sailed along those shores and gave his name, too, to a bay farther up the coast. And the attempt of the Russians, coming down from the north, to take possession of the rich country reaching to the snowy mountains will be recalled by the remains of the old fort built by them near the mouth of what to this day is known as Russian River.

But at Monterey there will be recalled an incident in which was shown the same spirit which has actuated our Navy from the time our first vessel of war touched the water with her keel. California was Mexican territory, though held by the Mexican Government by a precarious tenure. England had long before, as had France, cast covetous eyes upon her rich valleys, and for some years previous to 1846 the former power had kept on the Pacific coast a fleet ready to pounce upon the fair land at the first chance that would offer her an excuse to take possession. The United States also had in view the acquisition of that part of the continent which would round out our territory, and we had at the time on the Pacific coast a small squadron. June 7, 1846, Commodore John D. Sloat lay in the harbor of Mazatlan on the U. S. S. *Savannah*, and at San Blas, only 82 miles farther from Monterey, lay Admiral Sir John Seymour on the British line-of-battle ship *Collingwood*. Both were waiting for the opening of hostilities between Mexico and the United States to sail northward and take possession of the coveted country. By special message from Mexico Commodore Sloat received news that the Mexican forces had invaded Texas, and at once hoisted anchor and on the same

day was on his way to plant the American flag on California soil. The British admiral sailed on a similar errand the next day, but Sloat beat the Englishman up the coast by two weeks, arriving July 2, while Seymour did not arrive until July 16.

TAKING POSSESSION OF CALIFORNIA.

In the meanwhile Commodore Sloat had taken possession of the country in the name of the United States, and had raised our flag at Monterey July 7, 1846. When the *Collingwood* sailed into Monterey Bay she was anchored within a pistol shot of the *Savannah*, which had been joined by the *Congress* and sloops of war *Levant* and *Cyane*. The American vessels had their crews at quarters, and all that was needed was to run out the guns in case the British admiral designed trouble. But none came, for Seymour, though reluctant to acknowledge it, was forced to see that the American flag indeed floated over the town of Monterey, and, boarding the *Savannah*, grimly made his compliments to the American commodore amid scarcely concealed preparations for action.

"You seem to be about to give your men some practice in the art of gunnery," he said.

"I did not know," said Sloat, pointing to the American flag waving over the town, "but that it would take some practice to keep it there."

"But tell me, Commodore," said Admiral Seymour, "What would you have done had you found the flag of some other nation floating there, and that flag guarded by a ship of the line?"

"I should," replied Commodore Sloat, "have at least fired one shot at it, and perhaps have gone to the bottom, and left my Government to settle the matter as it thought best."

This was the spirit of the old Navy, whose commodore, in his general order before taking possession of the fairest part of our territory, said:

We are about to land on the territory of Mexico, with whom the United States is at war; to strike their flag and hoist our own in place of it is our duty. It is not only our duty to take California, but to preserve it afterwards as a part of the United States at all hazards.

That is the spirit of the new Navy also, as was demonstrated by Dewey at Manila. Admiral Evans's men will find their high ideals of duty, courage, and patriotism already long established by brave deeds on the greatest ocean of the globe.

AN ANSWER TO CRITICISMS OF OUR WAR SHIPS.

I ask unanimous consent to publish in the RECORD as an appendix to my remarks the article which I submit, taken from the Scientific American. I do this for the reason that this is a reply to some of the adverse criticisms on our Navy that have appeared from time to time in some of the magazines of the country.

THE VICE-PRESIDENT. The Senator from California asks that the article submitted by him be printed as an appendix to his remarks. Is there objection? The Chair hears none.

APPENDIX.

[Scientific American, New York, Saturday, January 18, 1908.]

The Reuterdahl attack on our Navy.

I.—WHO DESIGNED OUR NAVY? WAS THE SEAGOING OFFICER IGNORED?

The present reply to the recent attack on the ships of our Navy and the men who design them is, it is needless to say, in no sense inspired. It is written purely in the interests of truth, being based upon facts with which we have long been familiar, and most of which have appeared in earlier issues of the Scientific American; and it is devoid, of course, of any personal feeling. When Mr. Reuterdahl states that he is highly appreciative of the American Navy, we believe him—and this in spite of the fact that, if all he alleges be true, the ships of that Navy, under certain battle conditions, would be unable to fire their guns, and must promptly be sent to the bottom. Moreover, we are prepared to admit that some of the points in this article, and particularly those dealing with the bureau system and the scant encouragement shown to the American inventor, are well taken. But having made this reservation, we do not hesitate to say that, from first to last, the article is so full of technical errors regarding the ships themselves—errors which range from slight variations from the facts up to absolute misstatements—that, for anyone who has an intimate knowledge of the material and methods of the Navy, it carries its own direct refutation. But, unfortunately, of the thousands of American citizens who may have read this article not one in ten thousand, probably, has any such knowledge of the facts; and hence it follows that no end of people who have always taken a patriotic and very proper pride in our Navy must necessarily find their faith rudely shaken. Unfortunately, there have not been wanting certain officers of the line who have lent themselves freely to the questioning of the newspaper reporter, and have so far indorsed the general trend of the article as to convey the impression that the whole of it is true; and this in spite of the fact that they must know perfectly well that much of it is a gross exaggeration.

In the first place, then, let it be clearly understood that the present controversy is as old as the Navy itself, and that many of the criticisms now made public have been urged over and over again, carefully debated, and action taken upon them in the secret—and very properly secret—deliberations of the Navy Department. It is the bold publication of the whole matter in an article whose inspiration seems to bear strong internal evidence of being semiofficial that has brought the subject so prominently and suddenly to the wide attention of the public. It is not our intention to enter, in the present issue, into any detailed

refutation of the many misstatements made by Mr. Reuterdahl regarding the material—i. e., ships, guns, armor, etc.—of our Navy. This matter we shall take up in a succeeding article. What we wish to do here is to clear the ground and put our readers in a position for judging the question more intelligently, by showing how it has become possible that there should be such an apparently wide divergence of opinion between the men who design our ships and the men who command and fight them. And let it be noted here, very carefully, that we speak of an apparent divergence of opinion, for we shall show that, so far from the seagoing officers having nothing whatever to say about what kind of vessels shall be built, they have been in the actual majority on the many boards that have determined the characteristics of our ships, and on some questions have outvoted the constructors at the ratio of ten to one. The Navy Department has been scrupulously careful to give them every opportunity to express their views and, indeed, has been in the habit of sending out official letters inviting the most frank discussion and the freest offering of any suggestions.

The designing of battle ships and cruisers is without doubt one of the most complicated and difficult tasks in the world—so rapidly do new ideas become old, so swiftly do novel and revolutionary methods become popular. And the naval constructor would be more than human if, in the midst of these everchanging standards and ideals, he should always succeed in building a ship that embodies only those elements which are bound to remain permanent in the years to come. At his best he is but human. He is no seer or prophet. At times he is bound to make mistakes; a fact which, as the official records show, he is perfectly willing to admit.

One serious fault and crying injustice in the whole of this discussion is the fact that the impression has been conveyed, and purposely conveyed, that the work of determining the characteristics of our war ships is exclusively confined to the Bureau of Construction and Repair; that this Bureau is a kind of "close corporation," extremely jealous of its prerogatives and slow to accept any suggestions from the outside, and that it is peculiarly marked by that narrow range of outlook which is supposed to distinguish the purely technical, the "office" man, from the "practical" outside man. Now, the merits of this question are necessarily of a nature which can be determined only by reference to the official records of the Navy Department, in which, fortunately for this discussion, is to be found a full history of the deliberations which preceded the final choice of plans for the ships of our modern Navy.

Who is it, then, that is responsible for the design of our war ships, and what share, if any, had the seagoing officers in determining the characteristics of the ships which a certain clique among them now so freely condemn? There is a provision of the Navy Regulations by which the "general supervision over the designing, constructing, and equipping of new vessels for the Navy" is delegated to what is known as the "Board on Construction," which is composed of the chiefs of the four Bureaus of Equipment, Ordnance, Construction and Repair, and Steam Engineering, with an additional officer of the seagoing branch. The chiefs of the first two named Bureaus are seagoing officers, and these two, with the additional officer above named, serve to place the seagoing element, as compared with the Construction Corps, in the proportion on this board of three to one. That does not look as though the constructive branch had any arbitrary control over the design of ships or that seagoing officers were without adequate representation. Moreover, on the 1st of July, 1907, there were thirty-four seagoing officers serving as assistants in the Bureau of Ordnance and Equipment, and on duty under the Bureau of Ordnance at the Washington Navy-Yard. These thirty-four officers are thoroughly representative of the seagoing branch of the naval service and are in close and constant touch with the chiefs of their respective Bureaus, and advantage is taken of their wide practical knowledge in matters affecting the preparation of new designs. By this arrangement the Board on Construction has the advantage of suggestions born of the practical knowledge of the seagoing officers upon such features as magazine arrangements, ammunition stowage, coaling arrangements, and the location and method of installation of all mechanisms coming under the cognizance of the Bureaus concerned.

Clear proof of the important part played by the seagoing officer in determining the military features of our ships will now be given in connection with the battle ships which have been designed since the Spanish war; and just here it will be well to draw attention to the fact that at the close of the war and at the request of the Bureau of Construction and Repair a special order was issued by the Secretary of the Navy to commanding officers of vessels requesting that those who served during the war make reports as to the operation of their ships, specifying both the good points and the bad points and suggesting any improvements which might be desirable. An analysis of the numerous reports submitted indicates that in the opinion of the seagoing officers of that period such defects as existed were not of a serious character. The criticism was the result of the experience, under war conditions, of seventy-five officers; and they were so favorable as to lead the Chief of the Bureau of Construction to state in his next annual report that *with regard to the strength, stability, seaworthiness, and maneuvering powers of the vessels of the various classes, the war experience tended to confirm the favorable opinions previously arrived at and to demonstrate the general success of the designs.*

At the close of the war the three battle ships of the *Illinois* class were in course of construction, and encouraged by the results of the war as indorsing the general system of construction, the plans of the new *Maine* class provided for vessels of the same general character as the *Illinois*, but with more speed and greater displacement. Thus it will be seen that as far as the military features of the six battle ships of the *Illinois* and *Maine* classes are concerned, they were substantially indorsed by the specific reports of seventy-five officers who saw active service during the war, and that they were worked out by a board the majority of whose members were seagoing officers.

The Scientific American holds no brief for the Board on Construction, and we bring these facts before the public simply to correct the absolutely false impression that the determination of the leading features of our war ships is restricted to a single bureau, and that it does not embody the rich and valuable experience of the seagoing officers of the line.

Following the *Maine* came the five ships of the *Virginia* class, whose otherwise admirable qualities are marred by the fact that they carry the double-deck turret—one of the most unfortunate mistakes ever committed in any navy. The double-deck turret was nothing new in our service. It was the design of a young ordnance officer which was enthusiastically taken up by the seagoing officers of the line and, because of its theoretical advantages, became extremely popular. It is on record in the files of the Navy Department that the naval constructors, to a man, bitterly opposed the introduction of this type of

mounting, and it was installed upon the *Kentucky* and *Kearsarge* against their strong protest. They opposed the turret on several grounds, among which were the following: That there was a lack of independent action of the 8-inch guns; that four guns of two different calibers on one single mounting would deliver a less volume and a less accurate fire than if the two types were separately mounted; that the great concentration of weight at the ends of the vessel and the enormous weight on the roller path were objectionable; that the efficiency of four important guns was dependent upon one controlling apparatus, and that the error of one gun pointer enters into four guns.

Unfortunately, after a bitter fight to keep it out of these five splendid ships, the influence of the seagoing officers was successful in incorporating the double turret. In the first plan for the *Virginia* class, the majority of the Board on Construction proposed an armament of four 12-inch guns in two turrets and eight 8-inch guns in four turrets, mounted amidships; but one seagoing member of the board dissented from the majority report, and recommended that four of the 8-inch guns be superposed upon the 12-inch turrets. This opened up the old controversy of the *Kearsarge* period, and in order to have the subject well thrashed out, the Navy Department made an addition to the original Board on Construction of eight additional seagoing line officers, thus forming a special board for the purpose. This board approved by a majority report the use of the superposed turret. Later, another special board was convened, consisting of the Board on Construction with the addition of two rear-admirals and five captains; and, as a final result, ten out of the twelve members signed a majority report in favor of installing the superposed turret in the *Virginia* class. One rear-admiral and the naval constructor signed a minority report. In these two boards the ratio of seagoing officers to naval constructors was, respectively, ten to one and eleven to one, so that the superposed turret must ever be looked upon as the special protégé of the seagoing officer.

The superposed turret, moreover, came very near being emplaced upon the *Connecticut* and the *Louisiana*; a minority report of the board which decided on their plans advocating an armament of four 8-inch guns superposed on the 12-inch turrets, and four 8-inch guns in broadside turrets. The final designs for these ships, from which the superposed turret was excluded, were adopted only after an extended discussion, in which the question of the battery arrangement alone was made the subject of report or suggestion by upward of eighty naval officers.

The designs for the following three ships, *Vermont*, *Kansas*, and *Minnesota*, are practically identical with those of the *Connecticut*, some slight changes being made in the distribution of the armor.

The faults of the two battle ships *Idaho* and *Mississippi* are directly chargeable to the mischievous custom of Congress, by which it specifies the limits of displacement of the ships which it authorizes. This was put at the ridiculously low figure for a modern battle ship of 13,000 tons, and on this limited displacement the board was requested to design, forsooth, "two first-class battle ships carrying the heaviest armor and the most powerful ordnance of vessels of their class." Under the circumstances something had to be sacrificed. Four of the five members of the Board on Construction, including two of the three seagoing members, recommended a vessel with battery arrangement similar to that of the *Connecticut*, but carrying four less 7-inch guns, with a lower freeboard aft, and having one knot less speed, submerged torpedo tubes being also omitted. The Navy Department before approving this report invited an expression of opinion from nine officers of large experience in the Navy, which was duly offered. In submitting its final report the Board on Construction stated that the designs of these 13,000-ton ships did not "represent its opinion of what first-class battle ships should be, nor what the United States Navy should have."

The naval appropriation act of March 9, 1905, authorized the construction of two 16,000-ton battle ships, and the final plans of these vessels, which are now known as the *South Carolina* and *Michigan*, embodied the all-big-gun idea. These ships were the first to embody an arrangement of turrets which, although it was subjected to much criticism at the time of its first publication, seems now likely to become the standard practice throughout the navies of the world. We refer to the method of mounting the eight 12-inch guns in four center-line turrets, so as to allow all of the guns to fire upon either broadside. This arrangement, like that of the emplacement of eight 8-inch guns in four turrets arranged quadrilaterally, as in the *Oregon*, originated in the Bureau of Construction, and it bids fair to be a permanent feature in future battle ships. The excellence of the design of these ships is beginning to meet with the approval which it merits; and we give the following quotation from a well-known foreign paper, which is devoted exclusively to naval matters: "Few, if any, ships are likely to be built in the future which can not use all guns on either broadside. This may be taken as certain. America, in the *South Carolina*, led the way in this direction, and the ship of the future is bound to be some improved variation of her. * * * There is some good reason to believe that, taking all things into consideration, the *South Carolina* type is the best all-big-gun ship yet in hand."

The plans of the 20,000-ton battle ships *Delaware* and *North Dakota* were unanimously approved by the Board on Construction, the majority of whose members are, as we have seen, seagoing officers. They were subsequently referred to and approved by a special board, the majority of whose members were seagoing officers, and finally were indorsed by special act of Congress.

It will be evident from the foregoing review of the facts regarding the responsibility for the design of our war ships, as recorded in the files of the Navy Department, that the ships of our Navy represent the accumulated experience and critical judgment, not merely of one bureau of the Department, but of the very pick and flower of the personnel of the Navy. Having fully established this fact, we shall, in our succeeding issue, take up *seriatim* the charges made by Mr. Reuter Dahl against the matériel of the Navy, and we shall show that though, in one or two cases, the charges are to the point, they are, as a general rule, grossly in error.

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The Reuter Dahl attack on our Navy.

II. ARE OUR SHIPS INFERIOR TO THOSE OF THE LEADING FOREIGN NAVIES?

Replying to our last issue to the charge that the supposed faults in the war ships of the United States Navy are due to the fact that the designing of these ships is confined to a particular board and certain bureaus, and that the seagoing officer has little to say about the matter, we proved conclusively that, so far from his being ignored, the seagoing officer has been in the majority on the various boards which have determined the leading characteristics of our vessels. We showed that our ships, and particularly those built since the Spanish

war, embody the ripe experience of the ablest men in the various branches of the naval service. Yet we are asked by Mr. Reuter Dahl in McClure's to believe that "the ships of the battle fleet of the United States are in exactly the same condition as the Russian ships at Tsushima," that the guns, mounted at low elevation, protrude from yawning gun ports, into which volumes of water will pour in a seaway, and through which shells will enter and burst, killing the gun crews, cutting the ammunition hoists to pieces, and blowing up the magazines; that the whole of the thick armor belt is generally below the water line, and that shells would blow in the thinly armored sides above the submerged belts; that our ships are without torpedoes and torpedo tubes, and without suitable guns to fight off the enemy's destroyers, and so forth and so on—the upshot of it all being that our Navy is in no condition to go to war, and therefore, we suppose, must be considered as of practically no consequence at all. In the present article we will take these charges *seriatim*, and show that, generally speaking, they are either gross exaggerations, or have no basis whatever of fact.

It has long been recognized among naval experts that all criticisms and comparisons of ships, if they are to have any value, must be referred to some common standard, comparison being made only between ships of the same date and the same displacement, and all questions of draft, freeboard, height of guns, etc., being referred to some common water line. The broad underlying fallacy which vitiates not merely Mr. Reuter Dahl's article, but the whole of the campaign of criticism of the past few months, is that this essential principle has been largely ignored.

1. Submerged armor belts.—Mr. Reuter Dahl states that "of all our battle ships not one shows the main armor belt 6 inches above the water when fully equipped and ready for sea." As a matter of fact, our ships, if we include those now building, show from 18 inches to 11 feet 6 inches of thick armor above the water line when fully equipped. Because the water line of a ship must change with the amount of load she has on board, it is necessary to have some fixed datum to which her displacement, draft, freeboard, etc., may be referred. This datum in our own and the British navy is known as the mean or normal water line. It is the level at which our ships float when they have about two-thirds of their ammunition and stores and about 800 or 900 tons of coal aboard; and it is at this draft that the ship is required to make her specified speed during the Government trials. Thus, in the case of the *Vermont*, whose designed normal or mean draft is 24 feet 6 inches, the top of the armor belt at this draft is 4 feet 3 inches above the water line, and in this condition she is carrying two-thirds of the full supply of ammunition and stores, and displaces 16,000 tons. At the designed full-load displacement she displaces 1,650 tons more. It takes 63.14 tons to sink the *Vermont* 1 inch deeper in the water, and hence the addition of 1,650 tons will add 26 inches to her draft. Hence, at full-load draft the top of the belt would be still 25 inches above the water. Similarly, the *Maine* increases her draft from normal to full-load displacement by 20 inches, leaving 22 inches of the main belt above the water at full load. In preparing for a cruise like that to the Pacific, however, a large amount of extra material is taken aboard, and the last pound of coal is crowded into the bunkers. One of the battle ships now on the Pacific cruise, in addition to spare propeller blades, anchors, etc., carries an extra crank shaft for her engine. But even with this added load the ship in question showed her belt above the water line.

There has been altogether too much wild talk about submerged armor belts, and its absurdity is evident when it is brought to the cold test of facts and figures. A naval officer recently assured the writer that the *Virginia* not long ago started from a navy-yard with the top of her belt 2 feet below the water. Now, in dissecting this statement, we find that at normal load, when the *Virginia* displaces 15,000 tons, this mark is 3 feet above the water; so that, according to our informant, she must have sunk 5 feet, or 60 inches, below her normal draft. It takes 60.95 tons to sink the *Virginia* 1 inch below her normal draft. Therefore, to get her belt 2 feet below the water, she must have taken on board 2,657 tons dead weight, and her displacement must have been 18,657 tons, 700 tons greater than that of the huge British battle ship *Dreadnought*. This is a fair sample of much of the absurd talk that has been indulged in during the past three months on this question of submerged armor belts.

Furthermore, even if the belts were submerged, which they are not, when our ships start out to fight and find the enemy, the consumption of coal, provisions, water, etc., would bring them up several inches a day, and by the time they met the enemy it is probable that they would be floating not much below their normal draft, with several feet of the belt above water.

2. Low freeboard.—Mr. Reuter Dahl has much to say about the "lowness" of American ships, and he would have us believe that the forward decks are much lower than those of foreign ships. He says: "All" (the italics are ours) "modern battle ships in foreign navies have forward decks about 22 to 28 feet above water." We have no space to consider the various foreign navies in detail, and in this reply we will confine ourselves to the acknowledged leader of them all, the British navy. What are the facts? With one single exception, the *Dreadnought*, there is not a British battle ship in commission with a forward deck 28 feet above the water, all the other modern battle ships being, like our own, three-decker ships—that is, having a berth deck, gun deck, and main or upper deck above the protective deck; and the height between decks being about the same for all ships, viz, from 7 feet 6 inches to 8 feet, it follows that the height above normal water line is approximately the same. As a matter of fact, on several of our ships the height between decks is greater than on the British ships and the freeboard is correspondingly greater. The two photographs herewith shown of the *King Edward* and the *Vermont*, selected because the ships are of about the same date of design, show the *Vermont* to have actually a foot more freeboard on the same normal flotation line. The "draft marks" (figures painted on the side) on the *King Edward* clearly indicate the position of the normal water line for her known normal draft of 26 feet 9 inches.

3. Broadside guns useless in a seaway.—The question of freeboard is intimately associated with that of the height of guns above water. Though we have not at hand the figures of freeboard of the British ships, the low elevation of broadside batteries on certain crack British ships as compared with our own proves conclusively that their freeboard must generally be considerably lower, and not, as Mr. Reuter Dahl states, considerably higher, than that of our ships of the same date. Therefore, all his pictorial description of the trouble our turrets and broadsides would encounter when steaming in a seaway may be relegated to that land of fiction to which so much of this article belongs.

Not only would "one-third of our guns" not be "useless in a seaway," but the muzzles of the guns would be clear of the water when

the eight battle ships of the *King Edward* class and the two battle ships, *Swiftsure* and *Triumph*, to say nothing of the four armored cruisers of the *Drake* class, would be rolling theirs under.

We have always been a great admirer of Mr. Reuterdaahl's marine pictures; and one of the chief elements of their charm, for the writer at least, is their freedom of treatment. The trouble with the present article is that the artist has carried this freedom of treatment into a field from which it should have been most rigidly excluded. The statement that "broadside guns of foreign battle ships and cruisers are, generally speaking, twice as high as ours, and many of them three times as high," would be startling indeed if it were true. As a matter of fact, our broadside guns are as high as the similar broadside guns in the German and Japanese navies, and, as we have seen, are from 2 to 4½ feet higher than those in some of the finest modern battle ships and cruisers of the British navy.

The question of giving ships a lofty freeboard is not as simple as Mr. Reuterdaahl seems to think. To add a fore-castle deck, raising the freeboard from 20 to 28 feet, means the addition of an enormous weight, and, on a given displacement, involves heavy sacrifices, either in guns, armor, speed, or coal supply. Grave questions of stability are also encountered. We hear much in this controversy about the high freeboard of the French ships. As a matter of fact, there are two schools of design: The French, favoring lofty freeboard, and the British, American, Japanese, and to a less extent the German, favoring a 20-foot freeboard. The British, of whom Mr. Reuterdaahl mistakenly gives the impression that they have several 28-foot freeboard ships, were content with 20 feet until the great length of the *Dreadnought* compelled the addition of a fore-castle deck to give her good sea-riding qualities. All this talk about flooded turrets and broadside guns useless in a seaway is no more, and not as much, applicable to our own Navy as it is to the others of the same school. The battle of Tshushima was fought by Japanese ships of the same freeboard as our own and in weather that was described in Admiral Togo's report as "rough." But we have yet to hear that the Japanese broadside guns were "useless in a seaway," and our broadside guns are as high, if not higher, than theirs.

4. Poor protection for gun crews.—Mr. Reuterdaahl's imagination never leads him so far away from the facts as when he comes to speak of the poor protection for gun crews due to overlarge gun ports and the poor subdivision of the broadside batteries. The story of the "enormous" turret ports of the *Kearsarge* and *Kentucky*, and the pathetic incident of the "painted wooden canvas screens" has been retailed to the public *ad nauseam*. As a matter of fact, these turret ports are large only in comparison with the naturally smaller ports which appear in turrets using an inclined face of the character shown on our front-page engraving. The *Kentucky* and *Kearsarge* are pretty old ships, as things go nowadays; for their designs were prepared some thirteen years ago. The turret ports were no larger than the necessities of the type of gun mount used at that period demanded. The fronts of the turrets of the *Alabama* class, which followed the *Kearsarge*, are inclined, and the ports are proportionately smaller. It is an abuse of the ethics of fair criticism to keep ringing the changes on the supposed poor design of this out-of-date ship, without making any reference to the fact that in all of our later ships the ports have closed in on the guns until the protection is ample. Mr. Reuterdaahl is so fascinated with these "yawling gun ports" that apparently he sees double, if not quadruple; for he tells us that "the openings above and below the guns in the turrets of these ships are 10 feet square!" Were this indeed the case, there would be not one square foot of the port plate left, and the Empire State Express could drive bodily into the turret without let or hindrance. Well might "the service journal, the Navy," say that "these ships are not fit for service in battle line against a really modern vessel." In his search for further proof of poor protection for our gun crews, Mr. Reuterdaahl goes back to ships that were authorized from twelve to seventeen years ago, and speaks of the broadside guns which "stand glowering from unprotected or badly protected openings as wide as double doors;" but he omits to state that most foreign ships of the same date used the same wide ports, and that many of them, notably in the British navy, mounted their guns in the open with nothing but shield protection. So also he states, by implication, that there is no attempt at isolation of the separate broadside guns from shell fire on eleven of our battle ships, upon which, as a matter of fact, special screen protection has been carefully provided.

5. The open shaft to the magazine.—That Mr. Reuterdaahl's criticisms of the open shaft, or well, leading down from the turret guns to the handling room below is well made, is proved by the fact that what is known as the "interrupted hoist," with a floor cutting off the upper from the lower part of this shaft, is being installed on our latest ships. It is only fair, however, to bear in mind the considerations which led to the adoption of the present type of hoist. In the first place, at the period when it was designed, our ordnance officers were anxious to avoid a very serious defect which existed in many foreign ships, and noticeably the British, namely, that the loading could be done only in one position. That is to say, if a ship were firing on the broadside, her turret guns would have to be swung back to the axial position for loading to bring the breech in line with the loading tray and rammer, an arrangement which entailed a great loss of time and a slow rate of fire. Our officers designed a hoist which rotated with the gun and its carriage, and brought the ammunition direct from the handling room to the breech, no matter on what point of bearing the gun was laid. This, of course, necessitated an opening direct down to the handling room. In its later form the hoist was given a high speed of 600 or 700 feet a minute, and it is believed to give a more rapid service and enable a faster rate of fire to be obtained than is possible with the big guns of other navies. The hoist gave great satisfaction, and no complaints were heard until the introduction of smokeless powder developed the danger of "flarebacks." To meet this difficulty the Ordnance Bureau provided gas ejectors for blowing the combustible gases out of the gun before the breech was opened, and stringent regulations were laid down to prevent crowding of ammunition up to the gun in the effort to obtain rapidity of fire at target practice.

Later, an intersecting floor of steel was placed at the mid-height of the turret shaft, with an automatic shutter, which lifted as the charge passed through and then fell by its own gravity, shutting off the handling room from the turret. With a view to shutting off the ammunition room from the handling room floor below the turret, the doors of the ammunition room are provided with circular hinged shutters, and the instructions are that these shutters shall be closed except when a charge is passed through them. Now, it is well known in the Navy that, in the zeal to secure good target records, these safety devices have, at times, been rendered inoperative; and it is a fact that much of the loss of life in the target-practice accidents of recent years would have been avoided had the safety devices been fully utilized,

and the instructions for safeguarding the powder been strictly followed. There is one feature in which the hoisting gear of our turrets is subjected to unjust comparison with that of foreign battle ships. The impression may be gathered from Mr. Reuterdaahl's description that every foreign battle ship has an independent ammunition hoist, with track, ammunition cars, and cable complete in itself. This is not the case. There is but a single cable, and the auxiliary gear consists of a hand-operated crank shaft geared to the motor shaft, which drives the one cable. Should the motor be short-circuited or otherwise injured, the driving shaft can be hand-operated, but, of course, at only a slow speed. If a shell fragment should cut this cable on a foreign ship, the whole hoist would be immediately put out of business and the turret would be just as completely disabled as our own.

6. Lack of torpedoes and destroyers.—We are entirely in agreement with Mr. Reuterdaahl in his belief that our weakness in torpedo-boat destroyers is a distinct menace to the efficiency of the Navy. Congress should make liberal appropriations for ships of this type, which should be of not less than 750 tons displacement and 30 to 32 knots speed. Such boats should be of sufficient strength and freeboard to enable them to cruise with the fleet in any weather. But Mr. Reuterdaahl is in error when he considers that the lack of submerged torpedoes in the ships of the Pacific fleet is a serious matter. Expert opinion on this question has been "scesawing" for several years, according as the speed and range of the torpedo, or the range and deadliness of armor-piercing gun fire, have been in the ascendency. In 1903 the General Board, speaking on this question, said: "The range, speed, and accuracy of torpedoes have so greatly increased within the last year or two, that at the present time the torpedo may be considered a weapon of offense to be seriously reckoned with up to 3,000 yards, and even more. Since gun fire, in order to result in a decisive action, must be delivered at a range not greatly exceeding 3,000 yards, it follows that the tactics of fleet actions will hereafter be influenced by the presence or absence of torpedoes." Since that opinion was given, the battle range has increased from 3,000 to 8,000 or even 10,000 yards, as witness the remarkable shooting up to 9,000 yards made by our own *Connecticut* during the past summer. At such ranges the torpedo becomes an incumbrance, and the space occupied by the submerged torpedo room may much better be given up to coal or stowage.

In concluding this answer to the criticisms of Mr. Reuterdaahl's article, and to the general campaign of criticism by which it was preceded, we wish to state that the Scientific American has based its statements upon facts which are either of its own knowledge or gathered from public Government documents. We believe that after a careful consideration of the facts as here presented the general American public will agree with us that our Navy stands second to none in the general efficiency of its ships.

There is one feature, however, in which our ships are superior, and often greatly superior, ton for ton, to the ships of other navies. We refer to the exceptionally heavy armament which they carry. Since the days of the Revolutionary war it has been our aim to mount upon our ships heavier batteries than were carried by foreign ships of corresponding size, and to this policy very largely have been due most brilliant victories, particularly where single ships were engaged. That policy has been steadily followed in the creation of our new Navy, whose birth may be dated from the year 1883. Although Congress has persisted in the most unreasonable practice of stating what the displacement of the ships shall be, the Department has succeeded in equaling the foreign ships in speed, protection, and coal supply, and at the same time has greatly outmatched them in the weight of the armament.

At the conclusion of his speech, Mr. PERKINS said:

I move that the resolution which I presented be referred to the Committee on Naval Affairs.

The motion was agreed to.

ALASKA PACIFIC RAILWAY AND TERMINAL COMPANY.

Mr. NELSON. I ask unanimous consent to call up for consideration the bill (S. 4351) for the relief of the Alaska Pacific Railway and Terminal Company, which was reported from the Committee on Territories. It grants one year's extension of time for the building of a railway in Alaska. The time will expire in the early part of March. In order that the bill may be of any assistance, it is necessary that it should be passed here at an early day.

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

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

ACCOMMODATIONS FOR STEERAGE PASSENGERS.

Mr. LODGE. I ask unanimous consent to call up the bill (S. 5083) to amend section 1 of the passenger act of 1882.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Immigration with amendments.

The first amendment was, on page 2, to strike out line 13, as follows: "For the purposes of this act."

The amendment was agreed to.

The next amendment was, on page 2, line 14, before the word "In," to strike out "First," and in the same line, before the word "passengers," to strike out "steerage," so as to read:

In computing the number of passengers carried or brought in any vessel, children under 1 year of age shall not be included.

The amendment was agreed to.

The next amendment was, on page 3, line 2, to strike out "statute adult" and insert "passenger," so as to read:

Second. The expression "steerage passenger" means all passengers except cabin passengers, and persons shall not be deemed cabin passengers unless the space allotted to their exclusive use is in the proportion of at least 36 clear superficial feet to each passenger.

The amendment was agreed to.

The next amendment was, on page 3, line 19, after the word "one," to strike out "statute adult" and insert "steerage passenger."

The amendment was agreed to.

The next amendment was, on page 4, line 2, after the word "one," to strike out "statute adult" and insert "steerage passenger."

The amendment was agreed to.

The next amendment was, on page 4, line 7, after the word "one," to strike out "statute adult" and insert "steerage passenger."

The amendment was agreed to.

The next amendment was, on page 4, line 12, after the word "one," to strike out "statute adult" and insert "steerage passenger."

The amendment was agreed to.

The next amendment was, on page 4, line 17, after the word "one," to strike out "statute adult" and insert "steerage passenger."

The amendment was agreed to.

Mr. NELSON. I should be very glad to have the Senator from Massachusetts explain the object of the bill. I have no recollection of the bill having been before the Committee on Commerce and being considered by that committee. From what committee does it come?

Mr. LODGE. It comes from the Committee on Immigration.

Mr. NELSON. It relates to shipping?

Mr. LODGE. It relates solely to the space for immigrants. That is all.

Mr. NELSON. What is the effect of it?

Mr. LODGE. The effect of it is to amend section 42 of the immigration act of last year. That is the reason why the bill went to the Committee on Immigration. I will explain it if the Senator desires.

Mr. FRYE. Does it apply to foreign ships?

Mr. LODGE. It applies to all ships carrying steerage passengers to this country.

Mr. NELSON. As I understand, it reduces the cubic space devoted to steerage passengers. It enables the big steamship companies to huddle the steerage passengers in closer quarters than they do now.

Mr. LODGE. The Senator is mistaken. It enlarges the space very much over that required under existing law.

Last year there was an amendment to the immigration act enlarging the space, and using the phraseology of our old passenger act. The amendment was very hastily drawn in the closing days of the session, and two years were given to the steamship companies to comply with the provisions of section 42 of the immigration act. It was found, as it became necessary to put the law in force, that the definition of "main deck" was a definition on which agreement was almost impossible with respect to modern ships. The officers in the port of New York, to whom this matter was referred, were divided in opinion as to what constituted the main deck of the modern steamship. If you took the definition that it was the first deck flush from stem to stern, all the company was obliged to do was to make a break in that deck and drop the main deck still lower, and there was therefore no proper limitation to the deck upon which steerage passengers could be carried. It became absolutely essential that there should be a proper definition in the law, so as to prevent steerage passengers being carried below the water-line deck. That is the first thing in the act of last year which makes necessary action at the present time.

The other point was the air space. We enlarged the air space very greatly last year. We carried it not only beyond the act of 1882, but we carried it beyond the air space required under the English law, which was the standard law at that time. We omitted what is in the British regulations, a provision for what is known as "promenade space"—that is, space for dining room and smoking room and space for immigrants to move about. Under the law, as it stood in section 42, it would have been entirely possible for the steamship companies, at the crowded season of the year, to have taken all the promenade space, which is what exists in all the best ships now, and to have converted it into berth space. Our law simply limited the berth space. Under this proposed act, although the air space is very largely increased over the law of 1882 now in existence, and over any air space that we have ever given before, it is not quite so large as that provided in the section of the act of last year, but if you add to it the space in what is known as the "promenade space," and which, under the existing law, could all be absorbed for berth space, you increase the total accommodations for the immigrant. It is simply a somewhat different distribution of the air space.

At the time section 42 was passed last year the British Parliament had appointed a special board of experts to revise entirely the regulations in regard to steerage passengers, and those regulations were not completed until just at the beginning of the present session. They provided, as I have already said, for the promenade space, and the act was drawn with great care. It applies not only to all British ships, but it applies to all foreign ships which touch for steerage passengers at British ports. It is of great importance in an international sense that our arrangements should conform, as far as possible, to the British regulations, which are undoubtedly the best for the modern carrying of steerage passengers. If our arrangements and theirs conform it practically compels all other ships to conform also.

I will just read what the result of this bill is in air space, taking 100 cubic feet as the standard. On the passenger deck, under the French, 100; under the American, the existing act, 100; under the German law of 1898, 100; Italy, law of 1901, 97. Under the proposed bill we have given 127½. On the lowest passenger deck, against 119 for the French, 120 American, 100 German, and 106 Italian, under the present bill we give 153 cubic feet. I have reduced it to cubic feet so as to make the comparison.

On the lowest passenger deck the increase is 50 per cent; on the other passenger decks it is 27½ per cent, and in addition there is the provision for the promenade space, which did not exist at all in our law.

It was the unanimous opinion of the committee that this is a very great improvement on any provision for immigrants that has ever been made in any of our navigation laws or passenger acts. It was also impossible to proceed under section 42, which changed the old passenger act and which proved, as far as the decks went, to be unworkable, and which owing to its arrangement of air space would have made great conflict among the ships.

The effect of this enactment will be to reduce the number of immigrants now brought on the present number of ships afloat from 15 to 21 per cent. Of course they are very much more crowded in the Italian ships than they are in the German, and more crowded in the German and French than they are in the British and the American.

I believe that this is a measure of very great value for the best possible care of the immigrants, and that it will compel the companies which have not given them promenade space to follow the best type of the American and British ships.

The VICE-PRESIDENT. If there be no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

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

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

PUBLIC BUILDING AT VICTORIA, TEX.

Mr. CULBERSON. I ask unanimous consent for the present consideration of the bill (S. 486) to provide for the purchase of a site and the erection of a public building thereon at Victoria, in the State of Texas.

The Secretary read the bill, and there being no objection the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a site and to contract for the erection and completion thereon of a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States courts, post-office, and other Government offices, in the city of Victoria and State of Texas, the cost of site and building, including vaults, heating and ventilating apparatus, and approaches, complete, not to exceed \$100,000.

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

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. I ask unanimous consent for the present consideration of the bill (S. 5255) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the civil war, and to widows and dependent relatives of such soldiers and sailors.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place upon the pension roll, at the rate per month therein specified, the following-named persons:

Rachel Beatty, widow of William L. Beatty, late of Company A, Third Regiment United States Dragoons, war with Mexico, \$12.

Jane Payne, widow of Anderson L. Payne, late of Company K, First Regiment North Carolina Volunteer Infantry, war with Mexico, \$12.

Andrew E. Waterman, late of Company H, First Regiment South Dakota Volunteer Infantry, war with Spain, \$12.

Frances V. Dallas, widow of Alexander James Dallas, late major Twenty-third Regiment and lieutenant-colonel Twenty-second Regiment, United States Infantry, \$35.

William Lind, late of Capt. William Young's company, California Volunteers, California Indian disturbance, \$8.

George H. Thorpe, late of Company L, Second Regiment Kentucky Volunteer Infantry, war with Spain, \$12.

Augusta C. Stouch, widow of George W. H. Stouch, late captain Third Regiment United States Infantry and lieutenant-colonel, United States Army, retired, \$30.

Van Ogle, late first lieutenant Company B, Washington Territory Volunteers, Oregon and Washington Territory Indian war, \$16.

Adam S. Bridgefarmer, late of Capt. Hiram Wilber's Company B, First Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian war, \$16.

John Burkman, late of Company K, Fifth Regiment Missouri Volunteer Infantry, and Troop L, Seventh Regiment United States Cavalry, \$24.

Hardin E. Runnels, late of Company B, Eighth Regiment United States Cavalry, \$10.

Sadonia Pierce, widow of Riley W. Pierce, late of Capt. James Smith's company, Texas Mounted Volunteers, war with Mexico, \$8.

Hansford D. Wall, late of Capt. Winston Stephen's company, Florida Volunteers, Seminole Indian war, \$16.

Annie M. Dancy, dependent mother of George L. Dancy, late of Company F, First Regiment Florida Volunteer Infantry, war with Spain, \$12.

Mary M. Wells, widow of Giles Wells, late of Company K, Second Regiment Illinois Volunteers, war with Mexico, \$12.

Fannie W. Reading, widow of Pearson B. Reading, late paymaster, Fremont's battalion, California Volunteers, \$12.

Eloise Wilkinson, widow of George Wilkinson, late of Troop E, Fifth Regiment United States Cavalry, \$12.

Lavinia A. E. Rogers, widow of William W. Rogers, late of Captain Sweat's company, Georgia Mounted Volunteers, Florida Indian war, \$12.

Mary Varn, widow of George Varn, late of Captain Hutchinson's company, Florida Volunteers, Florida Indian war, \$12.

Owen J. Revels, late of Captain Whitehead's company, First Regiment Florida Mounted Volunteers, Seminole Indian war, \$16.

Anna Cochran, widow of Charles H. Cochran, late first lieutenant Seventh Regiment United States Infantry, \$25.

H. Rowan Saufley, late second lieutenant Company F, Second Regiment Kentucky Volunteer Infantry, war with Spain, \$12.

Archibald N. Hogans, late of Captain Hart's independent company, Florida Mounted Volunteers, Florida Indian war, \$16.

Emil Kuhlblank, late landsman U. S. S. *Palos*, United States Navy, \$12.

Mr. McCUMBER. I move to strike out, on page 2, from line 6 to line 9, inclusive, the following words:

The name of Andrew E. Waterman, late of Company H, First Regiment South Dakota Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

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.

PENSIONS AND INCREASE OF PENSIONS.

Mr. McCUMBER. I also ask, in connection with the bill just passed, for the present consideration of the bill (S. 5254) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent children of such soldiers and sailors.

The Secretary read the bill and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place upon the pension roll, at the rate per month therein specified, the following-named persons:

Nathan H. Tyler, late of Second Battery, First Battalion Maine Volunteer Artillery, \$24.

Chase M. Swain, late second lieutenant Company I, Twenty-sixth Regiment Massachusetts Volunteer Infantry, \$30.

Rebecca Kraus, widow of Samuel Kraus, late captain Company B, Seventh Regiment West Virginia Volunteer Infantry, \$20.

Joseph Logsdon, late of Company L, Fourth Regiment West Virginia Volunteer Cavalry, and Company A, Seventeenth Regiment West Virginia Volunteer Infantry, \$24.

Isaac Wharton, late of Company H, Third Regiment West Virginia Volunteer Cavalry, \$30.

Gilbert A. Jordan, late of Company C, One hundred and second Regiment, and Company H, Sixteenth Regiment, Illinois Volunteer Infantry, \$24.

Edward C. Gearey, late lieutenant-colonel Thirty-second Regiment United States Colored Volunteer Infantry, \$36.

Anthony Grisvoi, late of Company G, One hundred and fortieth Regiment New York Volunteer Infantry, \$40.

George A. Bucklin, late of Company C, Fiftieth Regiment Illinois Volunteer Infantry, \$24.

Marshall H. Lewis, late of Company I, Fifth Regiment Pennsylvania Reserve Volunteer Infantry, \$24.

David S. Oliphant, late second lieutenant Company D, Thirty-fifth Regiment New Jersey Volunteer Infantry, \$30.

Erastus Strickland, late of Company H, Tenth Regiment Connecticut Volunteer Infantry, \$30.

Franklin L. Felch, late of Company E, First Regiment New Hampshire Volunteer Infantry, \$20.

Elizabeth Marshall, widow of Dustin Marshall, late of Company C, and first lieutenant Company A, Third Regiment New Hampshire Volunteer Infantry, \$17.

Sarah J. Mumford, widow of James R. Mumford, late of Company A, Fifty-second Regiment Wisconsin Volunteer Infantry, \$16.

Jefferson Stanley, late of Company F, Thirty-first Regiment Wisconsin Volunteer Infantry, \$24.

Nathan Dunkelberg, late of Company D, One hundred and seventy-second Regiment Pennsylvania Drafted Militia Infantry, \$30.

Luman N. Judd, late of Company I, Thirty-fourth Regiment Iowa Volunteer Infantry, \$24.

William M. Favorite, late of Company D, Eleventh Regiment Wisconsin Volunteer Infantry, \$30.

Charles F. Shepard, late of Second Independent Battery Ohio Volunteer Light Artillery, \$30.

Marilla Harvey, widow of Elijah E. Harvey, late captain Company B, Sixth Regiment Kansas Volunteer Cavalry, \$20.

Bertha Zwicker, blind and dependent daughter of Charles Zwicker, late of Company G, Fifty-seventh Regiment Illinois Volunteer Infantry, \$12.

Frederick D. Winton, late of Company C, Twenty-fourth Regiment Connecticut Volunteer Infantry, \$24.

Bridget Murphy, widow of Michael Murphy, late of Company E, One hundred and twenty-seventh Regiment Illinois Volunteer Infantry, \$12.

Edmund J. Graves, late of Company C, Fifty-second Regiment Illinois Volunteer Infantry, \$30.

Alexander Russell, late of Company K, Eleventh Regiment Iowa Volunteer Infantry, \$30.

Charles Thurston, late first lieutenant Company G, Twenty-third Regiment Maine Volunteer Infantry, \$24.

Thomas J. Postlewait, late of Company A, Sixty-first Regiment Pennsylvania Volunteer Infantry, \$30.

Hazen E. Soule, late of Eleventh Independent Battery Ohio Volunteer Light Artillery, \$24.

Mary J. Logan, widow of Robert Logan, late of Company A, First Regiment District of Columbia Cavalry, \$16.

Marcus J. Howland, late of Company F, Twentieth Regiment Indiana Volunteer Infantry, \$30.

Andrew G. Pringle, late of Company G, Twelfth Regiment Indiana Volunteer Cavalry, \$24.

Johnston M. Watts, late of Company A, Second Regiment Ohio Volunteer Heavy Artillery, \$24.

Elbridge Stevens, late of Company C, Eighth Regiment Maine Volunteer Infantry, \$40.

Richard Firm, late of Company D, Fifth and First Regiments California Volunteer Infantry, \$30.

George W. Irwin, late of Company H, Thirty-fourth Regiment Iowa Volunteer Infantry, \$30.

John G. Snook, late of Company B, Nineteenth Regiment Iowa Volunteer Infantry, and Company I, Ninth Regiment Iowa Volunteer Cavalry, \$24.

Joseph A. Clark, late of Companies H and K, First Regiment New York Volunteer Cavalry, \$24.

Jacob M. Weekley, late of Company B, First Regiment Pennsylvania Reserve Volunteer Light Artillery, \$24.

Sarah A. Chitwood, widow of Richard G. Chitwood, late captain Company C, Osage Regiment Missouri Home Guards, and Company G, Eighth Regiment Missouri State Militia Volunteer Cavalry, \$20.

Harrison Lovelace, late of Company K, Twenty-second Regiment Wisconsin Volunteer Infantry, \$24.

Harriet E. Whiton, widow of Lester Whiton, late first lieutenant Company D, Twenty-second Regiment Connecticut Volunteer Infantry, \$17.

George A. Whitney, late of Company E, Sixty-fifth Regiment Ohio Volunteer Infantry, \$24.

Lydia M. Salisbury, widow of Jonathan B. Salisbury, late of Captain Ramsey's Company K, First Regiment Ohio Volunteer Infantry, war with Mexico, and second Lieutenant Company D, Hatch's battalion, Minnesota Volunteer Cavalry, \$16.

John S. Lee, late of Company G, One hundred and twenty-ninth Regiment Illinois Volunteer Infantry, \$30.

John L. Francis, late of Company G, Eighth Regiment Pennsylvania Reserve Volunteer Infantry, and Company G, One hundred and ninety-first Regiment Pennsylvania Volunteer Infantry, \$30.

Thomas Gibson, late major, Fourteenth Regiment Pennsylvania Volunteer Cavalry, \$30.

Mary E. Kellogg, widow of Edward Josiah Kellogg, late of Company B, One hundred and twenty-seventh Regiment New York Volunteer Infantry, \$12.

Mary J. Hammond, widow of Jehial P. Hammond, late of Company B, Seventy-second Regiment Illinois Volunteer Infantry, \$12.

Doison B. Searle, late of Company I, Sixty-fourth Regiment New York Volunteer Infantry, \$30.

James H. Conley, late of Company F, Fourteenth Regiment New Hampshire Volunteer Infantry, \$24.

Gage S. Gritman, late first Lieutenant Company K, One hundred and sixth Regiment Illinois Volunteer Infantry, \$24.

Henry P. French, late of Company A, Ninth Regiment Vermont Volunteer Infantry, \$30.

William H. Son, late of Company B, Thirteenth and Fifth Regiments Missouri State Militia Volunteer Cavalry, \$24.

Eunice P. Athey, widow of Morrison C. Athey, late of Company E, First Regiment Oregon Volunteer Infantry, \$12.

Orlando S. Goff, late of Company D, and second Lieutenant Company K, Tenth Regiment Connecticut Volunteer Infantry, \$30.

George E. Lounsbury, late of Company E, Thirty-sixth Regiment Illinois Volunteer Infantry, \$24.

Mary E. Ostheimer, widow of Simon Ostheimer, late of Third Battery, Indiana Volunteer Light Artillery, \$12.

Hannibal H. Whitney, late of Company F, Tenth Regiment Vermont Volunteer Infantry, \$24.

Edwin W. French, late captain Company C, First Regiment Connecticut Volunteer Cavalry, \$24.

Jerome Crandall, late of Company K, Twenty-sixth Regiment Wisconsin Volunteer Infantry, \$30.

Mr. McCUMBER. I move to amend the bill in the paragraph granting an increase of pension to Bridget Murphy, by striking out "twelve" before "dollars," in line 16, page 5, and inserting in lieu thereof the word "sixteen," so as to read:

And pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

I wish to say, in explanation, that the word "twelve" was placed in the bill by error. The report which accompanies the bill shows that a pension of \$16 a month was intended to be allowed.

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.

FILIPINOS AT MILITARY ACADEMY.

Mr. WARREN. I wish to call up the joint resolution (S. R. 49) authorizing the Secretary of War to permit not exceeding seven Filipinos to receive instruction at the United States Military Academy.

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

The joint resolution was reported from the Committee on Military Affairs with amendments, in line 7, page 1, to strike out the words "Filipino cadets" and insert "Filipinos undergoing instruction, as," and on page 2, lines 2 and 3, to strike out the words "Filipino cadets" and insert "Filipinos undergoing instruction," so as to make the joint resolution read:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized to permit not exceeding seven Filipinos, to be designated by the Philippine Commission, to receive instruction at the United States Military Academy at West Point: *Provided*, That the Filipinos undergoing instruction, as herein authorized, shall receive the same pay, allowances, and emoluments as are authorized by law for cadets at the Military Academy appointed from the United States, to be paid out of the same appropriations: *And provided further*, That the provisions of section 1321, Revised Statutes, are modified in the case of the Filipinos undergoing instruction, so as to require them to engage to serve for eight years, unless sooner discharged, in the Philippine Scouts.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended and the amendments were concurred in.

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

MARGARET K. HERN.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2420) granting an increase of pension to Margaret K. Hern, which was, in line 8, before the word "dollars," to strike out "sixteen" and insert "twenty-four."

Mr. McCUMBER. I move that the Senate disagree to the amendment of the House, and request a conference on the disagreeing votes of the two Houses, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the VICE-PRESIDENT appointed Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO the conferees on the part of the Senate.

IRRIGABLE LANDS IN IDAHO.

Mr. HEYBURN. I ask unanimous consent for the present consideration of the joint resolution (S. R. 51) providing for additional lands for Idaho under the provisions of the Carey Act.

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

The Secretary read the joint resolution, as follows:

Resolved, etc., That an additional 1,000,000 acres of arid lands within the State of Idaho be made available to be subject to the terms of said acts, and that the State of Idaho be allowed under the provisions of said acts to purchase said additional area or so much thereof as may be necessary for the purposes and under the provisions of said acts.

Mr. CULBERSON. What is the Calendar number?

The VICE-PRESIDENT. Two hundred and fifty-three.

Mr. HEYBURN. I move, on page 2, line 4—

Mr. CULBERSON. I do not understand that the consent of the Senate has yet been given for the consideration of the joint resolution.

The VICE-PRESIDENT. The joint resolution has been read for the information of the Senate. Is there objection to its present consideration?

Mr. CULBERSON. Before passing upon that question I wanted to get the number of the joint resolution and see from what committee it comes. I notice now, the reference having been given, that it comes from the Committee on Public Lands. I ask the Senator if it is the unanimous report of the committee?

Mr. HEYBURN. Yes.

Mr. CULBERSON. I notice that there is a report accompanying the joint resolution—report No. 228. I ask the Senator from Idaho if it is a lengthy report? This is quite an important measure, involving a million acres of land.

Mr. HEYBURN. I did not distinctly hear the inquiry of the Senator from Texas.

Mr. CULBERSON. It is whether report No. 228 is a lengthy report?

Mr. HEYBURN. It is not a lengthy report. I can state the purpose and substance of the joint resolution.

Mr. CULBERSON. Very well; I would be glad to have the Senator explain it.

Mr. HEYBURN. I was going to propose an amendment to make it in accordance with the language of the act, but I will first state the purpose of the joint resolution.

In Idaho, as in other arid-land States, under the Carey Act, a million acres was allowed to be taken subject to the provisions of that act. It is taken by actual settlers.

Mr. WARREN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Idaho yield to the Senator from Wyoming?

Mr. HEYBURN. Certainly.

Mr. WARREN. I suggest that no portion of the million acres is reserved until it is absolutely entered for settlement and settled upon; so it does not take so much of it as may be used out of the market or devote it to any other purpose than settlement itself.

Mr. HEYBURN. It happened that the arid and semiarid lands of Idaho were particularly adapted to settlement under the provisions of the Carey Act to a larger extent than lands of that character existing elsewhere, and there have already been taken up under the provisions of that act 886,500 acres of the million acres.

Mr. CULLOM. By actual settlement?

Mr. HEYBURN. Yes. The act provided that each State of what are known as the "arid-land States" should be allowed to take land under the Carey Act to the extent of 1,000,000 acres. The remainder—that is, the difference between 886,500

acres and a million acres—does not leave a sufficiently large area to meet the requirements of the next application for the segregation of lands under that act. As is shown in the report, there are already applications for 685,555 acres on file with the State land board of the State of Idaho in addition to the million acres allowed to be taken by the terms of the original act.

This land is taken up by actual settlers only after the water is made available for irrigating it. The first great project that was accomplished under the Carey Act is what is known as the "Twin Falls project," in what was then Cassia County and is now Twin Falls County. It was absolutely an uninhabited country, covered with sagebrush, and it had always been considered as entirely out of the range of possible settlement. But under the terms of the Carey Act a canal over 80 miles in length, 140 feet wide at the top and 80 feet wide at the bottom—I believe I give the figures exactly—carrying from 8 to 12 feet of water, was constructed, taking the water out of the Snake River at Twin Falls. The water was carried on high ground back of the vast area that lay along the south side of the Snake River in what was known as the "Shoshone Falls section." Then, of course, lateral and other canals were constructed carrying the water out all along at proper intervals and distributing it over the tract.

That first tract contained an area of 220,000 acres that has been now enlarged and added to until all the adjacent country, not only on the south side of the Snake River, but on the north side of the Snake River, carrying another 180,000 acres, has been put under water, either complete or under process. The south side, therefore, known as Twin Falls, this uninhabited arid tract of land five years this coming fall, without a single inhabitant upon it, I drove across in going to another section of the State, and the only evidence of the human hand upon it was the construction of a little temporary shanty that was intended for the accommodation of the men who were laying out this project. There is now an assessed valuation of real property upon that tract of more than \$3,000,000—that is, upon the basis of one-third—in that length of time. There is a population of 10,000. It looks like an old settled country with its trees, its houses, its buildings, its barns, its orchards, and its stacks of hay that dot the country thickly. You would never dream but what that country had been settled through at least one generation or more.

These canals are constructed by individual enterprise under contract with the State. The State, by the provisions of the Carey Act, makes a contract with an individual or an aggregation of individuals that if they will bring water upon these lands they may have them by paying to the State 50 cents an acre and by the settler paying the actual cost of the water.

Under that act the lands in Idaho on the Twin Falls tract cost the settler \$25 an acre; that is, for the water and land. That is true of several of them. There is one, however, on which the cost is \$15 an acre, another one \$35 an acre, and one \$40 an acre. The maximum cost of this land with the water on it—which means forever—is \$40 an acre. On the great Twin Falls tract is located the city of Twin Falls, with a population approximating 5,000, with as beautiful buildings as you would find in any city of this country of the same size, with brick blocks and paved streets and all modern improvements that have grown up in five years.

We stand ready in Idaho to carry on this work and to settle up these lands, on which you have looked out from car windows for the last generation or two and pronounced them to be absolutely worthless and marveled that anyone should go to such a country. They are now being converted into green and productive fields and happy homes. We have added to the population of that section of the State, that was marked on the map of Idaho as "Snake River Desert" until I had that designation taken off the map since I came here, because I knew it was not a desert and the people have found out that it was not a desert, that it was simply uncultivated land that was susceptible of the highest cultivation and the most magnificent production.

We ask you to make available to settlers in Idaho another million acres, and we will add another 50,000 to the people of that State when we get that land. It will cost the Government nothing and the Government will gain in settlement and the prosperity incident to it.

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

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

Mr. HEYBURN. I want to amend the joint resolution, so as to make the language conform to the acts referred to. On page 2, line 4, I move to strike out the words "to purchase."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, line 4, after the word "acts," it is proposed to strike out the words "to purchase," so as to read:

That an additional 1,000,000 acres of arid lands within the State of Idaho be made available to be subject to the terms of said acts, and that the State of Idaho be allowed under the provisions of said acts said additional area or so much thereof as may be necessary for the purposes and under the provisions of said acts.

The amendment was agreed to.

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

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

The preamble was agreed to.

MISSOURI RIVER BRIDGE AT YANKTON, S. DAK.

Mr. GAMBLE. I ask unanimous consent for the present consideration of the bill (S. 5133) to amend an act entitled "An act authorizing the Winnipeg, Yankton and Gulf Railroad Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak."

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

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

HEIRS OF SALVADOR COSTA.

Mr. TALIAFERRO. I ask unanimous consent for the present consideration of the bill (S. 1392) for the relief of Salvador Costa.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported by the Committee on Claims with an amendment, in line 5, before the name "Salvador Costa," to insert "to the heirs of;" and in line 6, after the words "sum of," to strike out "\$2,850" and insert "\$1,000," 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 pay, out of any money in the Treasury not otherwise appropriated, to the heirs of Salvador Costa, of Tallahassee, Fla., the sum of \$1,000, for the sloop *Mary Lawrence*, which was seized and destroyed by the Federal authorities during the late civil war.

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.

The title was amended so as to read: "A bill for the relief of the heirs of Salvador Costa."

MEMORIAL AT POINT PLEASANT, W. VA.

Mr. SCOTT. I ask unanimous consent for the consideration at this time of the bill (S. 160) to aid in the erection of a monument or memorial at Point Pleasant, W. Va., to commemorate the battle of the Revolution fought at that point between the colonial troops and Indians October 10, 1774.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate \$10,000, to be expended under the direction of the Secretary of War, to aid in the erection and completion of a monument or memorial at Point Pleasant, W. Va., to commemorate the battle of the Revolution fought at that point between the colonial troops and Indians October 10, 1774; but no part of the appropriation shall be expended until the site and plans for the monument or memorial shall be approved by the Secretary of War and the grounds on which it is to be located shall be dedicated to the use of the public and provision made for opening and maintaining an open highway thereto.

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

H. R. KING.

Mr. FULTON. I ask unanimous consent for the present consideration of the bill (S. 1702) to reimburse H. R. King. I will state that I do this at the request of the junior Senator from Minnesota [Mr. CLAPP], who is necessarily absent from the Chamber.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate \$1,015.58 to H. R. King, of Grand Rapids, Minn., to reimburse him for moneys collected from him on contracts for the cutting of timber in the Indian reservation in Minnesota in excess of the value of the timber.

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

POST-OFFICE BUILDING AT KEARNEY, NEBR.

Mr. BROWN. I ask unanimous consent for the immediate consideration of the bill (S. 4248) to increase the limit of cost of the United States post-office building at Kearney, Nebr.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported by the Committee on Public Buildings and Grounds with an amendment, in line 5, after the words "hundred and," to strike out "thirty-five" and insert "ten," so as to make the bill read:

Be it enacted, etc., That the limit of cost of the United States post-office building at Kearney, Nebr., be increased from the sum of \$80,000 to the sum of \$110,000, said increase to be employed for the enlargement and decorating of said building.

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.

LAND IN DONA ANA COUNTY, N. MEX.

Mr. SMITH. I ask unanimous consent for the present consideration of the bill (S. 1617) to quiet title to certain land in Donna Ana County, N. Mex.

Mr. BACON. I ask for the reading of the report in that case, if it is not long.

The VICE-PRESIDENT. At the request of the Senator from Georgia the Secretary will read the report accompanying the bill.

The Secretary read the report submitted by Mr. FULTON, February 19, 1908, as follows:

The Committee on Public Lands, to which was referred the bill (S. 1617) to quiet title to certain land in Donna (Donna) Ana County, N. Mex., having had the same under consideration, respectfully reports the same back to the Senate and recommends that it pass with the following amendments:

On page 2, line 6, strike out the words "issue patents" and insert in lieu thereof the words "cause patents to issue."

In line 4, page 1, strike out the word "Donna" and insert in lieu thereof the word "Dona."

Amend the title by striking out the word "Donna" and insert in lieu thereof the word "Dona."

A letter from the Acting Secretary of the Interior, hereto appended, quite clearly explains the nature and object of the bill, excepting that it should be added that the correct name of the county is "Dona Ana" instead of "Donna Ana," as designated in the bill.

DEPARTMENT OF THE INTERIOR,
Washington, February 11, 1908.

GENTLEMEN: I am in receipt, by your reference, for an expression of the views of this Department thereon, of Senate bill No. 1617, entitled "A bill to quiet title to certain land in Donna (Donna) Ana County, New Mexico."

Said bill proposes to permit persons who claim land in Dona Ana County, N. Mex., which was originally thought to be in the Refugio Colony grant, but which has been excluded from said grant as finally confirmed and surveyed, to purchase such lands from the United States at the minimum price provided by law, under certain conditions, the bill being substantially in the terms of section 7 of the act of July 23, 1866 (14 Stat., 218), which granted similar relief to persons who claimed land in California in the belief that the land was embraced in a Mexican grant and which land was afterwards found to be public land of the United States.

The bill is in accordance with the views of this Department as expressed in its report on H. R. 18670 of the last session of Congress, which bill proposed to grant the land in question outright to the claimants. Said report is dated February 23, 1907.

On page 2, beginning in line 5, it is provided "and the Commissioner of the General Land Office shall issue patents for the same." Attention is called to the fact that all land patents are signed by the President, by the President's secretary to sign land patents, and countersigned by the Recorder of the General Land Office, and it is suggested that in lieu of the words quoted the following words be substituted, "and the Commissioner of the General Land Office shall cause patents to be issued for the same" or "and patents shall issue for the same."

If amended as suggested, this Department has no objections to offer to the enactment of the said bill into law.

Very respectfully,

FRANK PIERCE, Acting Secretary.

THE SENATE COMMITTEE ON PUBLIC LANDS.

The VICE-PRESIDENT. The amendment reported by the committee will be stated.

The SECRETARY. On page 1, line 4, after the word "in," it is proposed to strike out "Donna" and to insert "Dona," and on page 2, line 9, after the word "shall," to strike out "issue patents" and to insert "cause patents to issue," so as to make the bill read:

Be it enacted, etc., That in all cases where persons have made a claim or claims to land in Dona Ana County, N. Mex., by virtue of or under color or bona fide claim of right or title derived from the Mexican land grant known as the "Refugio Colony grant," in said county, and which grant was confirmed by the final decree of the Court of Private Land Claims, rendered in 1902, and where such person or persons in good faith and for a valuable consideration have purchased such lands and occupied and improved the same prior to the rendition of said decree, in the bona fide belief that said lands were embraced in and a part of said grant and which lands were excluded therefrom by the final survey of said grant ordered by said court, and where said persons, their assigns, and successors in interest have used, improved, and continued in the actual possession of the same as according to the lines of the original purchase, and where no valid adverse right or title (except of the United States) exists, such occupants, claimants, or purchasers may purchase and the Commissioner of the General Land Of-

fice shall cause patents to issue for the same, after having such lands surveyed under existing laws, at the minimum price established by law, upon first making proof of the facts as required in this section, under regulations to be provided by the Commissioner of the General Land Office, joint entries being admissible by coterminal proprietors to such an extent as will enable them to adjust their respective boundaries: *Provided*, That the right to purchase herein given shall not extend to lands containing mines of gold, silver, copper, or other valuable minerals: *And provided*, That whenever it shall be made to appear by petition from the occupants of such land that injury to permanent improvements would result from running the lines of the public survey through such permanent improvements, the Commissioner of the General Land Office may recognize existing lines of subdivisions.

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.

The title was amended so as to read: "A bill to quiet title to certain land in Dona Ana County, N. Mex."

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Saturday, February 22, 1908, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 21, 1908.

PROMOTIONS IN THE ARMY.

Infantry Arm.

Capt. Abraham P. Buffington, unassigned, to be major from January 27, 1908, vice Palmer, Twenty-first Infantry, retired from active service.

Capt. Charles L. Beckurts, Sixteenth Infantry, to be major from February 13, 1908, vice Vance, Fifth Infantry, retired from active service.

First Lieut. Ralph McCoy, Twenty-seventh Infantry, to be captain from December 23, 1907, vice Settle, Fifth Infantry, detailed as commissary.

First Lieut. Grosvenor L. Townsend, Twenty-third Infantry, to be captain from December 28, 1907, vice Croxton, Twenty-third Infantry, detailed as quartermaster.

First Lieut. Thomas L. Brewer, Twenty-first Infantry, to be captain from January 1, 1908, vice Wren, Twenty-third Infantry, promoted.

First Lieut. James K. Parsons, Twentieth Infantry, to be captain from January 27, 1908, vice Morton, Sixteenth Infantry, detailed as paymaster.

First Lieut. George E. Ball, Twenty-first Infantry, to be captain from February 13, 1908, vice Beckurts, Sixteenth Infantry, promoted.

Second Lieut. Harry S. Adams, Twenty-third Infantry, to be first lieutenant from November 8, 1907, vice Wright, Fifth Infantry, promoted.

PROMOTIONS IN THE NAVY.

Lieut. Commander William L. Howard to be a commander in the Navy from the 28th day of January, 1908, vice Commander Albert B. Willits, promoted.

Ensign Kirby B. Crittenden to be a lieutenant (junior grade) in the Navy from the 1st day of November, 1907, upon the completion of three years' service in his present grade.

Midshipman Francis G. Blasdel to be an ensign in the Navy from the 31st day of January, 1907, to fill a vacancy existing in that grade on that date.

The following-named citizens to be second lieutenants in the Marine Corps from the 6th day of February, 1908, to fill vacancies existing in that grade on that date:

Franklin H. Drees, a citizen of Iowa;
John Dixon, a citizen of the District of Columbia;
Henry M. Butler, a citizen of Ohio; and
Nedom A. Eastman, a citizen of New York.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 3d day of February, 1908, upon the completion of three years' service in their present grade:

Francis J. Cleary,
William J. Giles,
Charles A. Blakely,
Frank H. Sadler, and
Frederick V. McNair, jr.

The following-named lieutenants (junior grade) to be lieu-

tenants in the Navy from the 3d day of February, 1908, to fill vacancies existing in that grade on that date:

Francis J. Cleary,
William J. Giles,
Charles A. Blakely,
Frank H. Sadler, and
Frederick V. McNair, jr.

Asst. Paymaster Reginald Spear to be a passed assistant paymaster in the Navy from the 5th day of December, 1906, vice P. A. Paymaster George P. Auld, promoted.

Asst. Paymaster Robert B. Lupton to be a passed assistant paymaster in the Navy from the 22d day of October, 1907, vice P. A. Paymaster Arthur M. Pippin, promoted.

POSTMASTER.
COLORADO.

Daniel M. Sullivan to be postmaster at Cripple Creek, Teller County, Colo., in place of Daniel M. Sullivan. Incumbent's commission expired January 4, 1908.

WITHDRAWAL.

Executive nomination withdrawn from the Senate February 21, 1908.

John A. Johnson to be postmaster at Palestine, in the State of Illinois.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 21, 1908.

RECEIVER OF PUBLIC MONEYS.

Joseph C. Auld, of Montana, to be receiver of public moneys at Miles City, Mont.

INDIAN AGENTS.

Thomas W. Lane, of Gann Valley, S. Dak., to be agent for the Indians of the Crow Creek Agency, in South Dakota.

Lawrence F. Michael, of Gettysburg, S. Dak., to be agent for the Indians of the Lower Brule Agency in South Dakota.

POSTMASTERS.
ALABAMA.

Tyler McElwin Swann to be postmaster at Roanoke, in the county of Randolph and State of Alabama.

FLORIDA.

Lawrence Brown to be postmaster at Milton, Santa Rosa County, Fla.

John F. Stunkel to be postmaster at Leesburg, Lake County, Fla.

MARYLAND.

Henry L. Arthur to be postmaster at Aberdeen, Harford County, Md.

MICHIGAN.

George E. Dewey to be postmaster at Shelby, Oceana County, Mich.

MINNESOTA.

Iver M. Kalnes to be postmaster at Starbuck, Pope County, Minn.

Arthur H. Rowland to be postmaster at Tracy, Lyon County, Minn.

OKLAHOMA.

William E. McGuire to be postmaster at Pawhuska, Osage County, Okla.

SOUTH CAROLINA.

Martin Cauthen to be postmaster at Kershaw, Lancaster County, S. C.

John L. Dew to be postmaster at Latta, Marion County, S. C.

John W. Dunovant to be postmaster at Chester, Chester County, S. C.

George H. McKee to be postmaster at Darlington, Darlington County, S. C.

Landrum Padgett to be postmaster at Pelzer, Anderson County, S. C.

Edgar E. Poag to be postmaster at Rockhill, York County, S. C.
William H. Reedish to be postmaster at Branchville, Orangeburg County, S. C.

Charles J. Shannon to be postmaster at Camden, Kershaw County, S. C.

VIRGINIA.

William H. Mosby, to be postmaster at Bedford City, Bedford County, Va.

WISCONSIN.

Ralph E. Arnold to be postmaster at Fairchild, Eau Claire County, Wis.

Anna M. Merrill to be postmaster at Merrilan, Jackson County, Wis.

HOUSE OF REPRESENTATIVES.

FRIDAY, February 21, 1908.

The House met at 12 o'clock m.

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

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

POLICING NEW OFFICE BUILDING.

Mr. CURRIER. Mr. Speaker, I present a privileged report from the Committee on Accounts, on House resolution 210, providing for the policing of the Office Building; and in order that Members may fully understand the recommendations of the committee, I ask unanimous consent that the resolution and report thereon may be printed in the RECORD, and that the matter may go over until to-morrow.

The SPEAKER. The gentleman from New Hampshire presents the privileged resolution referred to, and asks that the same and the report may be printed in the RECORD and go over until to-morrow. Is there objection? [After a pause.] The Chair hears none.

The resolution and report are as follows:

Resolved, That there shall be paid out of the contingent fund of the House until otherwise provided by law the following sums as compensation for a police force for the House Office Building, to be appointed by the Sergeant-at-Arms of the House of Representatives: One captain at \$1,600 per annum; three lieutenants at \$1,200 per annum each, and thirty privates at \$1,050 per annum each.

Report to accompany House resolution 210.

The Committee on Accounts, to whom was referred House resolution No. 210, have had the same under consideration and recommend its adoption with the following amendments:

In line 6 strike out the word "three" and insert the word "two."
In line 7 strike out the word "thirty" and insert the word "twenty-one."

This resolution provides for the appointment of a police force for the House of Representatives Office Building, to consist of one captain, at a salary of \$1,600 per annum; three lieutenants, at \$1,200 per annum each, and thirty privates, at \$1,050 per annum each. The proposed amendment reduces by one the number of lieutenants and the number of privates from thirty to twenty-one, making a total force of twenty-four and a total expenditure for salaries of \$26,050.

Your committee conferred with the Sergeant-at-Arms of the House and the Superintendent of the House of Representatives Office Building, and a subcommittee, together with those officers, examined carefully into the needs of the Office Building with respect to a police force, and concluded that the number recommended as above will provide adequate protection.

If the resolution as amended be adopted, it is proposed to place twelve policemen at six doors on the first floor, two at the three doors in the northwest corner of the building at the main entrance opening into the rotunda, one each at the three doors at the other corners of the building, and one at the northwest corner door on the first floor, with two reliefs, providing sixteen hours of service, eight hours for each shift, from 8 a. m. to 4 p. m. and from 4 p. m. to 12 midnight; two officers for night duty, from 12 midnight to 8 a. m., at one of the northwest corner doors, and one at the southwest corner door; six officers on the second, third, and fourth floors, one officer to a floor, between the hours of 8 a. m. and 4 p. m., and from 4 p. m. to 12 midnight, and one officer at the subway entrance from 9 a. m. to 5 p. m. The total force of twenty-one men will be in charge of the captain and two lieutenants.

The salaries proposed are the same as those now received by the captain, lieutenants, and privates, respectively, on the regular Capitol police force.

The Capitol police force proper consists of seventy-three men, sixty-nine privates, of whom two are detailed as special officers (detectives), three lieutenants, and one captain. This force is on duty in the Capitol building and throughout the grounds with two shifts every twenty-four hours, from 8 a. m. to 7 p. m. for day duty and from 7 p. m. to 8 a. m. for night duty, those on night duty working thirteen consecutive hours, one hour of which is made up by the shorter day period of eleven hours, and when night duty is performed a lay off for twenty-four hours follows.

It has been suggested that the regular Capitol police force is sufficient also to protect the House of Representatives Office Building, but your committee find it is impossible to make such an arrangement, for the reason that the regular Capitol police force is fully employed in the building and about the grounds and in the buildings adjacent which are used by the Senate and House, and for the further reason that the Capitol police are under the jurisdiction of both the Senate and House, and therefore, for the purpose of protecting the House of Representatives Office Building, which has no relation to the Senate, that force could not be made available. The House itself must provide for it.

Your committee made inquiry of the various Departments as to the force of watchmen employed therein, the amount of compensation paid, and hours of duty, and append hereto a table giving such information. Compared with the requirements in the buildings occupied by the various Departments in Washington, the number of policemen recommended for the House of Representatives Office Building is reasonable. There will appear a difference in compensation in favor of the privates authorized for the House Office Building, the uniform salary for such in the Departments being \$720 per annum each, while the amount we recommend for those for the Office Building is \$1,050. This amount is recommended so as to make uniform the salaries paid to the regular Capitol police force and the force in the Office Building, and for the further reason that the men will be required to purchase uniforms at their own expense. The men will come from all parts of the country, whereas the men employed in the Departments, as a rule, are residents of the District of Columbia and are in the classified service.

The Sergeant-at-Arms of the House appoints one-half of the Capitol police force, and he will also appoint the force for the Office Building, as authorized by the sundry civil appropriation act of March 3, 1907.

Your committee recommend the adoption of the resolution when amended as proposed.

Statement showing the number of watchmen employed in buildings in the city of Washington occupied by the Executive Departments and in the Government Printing Office, their compensation and hours of duty.

Department.	Officers.	Watchmen.	On duty.
Agriculture	1 captain, at \$1,600; 1 lieutenant, at \$1,000.	25, at \$720.....	8 hours.
Commerce and Labor (nine buildings).	1 captain, at \$1,200....	72, at \$720.....	Do.
Justice (two small buildings).		4, at \$720; 1, at \$840.	Do.
Interior:			
Patent Office	1 captain, at \$1,200; 5 lieutenants, at \$840.	58, at \$720.....	8 hours, 3 reliefs.
General Land Office			
Bureau of Education	1 captain, at \$840; 3 sergeants, at \$750.	20, at \$720.....	
Pension Office	1 captain, at \$1,000 ...	1, at \$840; 3, at \$720; 6, at \$600.	
Geological Survey		49, at \$720.....	Do.
State, War, and Navy	1 captain, at \$1,200; 2 lieutenants, at \$840.	29, at \$720.....	Do.
Post-Office	1 captain, at \$1,000; 2 lieutenants, at \$840.		Do.
Treasury:			
Main building	2 captains, at \$1,400; 4 lieutenants, at \$900.	120, at \$720....	Do.
Winder building			
Auditor Post-Office Dept.			
Engraving and Printing			
Government Printing Office	1 captain, at \$1,200; 2 lieutenants, at \$900.	64, at \$720.....	8 hours.

SELECTION OF INDEMNITY LANDS BY NEW MEXICO.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of the bill H. R. 9205 and that it be considered at this time.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of a bill which was read upon a former day and of which the Clerk will read the title, the same to be considered in the House now as in Committee of the Whole.

The Clerk read as follows:

A bill (H. R. 9205) to make the provisions of an act of Congress approved February 28, 1891 (26 Stats., p. 796), applicable to the Territory of New Mexico.

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

The bill was read, as follows:

To make the provisions of an act of Congress approved February 28, 1891 (26 Stat., p. 796), applicable to the Territory of New Mexico.

Be it enacted, etc., That all the provisions of an act of Congress approved February 28, 1891, entitled "An act to amend sections 2275 and 2276 of the Revised Statutes of the United States providing for the selection of lands for educational purposes in lieu of those appropriated for other purposes," be, and the same are hereby, made applicable to the Territory of New Mexico, and the grant of school lands to said Territory, and indemnity therefor, shall be administered and adjusted in accordance with the provisions of said act, anything in the act of Congress approved June 21, 1898, making certain grants of land to the Territory of New Mexico, and for other purposes, to the contrary notwithstanding.

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

CONSTRUCTION OF LOCK AND DAM AT DALLAS, TEX.

Mr. BEALL of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of joint resolution 120.

The Clerk read as follows

Joint resolution (H. J. Res. 120) authorizing the Secretary of War to apply the unexpended balance of the donation made by the citizens of Dallas, Tex., under the provisions of the river and harbor act of March 3, 1905, to work in construction of Lock and Dam No. 2 in section 1 of Trinity River.

Resolved, etc., That the unexpended balance of the sum of \$66,000, donated to the United States by citizens of Dallas, Tex., in pursuance of a provision in the river and harbor act of March 3, 1905, to aid in the improvement of section 1, Trinity River, is hereby made available for the construction of locks and dams, and the Secretary of War may, in his discretion, apply the said balance to work in connection with the construction of Lock and Dam No. 2 in said section 1.

Mr. PAYNE. Reserving the right to object—

The SPEAKER. The request is to discharge the Committee of the Whole House on the state of the Union from the further consideration of this resolution and to consider it in the House at this time.

Mr. PAYNE. I will ask the gentleman if this resolution has been reported by the Committee on Rivers and Harbors?

Mr. BEALL of Texas. It has been unanimously reported by the Committee on Rivers and Harbors.

Mr. PAYNE. Are these dams to be constructed in the interest of navigation or for private power?

Mr. BEALL of Texas. They are to be constructed in the interest of navigation, authorized by the river and harbor act of 1905.

Mr. PAYNE. They are part of that scheme?

Mr. BEALL of Texas. In 1905 an appropriation was made for this river, with the condition that the citizens of Dallas should donate the sum of \$66,000 for certain purposes. Since that time there has been a slight change in the plan for the improvement of the river, and part of this donation fund is not needed for the purpose designated in the act of 1905. In 1907 there was an additional appropriation made for the construction of two locks and dams, and it has developed that there are lacking a few thousand dollars of enough to construct both the locks and dams provided for in the act of 1907.

Mr. PAYNE. This is to be used for the purpose the War Department has in view?

Mr. BEALL of Texas. It is money donated by the people of Dallas for the purpose of improving that river.

Mr. KEIFER. Why can it not be used now?

Mr. BEALL of Texas. The War Department said they would prefer to have a resolution of this kind come from Congress authorizing them to use it for the purpose of constructing locks and dams.

Mr. KEIFER. What was the donation originally for?

Mr. BEALL of Texas. The money was originally donated for three specified purposes—a dam at what they called Old River, another at Parsons Slough for straightening the river, and for the general improvement of section 1.

Now, under the changed conditions it is not necessary, the engineers say, to do all the things contemplated originally with this donation; consequently there is about \$37,000 of this money remaining in the Treasury unused for the purposes specified in the original act.

Mr. KEIFER. There was a private donation for a special purpose, was there not?

Mr. BEALL of Texas. Yes.

Mr. KEIFER. How can we change the direction of that voluntary subscription and apply it differently from the purpose for which it was originally paid?

Mr. BEALL of Texas. The donation was made for three specific purposes and then for the general purpose of the improvement of section 1. These locks and dams are in section 1, and form a part of the general improvement of that section.

Mr. KEIFER. Will this resolution divert the donation to other purposes than those for which it was originally made?

Mr. BEALL of Texas. We do not think it will. The War Department, however, report that they prefer to have some specific authorization from Congress before they use it for these purposes.

Mr. KEIFER. My trouble is that I do not see that Congress would have the right to take money donated for one purpose by private individuals and apply it for another purpose.

Mr. BEALL of Texas. I will state to the gentleman from Ohio that this money was donated in small sums by hundreds and perhaps thousands of people in and about the city of Dallas.

Mr. KEIFER. I do not see how that changes the question.

Mr. BEALL of Texas. It would be impossible, if it should be required, to secure the consent of all those donors. Some of them are dead, some of them have moved away and their whereabouts are unknown. What is to become of this money if they do not use it for the purpose of the improvement of section 1 of the river, the general purpose expressed in the original act?

Mr. KEIFER. Is any part of the money subscribed yet unpaid?

Mr. BEALL of Texas. No part of the money subscribed is unpaid. All of it was paid in two or three years ago.

Mr. KEIFER. I am very doubtful whether we have a right to do this, but I will not object.

Mr. BEALL of Texas. Every citizen of Dallas is anxious that the money be used in this way. The improvement of this river is of vital importance not only to Dallas, but to all of north and central Texas. The freight situation is there most acute and our people are anxious to secure some relief from the oppressions of the railroads, and their chief hope is in securing water competition. The work leading to the development of the river is now well under way, and we are anxious for this work to continue without interruption or delay. When the appropriation of 1907 was made it was believed that a sufficient sum was appropriated to construct the locks and dams then contemplated, but it has developed since that it will require an additional amount about equal to the amount of the unused

part of this donation fund. If we are permitted to use this fund for this purpose the work can proceed; if we are denied this right, the construction of one lock and dam will be delayed or we will have to appeal to Congress for a direct appropriation of an additional sum.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

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

HORSESHOE BATTLE GROUND MONUMENT, ALABAMA.

By unanimous consent the Committee on Military Affairs was discharged from the further consideration of the bill (H. R. 14378) to appropriate \$25,000 to erect a suitable monument on the battle grounds at the Horseshoe, on the Tallapoosa River, in the State of Alabama, and the same was referred to the Committee on the Library.

STREET-RAILWAY EXTENSIONS, DISTRICT OF COLUMBIA.

Mr. SMITH of Michigan. 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 bill (S. 902) authorizing certain extensions to be made of the lines of the Anacostia and Potomac River Railroad Company, the Washington Railway and Electric Company, the City and Suburban Railway of Washington, and the Capital Traction Company, in the District of Columbia, and for other purposes.

The motion was agreed to.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 902—the street-railway extension bill—with Mr. MANN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of a bill which the Clerk will report. If there be no objection, the Clerk will read the substitute as reported by the House committee.

There was no objection.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That the City and Suburban Railway of Washington be, and it is hereby, authorized and required to construct and extend, by double tracks, the lines of its underground electric railroad from New Jersey avenue and G street NW. eastwardly to and along Massachusetts avenue, with such northerly deviation as may be necessary to bring the tracks immediately in front of and adjacent to the main entrance of the Union Station, to junction with the existing track at Third and D streets NE. and a single track extension thence to the northwest corner of Stanton square, there to connect with the present track of the City and Suburban Railway; also, by double tracks, on North Capitol street southwardly from the intersection of G street to Massachusetts avenue, to connect with the tracks of the City and Suburban Railway hereinbefore authorized.

"Sec. 2. That the Washington Railway and Electric Company be, and it is hereby, authorized and required to construct and extend, by double tracks, the lines of its underground electric railroad from North Capitol and C streets northwardly along North Capitol street and the new street running northeast from North Capitol and D streets to the Union Station plaza; thence westwardly in said plaza and near to the southern curb thereof to Massachusetts avenue, there to connect with the tracks of the City and Suburban Railway of Washington, hereinbefore authorized, and with the two tracks provided for in section 8 of this act; also a double track extension of its lines from First and B streets NE. northwardly on First street to the Union Station plaza; thence eastwardly in said plaza and near to the southern curb thereof to connect with the tracks of the City and Suburban Railway, hereinbefore authorized, and with the two tracks provided for in section 8 of this act.

"Sec. 3. That the Capital Traction Company of the District of Columbia be, and it is hereby, authorized and required to construct and extend, by double tracks, the lines of its underground electric railroad from Florida avenue and Seventh street NW., southeastwardly along Florida avenue to its intersection with Eighth street east, thence southwardly along Eighth street to Pennsylvania avenue, there to connect with existing tracks of the Capital Traction Company; also a double-track extension from the tracks hereinbefore authorized on Florida avenue southeastwardly along New Jersey avenue to its intersection with Massachusetts avenue and First street west, thence along said Massachusetts avenue southeastwardly to the said plaza, and with such northerly deviation as may be necessary to bring the tracks immediately in front of and adjacent to the main entrance of the Union Station, thence by such route as may be determined by the Commissioners of the District of Columbia to the corner of Second and F streets NE., thence east on F street north to Eighth street east to connect with the tracks of the Capital Traction Company hereinbefore authorized; also a double-track extension of its lines from Seventh and T streets NW. eastwardly along T street to Florida avenue to connect with the tracks of the Capital Traction Company hereinbefore authorized; also a double-track extension of its lines from North Capitol and C streets northwardly along North Capitol street and the new street running northeast from North Capitol and D streets to the Union Station plaza, thence westwardly in said plaza and near to the southern curb thereof to Massachusetts avenue to connect with the tracks of the Capital Traction Company hereinbefore authorized; also a double-track extension on North Capitol street from D street to Massachusetts avenue to connect the tracks of said company hereinbefore authorized; also a double-track extension of its tracks from First and C streets NE. northwardly on First street to the Union Station plaza,

thence eastwardly in said plaza and near the southern curb thereof to connect with the tracks of the Capital Traction Company hereinbefore authorized, and with the two tracks provided for in section 8 of this act.

"Sec. 4. That the Anacostia and Potomac River Railroad Company be, and it is hereby, authorized and required to construct and extend by double tracks the lines of its underground electric railroad from the intersection of Second and E streets SE. northwardly along Third street to East Capitol street, there to connect with existing tracks of the Washington Railway and Electric Company.

"Sec. 5. That the said street railway companies mentioned in this act be, and they are hereby, authorized and required, within eighteen months from the date of the passage of this act, and it shall be the duty of each of them, to remove their respective railway tracks and appurtenances from the following streets, and at the time of their removal to repair, restore, and make good in all respects the space now occupied by said railway tracks and appurtenances to the satisfaction and written approval of the Commissioners of the District of Columbia, namely: G street NW., from North Capitol street to New Jersey avenue; C street north, from First street east to Fourth street east; D street north, from First street east to Massachusetts avenue; First street west, from C street north to G street north; Sixth street west, from Louisiana avenue to B street north, and Louisiana avenue, from Fifth street west to Sixth street west; and upon neglect or refusal of said companies to remove their respective tracks and to repave, repair, restore, and make good said space to the satisfaction of the said Commissioners within the time above limited, any said street railway company so neglecting or refusing shall be deemed guilty of a misdemeanor and shall be subject to the penalty provided in section 710 of the Code of Laws for the District of Columbia regarding the removal of abandoned tracks, and said Commissioners are authorized without notice to remove said tracks and to repave the space occupied by same and charge the cost thereof to such railroad company, whatever may be the manner or cost of doing said work, and to collect the cost thereof in the manner provided in section 5 of an act of Congress entitled "An act to provide a permanent form of government for the District of Columbia," approved June 11, 1878.

"Sec. 6. That the companies hereinbefore named be, and they are hereby, permitted to lay duct lines on such streets as may be necessary for the proper operation of their lines, the location of such duct lines to be approved by the Commissioners of the District of Columbia, and the cost thereof and all the other costs and expenses of construction, removal of tracks, repairs, and restoration in this act mentioned shall be borne and paid solely by said street railway companies, and they shall be solely liable for all damages to persons and property occasioned by any construction or work authorized by this act.

"Sec. 7. That the construction of the underground electric street railway lines in this act hereinbefore mentioned shall be commenced within thirty days and completed on or before February 1, 1909; and in default of such commencement or completion within said time or within the extension of time by this section specified, all corporate rights, franchises and privileges of any street railway company so in default shall immediately cease and determine. *Provided*, That the Commissioners of the District of Columbia may, for good cause shown in writing, extend the time for completion; but the said Commissioners shall in no case grant such extension for a longer period than six months.

"Sec. 8. That where the route or routes provided for in this act coincide with each other or with the route or routes of existing street railways or street railways hereafter authorized to be operated or constructed, one set of double tracks only shall be constructed and shall be used in common, upon terms mutually agreed upon, or, in case of disagreement, upon terms determined by the supreme court of the District of Columbia, which is authorized and directed to give notice and hearings to the interested parties and to fix and finally determine the terms of the joint trackage; *Provided*, That there shall be only one set of double tracks immediately in front of the main entrance to the Union Station, facing Massachusetts avenue, the most northerly rail being not less than 70 feet from the axis of the south portico of said station.

"Sec. 9. That authority is hereby given the Commissioners of the District of Columbia to use such portion of reservation No. 77 as may in their judgment be necessary for sidewalks and roadways and for street railway use. And authority is hereby given said Commissioners to acquire by purchase or to condemn, in accordance with existing law for street purposes so much of square No. 626, lying north of the north building line of square No. 567, extended, as they may deem necessary, and the cost of acquiring said property as above shall be paid by the City and Suburban Railway Company of Washington; *Provided*, That where a portion of any lot is authorized to be acquired as above the said Commissioners may, in their discretion, acquire the entire lot; the portion thereof, when so acquired, lying south of the north building line of square No. 567, extended, to become the property of said City and Suburban Railway Company of Washington as soon as the entire cost of acquisition as above specified shall be paid by it.

"Sec. 10. That whenever, in the construction of the new tracks herein authorized, the Commissioners of the District of Columbia deem it necessary in order to reasonably accommodate vehicular traffic, to widen the roadway of any street or streets in which said track or tracks are to be laid, such widening shall be done by said Commissioners, the cost and expense of such widening, including the laying of new sidewalks, the adjustment of all underground construction, and of every public appurtenance, shall be borne by the railway company constructing such tracks, and the said railway company shall deposit with the collector of taxes of the District of Columbia in advance the estimated cost of changing or widening the said street or streets, the work to be done by said Commissioners; and whenever at any future time the Commissioners deem it necessary to widen the roadway of any street or streets occupied by the extensions herein authorized, said railway company shall bear one-half the cost of widening and improving such street or streets, to be collected in the same manner as the cost of laying or repairing pavement lying between the exterior rails of the tracks of said street railroad and for a distance of 2 feet exterior to such track or tracks is collectible, under the provisions of section 5 of an act entitled "An act to provide a permanent form of government for the District of Columbia," approved June 11, 1878.

"Sec. 11. That whenever in the construction of any of the tracks herein authorized it is necessary, in the opinion of the Commissioners, to improve, by paving or otherwise, the roadway of any street occupied by such track or tracks, said company shall adjust the grade of its tracks to the new grade of the street or streets, the cost thereof to be borne by the said company in the same manner as the cost of paving between the exterior of the tracks of the street railroad companies, as referred to in the preceding section.

"Sec. 12. That the arrangement of all tracks herein authorized within the lines of the plaza in front of the Union Station shall be in accordance with the plans approved by the Commissioners of the District of Columbia, and all work of construction and extension herein authorized shall be executed in accordance with plans to be approved by the Commissioners of the District of Columbia and under a permit or permits from said Commissioners.

"Sec. 13. That existing transfer arrangements between the Washington Railway and Electric Company and the Metropolitan Coach Company, a corporation of the District of Columbia, shall not be terminated, except by authority of Congress; and unless said Metropolitan Coach Company shall, within one year after the passage of this act, substitute motor vehicles to be approved by the Commissioners of the District of Columbia, for the heretics now used by it, its right to operate said line shall cease and determine: *Provided further*, That all transfers issued by the Metropolitan Coach Company shall be properly dated and punched as to time limit as provided by rules and regulations to be made, altered, and amended from time to time by the Commissioners of the District of Columbia, and that unless said transfers are so dated and punched the Washington Railway and Electric Company shall not be required to receive them.

"Sec. 14. That the Washington Railway and Electric Company and the Capital Traction Company be, and they are hereby, authorized and required, jointly, to construct, maintain, and operate, by overhead trolley, temporary railway tracks for passenger service from the Union Station to the intersection of either North Capitol street or Delaware avenue and C street north, as the Commissioners of the District of Columbia may direct, said tracks to be constructed within sixty days from the date of the approval of this act in accordance with plans approved by the Commissioners of the District of Columbia, said tracks to be maintained and operated by said companies to the satisfaction of said Commissioners, and to be removed by said companies after the construction of the permanent street railway tracks herein provided for within thirty days after notice from said Commissioners so to do.

"Sec. 15. That, except as modified herein, the railway companies affected by this act shall have, over and respecting the routes herein provided for, the same rights, powers, and privileges as they respectively have or hereafter may have by law over and respecting their other routes, and shall be subject in respect thereto to all the other provisions of their charters and of law.

"Sec. 16. That all street railway companies or lessees now operating or controlling, or hereafter operating or controlling, their systems or part of their systems in the District of Columbia are hereby authorized and required, and shall, in said District, make or cause to be made and given, at all times, free, reciprocal, continuous, universal transfers, interchangeable to, from, and over the line or lines of every other street railway company or companies in said District, good and receivable at all junction points, intersections, or connections of every said street railway company with the line or lines of every other said street railway company, for one continuous passage in one general direction for one cash or ticket fare. All said street railway companies are authorized and required to receive, accept, and honor all transfers made or given in accordance herewith, and to carry all passengers transferred without the payment of additional fare: *Provided*, That all said street railway companies shall sell six tickets for 25 cents.

"The right and use of said transfer shall terminate and become void at the expiration of thirty minutes from the time of the arrival of the car at the transfer point, unless passage be delayed through the failure of the railroad company or companies, or of the railroad companies owning, leasing, or operating the same, to provide transportation within said time, in which case the transfer will be good until transportation is provided.

"The Commissioners of the District of Columbia are hereby authorized to enforce compliance with the provisions hereof in any court of competent jurisdiction by mandamus, or other remedy either at law or in equity, in the name of the District of Columbia.

"Any street railway company, or any officer or agent thereof, who shall refuse to issue or receive a transfer, as provided by this section, or who shall violate any of the provisions of this section, shall for every violation thereof be punished by a fine of not more than \$100.

"Sec. 17. That no transfer ticket or written or printed instrument giving or purporting to give the right of transfer to any person or persons from a public conveyance operated upon one line or route of a street railroad, or from one car to another car upon the line of any street railroad, shall be issued, sold, or given except to a passenger lawfully entitled thereto. Any person who shall issue, sell, or give away such a transfer ticket or instrument as aforesaid to a person or persons not lawfully entitled thereto, and any person or persons not lawfully entitled thereto who shall receive and use or offer for passage any such transfer ticket or instrument to another with intent to have such transfer ticket used or offered for passage shall be punished by a fine not exceeding \$25.

"Sec. 18. That every street railroad company or corporation owning, controlling, leasing, or operating one or more street railroads within the District of Columbia shall on each and all of its railroads supply and operate such number of cars, clean, sanitary, in good repair, with proper and safe power, equipment, appliances, and service, comfortable and convenient, and so operate the same as to give expeditious passage, not to exceed 15 miles per hour, to all persons desirous of the use of said cars, without crowding said cars or the platforms thereof. The Commissioners of the District of Columbia are hereby given power to require and compel obedience to all of the provisions of this section, and to make, alter, amend, and enforce all needful rules and regulations to secure said obedience; and said Commissioners are given power to make all such orders and regulations necessary to the exercise of the powers herein granted to them as may be reasonable and proper; and such railroad companies or corporations, their officers and employees, are hereby required to obey all the provisions of this section, and such regulations and orders as may be made by said Commissioners. Any such company or corporation, or its officers or employees, violating any provision of this section, or any of the said orders or regulations made by the Commissioners, or permitting such violation, shall be punished by a fine of not more than \$1,000. And each day of failure or neglect on the part of such company or corporation, its officers or employees, to obey each and all of the provisions and requirements of this section, or the orders and regulations of the Commissioners made thereunder, shall be regarded as a separate offense.

"Sec. 19. That prosecutions for violations of any of the provisions of this act shall be on information in the name of the District of Columbia, filed in the police court by the corporation counsel or any of his assistants.

"Sec. 20. That Congress reserves the right to alter, amend, or repeal this act."

Mr. SMITH of Michigan rose and was recognized.
Mr. SHACKLEFORD. May I interrupt the gentleman a moment?

Mr. SMITH of Michigan. Yes.

Mr. SHACKLEFORD. I ask the gentleman to yield to me for one minute, in which to have some proposed amendments read.

The CHAIRMAN. The gentleman from Missouri is recognized for one minute.

Mr. SHACKLEFORD. I desire to have read in my time two amendments which I shall, at the proper time, offer to the bill. I ask that they be read for the information of the committee.

The CHAIRMAN. If there be no objection, the Clerk will report the amendments for information.

The Clerk read as follows:

Amend by adding, on page 12, at end of line 24, as a new section, the following:

"Sec. 6. That all companies or corporations which now are or shall hereafter be engaged in the operation of street cars within the District of Columbia shall have equal rights and privileges in relation to the passage of street cars over the tracks herein authorized and directed to be constructed upon payment of reasonable compensation for such use. In case of any disagreement between companies or corporations concerning the terms of such use or the sums to be paid therefor, all matters at issue shall be determined by the supreme court of the District of Columbia. In determining what is a reasonable compensation for the use of such tracks no account shall be taken of the value of the franchise of any company or corporation involved in the determination; but such compensation shall be based solely upon the actual value of the physical property used and the reasonable cost of its maintenance."

Amend, on page 18, in line 22, by striking out the word "six" and inserting in lieu thereof the word "eight."

Mr. JOHNSON of Kentucky. Mr. Chairman, I desire to have an amendment read for information of the House.

Mr. SMITH of Michigan. I will yield to the gentleman for that purpose.

The CHAIRMAN. The gentleman from Kentucky desires to have the following amendment read for the information of the House.

The Clerk read as follows:

On page 18 amend section 16 in line 11 by inserting, after the word "over," the following: "its own line or lines and;" and in line 12 strike out the word "every" and insert the word "any;" and in line 15, after the word "with," insert "its own line or lines and;" and in line 15 strike out the word "said."

Mr. SMITH of Michigan. Mr. Chairman, we have thought that some sections of this bill could be better explained and be more thoroughly understood by use of the map before us. Section 1, page 8, of the bill provides what the City and Suburban Railway Company shall do, and if the Clerk will read the section I will, as he proceeds, point out on the map the proposed extensions. The City and Suburban Railway Company is indicated by the green line on the map.

The Clerk read section 1 of the bill, and Mr. SMITH of Michigan indicated the extension on the map.

Mr. SMITH of Michigan. Section 2 relates to the Washington Railway and Electric Company, and if the Clerk will read that section I will indicate those extensions. The track of that company is indicated in red on the map.

Section 3 relates to the Capital Traction Company, which is marked on the map in blue. The provision in section 3—

Thence by such route as may be determined by the Commissioners of the District of Columbia to the corner of Second and F streets NE.—

is rendered necessary by these facts: At this point on the map the Terminal Company have not been able to get such legislation as they desire to obtain this property. The Commissioners of the District have an understanding with the Terminal Company, the company which owns the Union Station. The Terminal Company is composed of the directors of the Pennsylvania Railroad Company and the Baltimore and Ohio Railroad Company. If the Terminal Company is able to get such legislation as they desire to secure this land mentioned, just east of the Union Station, then the Commissioners hope to be able to arrange so as to go north and east [pointing to map] as instead of California street and First street. The District Committee believe the Commissioners should be authorized to put the tracks there if they are able to make this arrangement.

Mr. KEIFER. I would like to ask the gentleman from Michigan a question.

Mr. SMITH of Michigan. I will yield to the gentleman.

Mr. KEIFER. Is the plan that the gentleman is pointing out in accordance with the same one that was agreed upon by the committee in the Senate?

Mr. SMITH of Michigan. No, sir; the plan of reaching the plaza is somewhat different from that of the Senate. The Senate bill provides for two sets of double tracks in front of

the Union Station and for a set of double tracks around the plaza, not only as indicated on the map, but across in front of it.

Mr. KEIFER. In other respects are the two plans the same?

Mr. SMITH of Michigan. No, sir; the Senate bill does not provide that the Capital Traction or any other company shall build what is known as the "cross-town" line from Seventh and Florida avenue to Eighth and from Eighth to Pennsylvania avenue. Also the Senate bill provides that the Capital Traction Company shall come down Florida avenue and down North Capitol street, and the District Committee believe that as the Washington Electric Company has two tracks on this street, it would be better service to come down New Jersey avenue than it would to come down North Capitol street.

Mr. KEIFER. One other question. I want to know whether the committee have the means of stating that if this bill passes this company will build the tracks?

Mr. SMITH of Michigan. Yes. I desire to say that the Washington Railway Company, represented by General Harries, stated that if they were authorized they could not build this extension down Florida avenue and down Eighth street. But the Capital Traction Company, through its representative, came before the committee and asked that they simply be requested so to do and stated that they would be willing to build the extension.

Mr. KEIFER. Another question. In this bill do you propose to grant additional franchises to these companies?

Mr. SMITH of Michigan. No; except as they get the extensions of the streets.

Mr. KEIFER. Do they get new franchises by reason of the authority given by this bill, without any conditions?

Mr. SMITH of Michigan. They will pay 4 per cent on their gross receipts and pay their share of the taxes on real estate.

Mr. KEIFER. Does this bill grant them franchises that authorize them to enter upon certain avenues and streets?

Mr. SMITH of Michigan. This simply authorizes them to build on certain streets.

Mr. KEIFER. There is no additional requirement of the traction company in consequence of that additional right to build, is there?

Mr. SMITH of Michigan. Well, they will pay their 4 per cent, as I say, and we have put upon them some additional burden in this bill. We are asking them to give universal transfers.

Mr. KEIFER. Ah, I was just going to ask whether that was required of the traction companies—that they shall have universal transfers all over the city.

Mr. SMITH of Michigan. Yes, that provision is contained in sections 16 and 17 of the bill, which I expect to explain in a few moments.

Mr. KEIFER. I am getting information that I would get from reading the bill. Does that universal transfer apply to the extensions to Georgetown?

Mr. SMITH of Michigan. Yes, sir.

Mr. DRISCOLL. Mr. Chairman, I would like to ask the gentleman to explain what he means by universal transfers.

Mr. SMITH of Michigan. As I understand sections 16 and 17 of this bill, it is not simply one transfer from one company to another, but, for illustration, if you are on the Capital Traction Company on Seventh street and were going south toward F street and desired a transfer you would get it at F street. Assuming that you desire to go to the west side, for instance, of the market, you would get your transfer at Seventh and F, and you would go west on F street, and then you would get another transfer at the corner of Ninth and F, which would take you to the west side of the market.

Mr. DRISCOLL. Can one get a transfer upon a transfer?

Mr. SMITH of Michigan. You may perhaps call that a transfer upon a transfer, and, as I interpret these sections as they are written in this bill, it would give such a transfer as I have explained, as I understand it. Perhaps the courts, if they get an opportunity to interpret those sections, will interpret them differently.

Mr. DRISCOLL. Can not we put it in language here so that there will be no doubt about it, and it will not be left to the court to interpret one way or the other?

Mr. SMITH of Michigan. By reading those sections the gentleman will see that they provide for a ride or trip in the same general direction to destination, and in order to do that, it seems to me there necessarily would be a transfer upon a transfer.

Mr. OLMSTED. I would like to ask in respect to one matter that is not clear to me. How many tracks does the bill provide shall be laid immediately in front of the Union Station?

Mr. SMITH of Michigan. One set of double tracks; in other words, just what there is on Pennsylvania avenue. If there are no further questions, I will ask the Clerk to finish the reading of the section.

The Clerk then concluded the reading of section 3.

Mr. SMITH of Michigan. Mr. Chairman, I desire to state further, in addition to what I have said about the cross-town line, that this new service down Florida avenue and down Eighth street is going to accommodate at least 100,000 people in the eastern part of the city who have no railroad facilities such as they desire at the present time. I will ask the Clerk now to please read section 4.

The Clerk read section 4.

Mr. SMITH of Michigan. Mr. Chairman, I will say that in this section the word "Second," in line 2, on page 11 of the bill, should be "Third." The Anacostia is to connect from Third street instead of from Second.

Mr. Chairman, these four sections provide for the extensions in the bill. Section 5 of the bill provides for the portions of railway that are to be removed after these lines are completed, and they are, as I will indicate here on the map, on C street and on D street NE., and the track south of the Public Printing Office, and also on First street and on Louisiana avenue. These are in substance the provisions of section 5 of the bill. Section 6 of the bill provides that these railways shall be permitted to lay duct lines down to and including the word "Columbia," in section 6, line 18, page 12, of the bill, and that is the same wording that is found in all the franchises, but the committee, as will be seen, has added some lines there for the protection of the District, as we compel the railroads to do all of this work at their own expense and to be liable for whatever damage may occur. Section 7 provides for construction, and that it shall be begun within thirty days after the passage of the bill, and that the work shall be completed on or before February 1, 1909. And at the further end of the section it provides also that the Commissioners, in their discretion, may give six months' additional time.

Section 8 is an important section in the bill, and I would like to have the Clerk please read section 8 once more, because I consider it one of the most important sections in the bill.

The Clerk read section 8.

Mr. SMITH of Michigan. Now, I would like to have the Clerk read section 9 of the bill, and I will point out on the map.

The Clerk read section 9.

Mr. SMITH of Michigan. The members of the committee will see that it is just that little portion there [pointing to map] of square 626 that we seek to get by this bill.

Mr. HEPBURN. I would like to ask the gentleman what portion of the reservation referred to in part of section 9 may be taken by these street-railway companies?

Mr. SMITH of Michigan. You mean reservation 77?

Mr. HEPBURN. Yes, sir.

Mr. SMITH of Michigan. By the provisions of section 9 it is—

Such portion of reservation No. 77 as may in their judgment be necessary for sidewalks and roadways and for street railway use.

Mr. HEPBURN. Now, I want to know what portion of this reservation may be absorbed for railway use?

Mr. SMITH of Michigan. I can only say to the gentleman that the committee visited that reservation with the Engineer Commissioner of the District, and he explained to us if the railway was built down New Jersey avenue and on Massachusetts to the Union Station it would pass through the reservation, and that there would be quite a good portion of the reservation left on each side of the railway track.

Mr. HEPBURN. It is one of the circles.

Mr. SMITH of Michigan. It is one of the unnamed circles.

Mr. HEPBURN. And you propose to allow the road to run through it, instead of around it?

Mr. SMITH of Michigan. Yes, sir; there is a track around it now, and I regard that as one of the most dangerous points in the city. Section 10 is an ordinary provision in regard to street railroad construction; so is section 11. Section 12 provides that the arrangement of all the tracks shall be controlled, of course, by the Commissioners of the District; and I desire to call attention especially to section 13, "that existing transfer arrangements between the Washington Railway and Electric Company and the Metropolitan Coach Company," etc. While there is to-day no written agreement between those two companies, they have been conducting business and making transfers, as perhaps you all know, near the Shoreham Hotel, at the corner of H and Fifteenth streets. There has been an effort from time to time to have those people take off those old herdlies and put on the streets more modern means of con-

veyance. This section provides what shall be done; and in looking over that section, lest there might be some question that this coach company might secure some rights in Sixteenth street, I propose at the proper time to add this proviso:

Provided, That nothing herein contained shall be held to give the Metropolitan Coach Company any franchise to use any streets and avenues in the District of Columbia.

Section 14 of the bill provides for temporary construction, and it provides that the temporary construction shall be from the Union Station to the junction of North Capitol and C streets, or from the Union Station down Delaware avenue to the junction of Delaware avenue and C street, leaving it in the discretion of the Commissioners of the District. Sections 16 and 17 of the bill are the sections in which universal transfers are provided, and section 18 of the bill gives to the Commissioners of the District control to some extent over the electric railways of the District—

Mr. PEARRE. Mr. Chairman, I would like to ask the gentleman a question. Does the provision for universal transfers interfere in any way with section 17, providing that the existing transfer arrangement between the Washington Railway and Electric Company and the Metropolitan Coach Company shall not be terminated, except by authority of Congress; do those two sections conflict in any way?

Mr. SMITH of Michigan. I do not understand that they do. No, sir. It is not the intention, at least, of the committee to have them conflict.

Mr. SABATH. Mr. Chairman, I would like to ask the gentleman a question. For how many years have these franchises to run?

Mr. SMITH of Michigan. At the will of Congress.

Mr. SABATH. And you do not put in any time?

Mr. SMITH of Michigan. There is no time limit to the franchises of the street railways in the city of Washington.

Mr. Chairman, if there are no further questions, I would like to inquire how much time I have consumed?

The CHAIRMAN. The gentleman has consumed twenty-five minutes.

Mr. NORRIS. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. SMITH of Michigan. Certainly.

Mr. NORRIS. I have forgotten what section it was, but there is one section in here where you give to the supreme court of the District of Columbia certain rights, or rather prescribe certain duties which they shall perform in reference to a possible dispute.

Mr. SMITH of Michigan. That is section 8.

Mr. NORRIS. I wanted to ask the gentleman if that is in case of disagreement?

Mr. SMITH of Michigan. Between the railways.

Mr. NORRIS. As to the way in which they shall use the tracks?

Mr. SMITH of Michigan. Yes, sir. In other words—

Mr. NORRIS. Where they are to be used in common?

Mr. SMITH of Michigan. In other words, if they can not agree about the trackage, the matter is to be submitted to the supreme court.

Mr. NORRIS. What I wanted to ask the gentleman was, why is it that in that particular section or provision you give this authority to the court and in other cases to the Commissioners? Would it not be better to give the Commissioners in the first instance the right to settle this difficulty, because the court might have to pass upon it in case there was any litigation?

Mr. SMITH of Michigan. I desire to say to the gentleman that that has been the practice here in the District for some years. Whenever there was a dispute between the railway companies it has been submitted to the supreme court.

Mr. NORRIS. It seemed to me that the duty of the court being clearly judicial, this is giving it authority that is beyond the ordinary authority usually given to a court.

Mr. SMITH of Michigan. This is in accordance with precedent.

Mr. NORRIS. In case there should be litigation, to what court could the parties apply for a settlement of the dispute? Would they have to apply to the supreme court, whose judges had been the arbitrators in that dispute?

Mr. SMITH of Michigan. Experience shows there has been no litigation.

Mr. CAULFIELD. Is there any limitation in this bill upon the life of these franchises?

Mr. SMITH of Michigan. No, sir. The franchises of the city are at the will of Congress. There is no time limit fixed, as in most of the cities of the Union.

Mr. CAULFIELD. That is covered, then, by the twentieth section?

Mr. SMITH of Michigan. Yes, sir.

Mr. HEPBURN. Mr. Chairman, I would like to ask the gentleman from Michigan a question with regard to the section requiring universal transfers.

Mr. SMITH of Michigan. Sections 16 and 17?

Mr. HEPBURN. Sixteen and seventeen. I would like to ask the gentleman if he has examined the legal proposition involved in those two sections; whether the Congress has the power to impose that obligation upon the railways?

Mr. SMITH of Michigan. No, sir. I do not think the committee—

Mr. HEPBURN. Was there any investigation by the committee of that question?

Mr. SMITH of Michigan. Except in so far as it developed in the hearing, I do not think there was any investigation of the authority.

Mr. HEPBURN. I would like to ask the gentleman, in view of his knowledge of the conditions, the indebtedness of these various roads, and the revenues that they receive, whether or not he believes that that provision would be sustained by the courts in case the revenues under that were not sufficient to give these corporations a reasonable return upon the large indebtedness that some of them have, without regard to whether that indebtedness has entered into the construction of the roads and whether the stock is watered stock or not?

Mr. SMITH of Michigan. Well, so far as the Capital Traction Company is concerned, I have never entertained any doubt but that they could adopt universal transfer and not suffer, but I am not so sure about the Washington Railway and Electric Company and its subsidiary companies. We were not able to get a completed statement from President Dunlop. We heard him but about fifteen minutes, and he frankly said to the committee, and to me personally, in private, that he was unable to give any information that was definite. General Harries appeared for the Washington Railway and Electric Company and said to us the same thing—that it was purely experimental; but they both took the same position that they thought it would be injurious to their companies to have the universal-transfer system adopted.

Mr. HEPBURN. I will ask the gentleman if his committee had the power to send for the books and officers and put them under oath and investigate that subject?

Mr. SMITH of Michigan. If the committee had that power we did not exercise it. Perhaps we ought to have, but we did not. The fact is, I do not think that their books, if we had them, would disclose the facts. We have first got to try the experiment and know what the results would be.

Mr. HEPBURN. What is the gentleman's opinion? Does he believe that this provision which is contained in sections 16 and 17 will stand the scrutiny of the courts? Does he believe that?

Mr. SMITH of Michigan. I believe it will so far as the Capital Traction Company is concerned; but I am in doubt as to the Washington Railway and Electric Company. I do not believe we will ever know until we try the experiment.

Mr. NORRIS. Is it not true that if it would fail as to one company it would, of course, fail as to both, because there are only two?

Mr. SMITH of Michigan. There are more than two companies that are to be affected by section 16. The Capital Traction Company and the Washington Railway and Electric Company, which is the parent company of seven other companies in the District.

Mr. NORRIS. You do not treat them as separate companies, do you; you take all the collateral companies?

Mr. SMITH of Michigan. Then there are three other companies. There is the road going down to Mount Vernon, another coming in from Arlington, and another road coming in from Virginia and making connection with the Capital Traction Company.

Mr. NORRIS. These are independent concerns?

Mr. SMITH of Michigan. Yes.

Mr. NORRIS. Not connected with the Capital Traction Company nor the Washington Railway and Electric Company?

Mr. SMITH of Michigan. The road in Virginia has made traffic arrangements with the Capital Traction Company, but I do not understand that the two companies are in any way connected.

Mr. NORRIS. I would like to ask the gentleman, in his opinion, would it be advisable—that is, would it be fair—for Congress to impose universal transfers upon part of the companies without including all of them?

Mr. SMITH of Michigan. We have not.

Mr. NORRIS. But suppose as to one of them it should be held to be invalid?

Mr. SMITH of Michigan. I should say that if we are going to have universal transfers at all, let it apply to all.

Mr. NORRIS. Or none.

Mr. SMITH of Michigan. That is right.

Mr. DRISCOLL. Now, these four companies that you have mentioned on which there are granted universal transfers are entirely independent of each other?

Mr. SMITH of Michigan. No, sir.

Mr. DRISCOLL. They are members of the same organization?

Mr. SMITH of Michigan. The Washington Railway and Electric Company, as I understand, controls the stock of the City and Suburban road and several others. In fact, I will read the different lines, if the gentleman desires. The first line is the City and Suburban; the second is the Anacostia and Potomac River Railroad Company; the third is the Washington and Glen Echo road.

Mr. DRISCOLL. These are subsidiary companies?

Mr. SMITH of Michigan. They are subsidiary lines to the Washington Railway and Electric Company; so when you come to consider what is embraced in the Washington Railway and Electric Company, the meaning of that is that there are seven different roads. The fourth is the Washington and Rockville Railway Company. The fifth is the Washington, Woodside and Forest Glen, and the sixth is the Georgetown and Tennyaltown; the seventh is the Brightwood road. These are the seven subsidiary lines.

Mr. DRISCOLL. This bill provides that transfers must be given and received. And it provides for the punishment of any persons who violate this. Now, I want to know just what power there is to regulate the amount that each company shall receive. For instance, one company sells a ticket or a bunch of tickets, and the agent of that company gives a transfer. The other company must receive that transfer and carry the passengers?

Mr. SMITH of Michigan. Yes.

Mr. DRISCOLL. What power or jurisdiction is there anywhere to regulate the proportion between these various companies—if they do not agree among themselves—and to force them to do what is right among themselves so that they may all get their share of the receipts?

Mr. SMITH of Michigan. Does the gentleman mean how will the question of transfers be adjusted?

Mr. DRISCOLL. Among themselves; yes.

Mr. SMITH of Michigan. By agreement.

Mr. DRISCOLL. Have the Commissioners any power to adjust these several rights or interests?

Mr. SMITH of Michigan. They may have, under the terms of this bill.

Mr. DRISCOLL. Suppose they do not agree. Who is going to adjust the matter and force them to do what the bill requires them to do?

Mr. SMITH of Michigan. I think the District Commissioners can enforce it.

Mr. DRISCOLL. Have they any power to enforce it?

Mr. SMITH of Michigan. I think so; in the courts, under the provisions of sections 16 and 17.

Mr. DRISCOLL. Suppose a passenger tenders a transfer and one of the companies refuses to accept it or to give him a ride upon it?

Mr. SMITH of Michigan. I think the passenger himself has his rights in the courts under the provisions of this bill.

Mr. DRISCOLL. Against which company, the one that sold him the ticket, or the one that refused to accept the transfer?

Mr. SMITH of Michigan. He can take his choice. I know there are some inequalities. For instance, the Washington Railway and Electric Company own 146 miles of trackage in the District and the other company forty-odd miles; but the committee believed that the matter will adjust itself upon the law of averages.

Mr. PEARRE. What is the necessity for the provision of section 13, prohibiting the termination of an agreement between the two companies named in that section without authority of Congress? Does not the section which provides for universal transfers properly cover all that?

Mr. SMITH of Michigan. The herdic line has no franchise whatever. It simply operates under a police regulation.

Mr. PEARRE. What is the existing arrangement between that company and the railway company?

Mr. SMITH of Michigan. I understand it is a tacit arrangement between the coach company and the Washington Railway and Electric Company. They have simply entered into an agreement and it is carried along. I understand the agreement is not even in writing.

Mr. PEARRE. Would it not be well, in the section which provides for universal transfers, to name the coach company, so as to have them covered by it?

Mr. SMITH of Michigan. I think not. There never has been any trouble between the coach company and the Washington Railway and Electric Company about transfers.

Mr. PEARRE. I do not know that there has been, but there might be; and in generally covering this subject it seems to me it would be well in this act to provide for it—that the coach company should be controlled by the same regulations as the railway companies with reference to transfers.

Mr. SMITH of Michigan. As I said, the coach company has no franchise. It simply operates under a police regulation; is licensed just like automobiles, etc.

Mr. PEARRE. It exercises all the rights of a company that has a franchise, because it uses the streets and exchanges with the other companies.

Mr. SMITH of Michigan. It uses the streets, however, in a different way from the railway companies. It uses them the same as liverymen and other people do who drive teams.

Mr. HEPBURN. I understood the gentleman to say that under section 16, if the railway company refused to honor a transfer, the only remedy the holder would have would be a suit against the railway company, to be instituted by himself.

Mr. SIMS. By criminal prosecution. The other provision was stricken out by the committee. There is no provision authorizing a party to bring suit for a certain sum.

Mr. HEPBURN. But if a passenger should give away that transfer which the company refuses to honor, he would be subject to a fine of \$25, would he not, under section 17?

Mr. SMITH of Michigan. Under section 17. Now, Mr. Chairman, how much time have I consumed?

The CHAIRMAN. The gentleman has consumed forty minutes.

Mr. ESCH. As I understand it, under the Senate bill provision is made for tracks across the south end of the plaza.

Mr. SMITH of Michigan. Yes; and down Delaware avenue.

Mr. ESCH. But your bill does not so provide.

Mr. SMITH of Michigan. No.

Mr. ESCH. Was that because you did not wish to have the plaza disfigured by tracks?

Mr. SMITH of Michigan. Yes; that was one of the reasons.

Mr. ESCH. Was that reason at all influential in controlling the provision for tracks in front of the station on the surface?

Mr. SMITH of Michigan. The Senate bill provides for both, but the members of the committee as well as the Members of the House thought it would be unsafe to have so many tracks in front of the station.

Mr. ESCH. My query was whether the committee considered the possibility of a subway from the station?

Mr. SMITH of Michigan. Yes; but we found it impracticable. The engineer reported to us and appeared before the committee, saying that it was impracticable. If the gentleman will bear in mind the tunnel which goes in front of the Library, and that it goes as I have indicated here on the map, he will see that the tunnel proposition is not practicable.

Mr. ESCH. I can see how that would influence the tracks there, but whether it would influence the tracks coming from the other way I do not see.

Mr. SMITH of Michigan. We think the people from the northeast, the east, and the southeast would not like to go around to get to a subway on the southwest side, and that is the place where it probably would be.

Then, there is the further objection, we are told, that it would cost eight or ten times as much as it would to put in the surface tracks, and the city of Washington is not large enough yet to justify the expense.

Mr. SABATH. The gentleman from Michigan states that there are no terms specified as to the franchise in this bill, so it is really a perpetual franchise?

Mr. SMITH of Michigan. So long as the companies comply with the requirements of Congress.

Mr. SABATH. Would Congress have the right at any time to repeal the franchise?

Mr. SMITH of Michigan. Yes.

Mr. SABATH. The gentleman is sure of that?

Mr. SMITH of Michigan. I have no doubt about it.

Mr. SIMS. Mr. Chairman, I suppose the gentleman from Michigan [Mr. SMITH] has fully explained the trackage arrangement as proposed in this bill which we have reported as a substitute and pointed out the difference between what we think to be the best trackage arrangement as against the bill passed by the Senate. Therefore, I do not propose to take any time upon that feature of the bill.

I do want to refer to one thing in advance, because the gentleman from Iowa [Mr. HEPBURN] referred to it, and that is the

power of Congress to require these corporations to do what they are herein authorized to do. Two of the corporations referred to, the Anacostia and the City and Suburban roads, as shown by these hearings, are insolvent but are treated as separate corporations. The facts are that the Washington Railway and Electric Company, a solvent corporation, paying the interest on its bonds and funded debt and 5 per cent accumulative dividends on preferred stock of eight and one-half millions, practically owns these two roads as well as others in the District. The report of the City and Suburban Railroad, filed January 31, 1908, shows that the amount of the capital stock is \$1,750,000, and that there are 35,000 shares of stock. Of that number the United States Mortgage and Trust Company, trustee, has 25,625 shares, and the United States Mortgage and Trust Company 4,950 shares, or, over 30,000 of the 35,000 shares that is owned by the Washington Railway and Electric Company. This company paid no dividends, and it is stated by General Harries that the stock is worthless.

The other is the Anacostia and Potomac Railroad Company. The total stock is two million. The total number of shares is 40,000. The United States Mortgage and Trust Company, trustee, owns 39,811 shares, just lacking a little of owning it all. That means that the Washington Railway and Electric Company owns it.

I believe, as a matter of precaution and as a matter of justice to these two companies, or at least, to the minority stockholders, that the expense of this new trackage should be paid by the Washington Railway and Electric Company.

I will give another reason for it. In 1900, as I remember, there was a bill brought before the District Committee authorizing the consolidation of eleven railroad companies in the District of Columbia, specifying them. Two of these are the roads here mentioned. There were others and one of them was the Metropolitan road, a very profitable road, paying about 10 per cent dividends. It was stated to the committee that if these eleven lines were consolidated into one company universal transfers would be given over all the lines; that they would be well equipped; that a service equal in every respect on each line would be had, and to that end the bill provided that the Washington Railway and Electric Company should have the power, if a stockholder in either corporation refused to sell his stock at such a price as was reasonable, virtually to condemn the stock through court proceedings to the end that it might acquire it all.

Mr. LITTLEFIELD. That was in favor of the competing corporations?

Mr. SIMS. It was in favor of the holding company, that they might get all of the old stock held by the stockholders, so that there would be only one company with good service and accommodation and universal transfers.

Mr. HEPBURN. Will the gentleman permit an inquiry as to what was done by the old Metropolitan Company in that behalf? Did they acquire all of that stock, or did they acquire only a controlling interest of the stock in seven of the more important lines?

Mr. SIMS. I was going to come to that. The object Congress had was to authorize and bring about a complete consolidation and unification.

Mr. LITTLEFIELD. Of all the lines?

Mr. SIMS. Of all those eleven lines, to the end that there might be an improvement on these companies that had no resources with which to make them. It was a very drastic proposition in favor of a holding company, to allow it to condemn the stock of a private stockholder and take it, but we thought, in view of the public benefits to be derived, that we were authorized to go that far, and we did it. Then what was done? I want to state here that it was represented to us at that time before that committee—while those hearings are not printed, nevertheless it is a fact—that Mrs. Leiter owned a block of that stock, about 1,000 shares, the stock of the Metropolitan Railway Company, the good, solvent, paying company, and that they could not buy that stock on any reasonable terms.

Mr. LITTLEFIELD. Could not buy it on any reasonable terms?

Mr. SIMS. On reasonable terms, privately; and one object of this law was to provide that this holding company should acquire the stock at what was reasonable, and after the law was passed they did purchase at a private sale Mrs. Leiter's stock. How much they gave for it I do not know, but I have always been told it was over two for one, and maybe three. Instead of carrying out the objects and purposes of that act, this company did acquire all the stock in certain roads and changed its name to the Washington Electric Company, and reports today as such, but it left out these two roads mentioned here and the Brightwood and the Tennallytown—every one of them in-

solvent corporations—and what else was done? These roads were suburban roads to a large extent and they could not afford free transfers, but as soon as this bill was passed the Washington Electric acquired the good, desirable, revenue-producing property and stopped right there, and although they practically own all the shares in the four companies above mentioned and are virtually one company to-day, yet they are operated separately.

Mr. LITTLEFIELD. To which companies does the gentleman now refer?

Mr. SIMS. I refer to the Tennallytown, the Brightwood, the City and Suburban, and to the Anacostia and Potomac. While the Washington and Electric owns practically all the stock, it has not done what it said to the committee it would do—acquire all the eleven companies—but it did acquire the stock of the good roads and consolidate them, and through that corporation and through that management it controls these other roads.

Mr. LITTLEFIELD. That is the Washington Street Railway Company?

Mr. SIMS. That is the Washington Railway and Electric Company.

Mr. LITTLEFIELD. That does not include the Traction Company?

Mr. SIMS. That is the traction company known as the Harries company, and operates a line up and down F street and out to Georgetown and on Columbia road to Mount Pleasant.

Mr. LITTLEFIELD. That is independent of the company the gentleman is speaking of?

Mr. SIMS. Those are a part of the Washington Railway and Electric Company lines. That is the good company.

Mr. SABATH. The Washington Railway and Electric Company owns a majority of the stock in the others, and virtually controls all the others?

Mr. SIMS. Owns practically all and not only virtually, but absolutely controls all the others. Yet they are reported as insolvent corporations, and they are insolvent, and insolvent because of this very ownership and operation. I think instead of requiring the Anacostia to make this improvement, the expense should come out of the real owners, the Washington Railway and Electric Company, which is paying 5 per cent dividends on eight and a half million dollars of preferred stock.

Mr. LITTLEFIELD. If they own a large majority of the stock in the Anacostia, why does it not come out of them? In substance they pay the whole of it, if you put it on the Anacostia.

Mr. SIMS. The gentleman from Wisconsin [Mr. MURPHY] is going to explain the matter in respect to that. There is a provision in the charter of the Anacostia Company which provides that fares must be reduced whenever the earnings amount to a certain sum, and if we load it down with these expenses it never will reach that amount.

Mr. LITTLEFIELD. Ah, that is another proposition.

Mr. SIMS. When I asked General Harries at the hearing, "Why does not your company acquire the old outstanding stock of these other companies and report only as one and operate only as one, like the Capital Traction?" he said, "We haven't got the money and we can not get it."

I am not trying to quote his language. Then the very next day in the same hearing he said the outstanding stock in these companies was not worth anything; that the stock was a hole in the ground. I asked him then, "Why, if the stock costs nothing, can not you get money enough to buy when it does not cost anything to buy them?" That is in the hearing and shows for itself. I charge that there can be but one reason for doing this thing as it is done, and that is the continual showing of a deficit in these lines, why they have not been unified, but run and operated as separate roads, although they have the same offices and control, and really the same management, because then it can be said to the people on these lines, "We can not give better service, because these roads are insolvent, and we can not do this, that, or the other, because the company is not paying anything."

Mr. HEPBURN. Did I understand the gentleman correctly to say that the Washington Electric Railroad Company was paying a 5 per cent dividend on eight and a half million dollars of stock?

Mr. SIMS. Preferred stock; yes, sir.

Mr. HEPBURN. I would like to ask the gentleman if any portion of that stock was used in any way in the construction of any of these roads?

Mr. SIMS. I do not know that I can say whether it was or not, but I can state to the gentleman what was stated in the hearing as to the present outstanding stock of the Washington

Electric Company. It is said that this company took the bonds of the preceding company on a basis of \$550 bonds of the new company, and \$550 in preferred stock, and \$200 in common stock, making \$1,300 for each \$1,000 bond of the insolvent corporation they bought out. Then, being asked the market value of the stock at that time, which General Harries did not give, Mr. Ham, who was present, said that the bonds of the insolvent company were worth about 48 to 60 cents on the dollar. In other words, the old stockholders got in round numbers \$600 for what was issued to the present stockholders—\$550 in bonds, \$550 in preferred stock, and \$200 in common stock. Whether there was a dollar in money paid or not I do not know.

Mr. HEPBURN. And they paid \$1,300 for \$550 in value of the old bonds.

Mr. SIMS. That was the market value at the time. It was for \$1,000 face value and, in fact, about \$600 in market value. I can see no reason why they do not acquire the small amount of outstanding stock in these companies, because they are paying out in dividends 5 per cent on eight and a half million dollars of preferred stock. When I asked General Harries, "Why did not you do that?" because some of these minority stockholders came to me some years ago and asked me to do something to force that company to buy their minority shares because they were declining all the time and were worth nothing, because the railroad was being operated with that in view, the hearings show the only reasons given were, first, "We did not have the money," and the next was that the stock was not worth anything, and "We did not want to acquire valueless property." In this bill it is provided the insolvent companies shall build a lot of this new trackage.

Mr. GOULDEN. May I ask the gentleman how much common stock was there in the company and what dividends are being paid upon that, or have any dividends ever been paid upon the common stock?

Mr. SIMS. There were never any dividends paid on it. The common stock amounts to \$6,500,000.

Mr. GOULDEN. They never paid any?

Mr. SIMS. No, sir. But there is about \$13,000,000 of outstanding bonds of this company on which interest is paid.

Mr. LITTLEFIELD. What rate?

Mr. SIMS. Different rates; probably 6 per cent.

Mr. LITTLEFIELD. Different issues?

Mr. SIMS. Different issues.

Mr. LITTLEFIELD. You mean the average was 6 per cent?

Mr. SIMS. Well, I do not know whether it is or not.

Mr. GOULDEN. How much, in the gentleman's estimation, is water and how much is real value?

Mr. SIMS. I am going to come to that. I am going to do that in connection with the free-transfer proposition. I think it is a proper amendment to require the Washington Electric Company to build all extensions in this bill except that required by the Capital Traction. By so doing we place the burden and expense of this construction on a solvent company that has got the money and are the real owners of these so-called "insolvent companies."

I asked General Harries: "Suppose you acquired this little stock left outstanding, would you not be enabled to pay some dividends on the entire volume of your stock?" He said, "Yes." The contemplated consolidations have not been made, and no intelligent, reasonable excuse is given for not doing so. Therefore we are left to presume that the only reason was that it did not suit the purposes of the holding company to do so.

Mr. HARDY. Do those officers draw salaries from all the companies?

Mr. SIMS. I do not know. Nobody can take those reports and tell very much about them, because they lump the expenses. They do not come out in single items such as salary of superintendent, manager, or vice-president, or anything of that sort. Besides, this same company now owns the Electric Light and Power Company, every single share in it, and it is capitalized at a large amount.

But I want to go now to the next propositions upon which we will perhaps have trouble. One is the free transfer and the other is supervision. I have been advocating a free transfer for several years in this District, on one ticket or one fare. Eleven lines, known as the "Washington Traction or Harries lines," have it between themselves on all lines already. The Capital Traction has it on its own lines, in some instances giving as high as three transfers on transfers. Therefore, the two main companies that will be interested in transfers will be the Capital Traction Company and the Washington Electric. What we call the "Pennsylvania Avenue line" is one, and the "F Street line" is the other, or what was known as the "Dunlop road," because he was the president of it, and the "Harries road,"

because Mr. Harries is vice-president and active manager, and his name is associated with these other roads. I was not in favor and I am not now, of passing legislation that is unjust and unreasonable and unfair to these roads or to their stockholders. The facts are that none of these roads has ever paid the District of Columbia or the Government of the United States one cent for the privilege of building and operating roads upon the streets and avenues of this city. They pay less tax in proportion to value than any corporation in any city in the United States of which I have been able to get any information.

Mr. DRISCOLL. I understood the chairman of the committee to say that they paid 4 per cent on their gross receipts.

Mr. SIMS. That is correct.

Mr. DRISCOLL. What does that mean?

Mr. SIMS. I will show you in concrete figures.

Mr. LITTLEFIELD. Four per cent on the gross receipts?

Mr. SIMS. Four per cent on the gross receipts of the road. That is all the tax they pay. It is not a franchise tax at all.

Mr. LITTLEFIELD. It is an excise tax.

Mr. SIMS. Yes. It is all the tax they pay, except on the fixed real estate, their power house, and so forth.

Mr. LITTLEFIELD. Their rolling stock and tracks are not taxed independently, but the tax that is paid for that is an excise tax on the operation of the road and figured on the gross receipts?

Mr. SIMS. The tax upon the fixed real estate, like the power house—

Mr. DRISCOLL. The 4 per cent is for franchises and improvements?

Mr. SIMS. The 4 per cent is all the taxes paid, and you can apply it in any way you see proper.

Mr. DRISCOLL. Except the ordinary tax on their buildings, and so forth?

Mr. SIMS. Yes.

Mr. DRISCOLL. Does that include the track?

Mr. SIMS. No, sir. The Capital Traction Company's reports are so much clearer and so much easier understood that I can be better understood by discussing their reports than I can the other, on account of their involved condition. They own the Electric Light and Power Company as well as some of these other companies. That is, they do not report them as one company. Now, the Capital Traction Railway Company for the last year, which was the report of January 30, 1908, shows that their stock is \$12,000,000. Their funded debt, which means bonds, is \$2,520,000, or face value \$14,520,000.

Now the bonds are selling at \$1.10, and the stock—the lowest it has been selling for, I think, in several years—now is \$1.17. The cash value, as shown by the sales of the bonds and stocks at this time, following a great panic and money stringency, makes the property worth in the neighborhood of \$17,000,000.

Mr. ALEXANDER of New York. May I ask the gentleman a question?

Mr. SIMS. To be specific, \$16,720,000.

Mr. ALEXANDER of New York. What railroad are you speaking of?

Mr. SIMS. Of the Capital Traction Company. Now, gentlemen, what would be the gross amount of tax to be paid in any State in this Union on a value, in round numbers, of \$17,000,000, which is away below the actual value of the stock, because a year ago the stock was selling at \$1.42 and above that? Now, at a time when stocks and bonds are at the bottom you can not buy them to-day for \$17,000,000. All the tax they pay on seventeen millions of value is \$78,110.71. That is all. That includes the 4 per cent in gross receipts as well as the tax on fixed property.

Mr. DRISCOLL. What are the other items of tax made up from?

Mr. SIMS. I have given you all the amounts. The report says "taxes" and includes all the taxes at \$78,110. Now, that is all that ought to be considered as taxes, because the wages of the crossing policemen are both for the benefit of the public and the benefit of the railway companies, to prevent accidents for which they would be liable.

Mr. DRISCOLL. Is that on the gross income?

Mr. SIMS. Seventy-eight thousand dollars means the 4 per cent tax on gross receipts, on the real estate, and all other taxes. Now, that is less than 50 cents on the \$100 in cash value of the property. Where is your farm that is taxed that little for State, county, highway, and school purposes? Where is the city where they are paying as low a tax as that? Now, furthermore, they do not have to pay one cent of tax in this city on intangible property. You can have \$5,000,000, or any amount that you can mention of this stock, and you do not have to pay one cent of tax on it. Now, do you tell me that a

corporation worth \$18,000,000 in round numbers, aye, twenty or twenty-five millions, and that is assessed at 50 cents or less than 50 cents on the hundred dollars in the way of tax liability is being heavily burdened and can not do something in the way of giving a free transfer to other railroads to the end that the public may get just a little advantage arising from the increased revenues coming from the growth of the population and increased use of street cars, without increased outlay or expense?

Mr. GOULDEN. I want to ask the gentleman how he accounts for the smallness of the tax paid by this company in the city of Washington?

Mr. SIMS. Because the good, humane, generous Congress has not required more than that. That is the only way to account for it. And yet we have the officers of this railroad talking about taking this case into the courts if we require them to give a transfer to an unrelated company without additional fare for it. Every charter of every railway in the city is a repealable charter; all the legislation reads that the right to alter, amend, or repeal the act granting the charter is reserved by Congress.

Mr. GAINES of West Virginia. What are the gross receipts of that company?

Mr. SIMS. I will give them to the gentleman.

Mr. HARDY. Does this provision in section 20 cover all the railroad charters for street railway companies in this city?

Mr. SIMS. Yes. Last year the receipts for passenger fares in the District of Columbia on the Capital Traction were \$1,736,559.75; Maryland division, \$33,649; freight, \$1,253; miscellaneous, \$2,882; rent of land and buildings, \$7,420; advertising, \$9,000; miscellaneous, \$2,121; income from securities and insurance companies, \$7,400; sale of tickets, \$3,540; bills payable, borrowed from bond sales for operating, \$1,000; renewal fund, \$30,000; proceeds of sale of 5 per cent bonds, \$2,520,000; or \$4,360,000. Now, take the bond issue from that and you have the gross receipts.

Now, what does it cost? What is the mileage of this road? I want to say here that I think the Capital Traction road is well operated, upon the whole. I think they have had too much crowding of the cars on Fourteenth street. I think they have got a lot of little bottailed cars on Pennsylvania avenue that they ought not to have, followed by trailers. It is true we have an affection for them, because they have been here so long.

When I came here eleven years ago they were following a cable up that line. Shortly after I came here the power house was burned. Then the electrifying of the railroad took place, but these same old cars are still coming up the hill every day. I should feel a little sentimental regret to part with these old specters on Pennsylvania avenue, the little green car in front, with one a little less behind. But outside of a failure to give as many cars on Fourteenth street at times as they should and outside of the fact that they do not seem to be willing to turn loose these old green cars, I have no criticism to make of the service. They pay 6 per cent dividends upon this \$12,000,000 of stock and 5 per cent upon \$2,500,000 in bonds. Is not that a splendid investment? How much did the stock go down in all these hard times? Let us see what 6 per cent stocks did on the good, dividend-paying railroads of the country that have an established character for value and earnings. Let us take up the Pennsylvania Railroad, which pays 7 per cent, is one of the best roads in the country, known all over the world, and whose securities are a desirable investment wherever a dollar can be raised. One year ago the stock of this 7 per cent road was selling at \$132 maximum; this year at \$111.50 maximum, or a 20 per cent decline in one of the best 7 per cent stocks in the world, which never defaults in dividends.

Now, take the Louisville and Nashville, one of the best railroad systems in the United States, one of the best operated of roads, in which there is not even the remote possibility of insolvency—a 6 per cent dividend payer. Louisville and Nashville one year ago was at a maximum of \$136. At this time it is at a maximum of \$95.5, a decline of more than 40 per cent in the 6 per cent stock of one of the best systems of the United States. Take the New York Central, a stock which pays 6 per cent, paid quarterly. A year ago its maximum was \$130.5; it is now \$95, or a decline of 35 cents on the dollar in five months.

Now, take the Capital Traction Company, which, as shown by the evidence of Mr. Dunlop one year ago, was 141 and 142. Since then they have added a million and a half of dollars to their bonded indebtedness, and those bonds are selling for \$110 and are paying 5 per cent interest. That stock, in all these hard times, and with that additional bonded indebtedness, has only declined from 141 to around 120, 12 per cent of which is accounted for by an additional bond burden; and

the facts are that the Capital Traction Company stock has fallen only about 12 per cent, has sustained itself better than any railway stock on the face of the earth, steam or electric, city or suburban, that I know anything about.

Mr. DRISCOLL. I wish to ask the gentleman about this question of transfers. Is the gentleman coming to that?

Mr. SIMS. I am coming to that. I am laying the foundation for the justness of that provision. Now, what does this railroad cost? I prefer to read from the illuminating testimony of the late lamented Mr. Dunlop, given a year ago. I read from the hearings of February 6 and 13, 1907, about one year ago, on page 83:

Mr. SIMS. Mr. Dunlop, how many miles of underground road do you have, and how many miles of overhead trolley?

Mr. DUNLOP. Five miles of overhead trolley.

Mr. SIMS. And the rest is underground?

Mr. DUNLOP. Yes, sir.

Mr. MADDEN. How much will the car barns cost?

Mr. DUNLOP. The contract price was about \$200,000.

Mr. SIMS. How much did it cost per mile?

Mr. DUNLOP. About \$60,000 a mile.

Mr. SIMS. Of single track?

Mr. DUNLOP. Yes, sir.

Mr. SIMS. Without equipment?

Mr. DUNLOP. Yes, sir.

Mr. SIMS. Just to lay the track?

Mr. DUNLOP. Yes, sir. A report will be made to Congress in regard to it in a few days.

Mr. SIMS. It would not cost at most what your capital stock is, would it?

Mr. DUNLOP. My recollection is that it was something over \$6,000,000.

Mr. SIMS. Actually paid out?

Mr. DUNLOP. That it would cost something over \$6,000,000 to reproduce the plant at the present time. But that would be under all of the scientific appliances of the present day. You must recollect that we have gone through forty-five years' experience. We have been ripped out two or three times, and are apt to be again from the Peace Monument to Fifteenth street, and it is all in the capitalization, the whole cost.

Mr. Dunlop a year ago, when prices were higher than they are now and all building material cost more, admitted that his entire railroad could be reproduced, equipment, power, and all, for \$6,000,000, and then its cash market value was \$18,000,000 and over at that time and paying 6 per cent on \$12,000,000 in stock and \$5,180,000 in bonds. Mr. Dunlop said that he received \$15,000 a year as president of the road and said he thought he was worth it. I think so, too. I think he was worth it if any man was ever worth it. The fruits of his labor show that he was worth it. How the stockholders could refuse to pay that man \$15,000 a year for the work he did for them is beyond my comprehension.

I am not blaming the stockholders of the road because their road cost so much less than they have it capitalized for, but in all justice, the public on this ever-increasing value franchise, that increases year in and year out by reason of the natural growth of the city—the public should have something, whereas they have nothing. Now, then, there is already a free transfer on all the lines of the Capital Traction and all lines of the Washington Railway, and, by the way, the Capital Traction gives free transfers on the Old Dominion, an unrelated company, and all we need is for the two companies to transfer between themselves and the line which comes in from Virginia, which the gentleman from Virginia [Mr. CARLIN] proposes to offer as an amendment to make it more certain.

Mr. DRISCOLL. Now, if the gentleman will pardon me, in relation to free transfers, did the companies consent to this provision in the bill for the universal transfer?

Mr. SIMS. By no means; they fought it with all the power they had and threatened to go to the courts if we did pass it.

Mr. DRISCOLL. Then this provision was put in the bill by the action of the committee?

Mr. SIMS. Yes, sir.

Mr. DRISCOLL. Is it the idea of the committee to finally force all of these corporations into one company?

Mr. SIMS. I can only speak for myself. I think it would be a glorious result if every one of these railroads were in one company and operated as one corporation and save so much unnecessary expense in the payment for unnecessary executive officers.

Mr. DRISCOLL. If this bill becomes a law and universal transfers are put into practice, and after a while trouble arises, does not the gentleman think the result would be a consolidation of all the companies?

Mr. SIMS. If there should be any trouble come of it, it might result in consolidation, but I think the result can be attained without it.

Mr. DRISCOLL. But the gentleman thinks that would be the result, does he not?

Mr. SIMS. If they do not willingly work together, one company or the other, some other company might buy out and unify them.

Mr. DRISCOLL. If the companies are controlling subsidiary companies, they will work together, but if their interests are conflicting they will not work together without friction.

Mr. SIMS. If only one company practically owns them, they can avoid it.

Mr. DRISCOLL. Unless there is some administrative officer or power somewhere to adjust the differences or regulate them, and it is not provided for here, will it not necessarily result in friction and thereafter in consolidation of all the companies?

Mr. SIMS. The object of one section in the bill making certain requirements as to service and placing the power to execute this in the hands of the Commissioners, I think will avoid all of the troubles the gentleman refers to and give the Commissioners, as an administrative board, power to adjust differences.

Mr. DRISCOLL. Have they such power now?

Mr. SIMS. No; because this bill has not become a law.

Mr. DRISCOLL. Nor it is in this bill.

Mr. SIMS. I do not know how far the gentleman might go in construing this provision, but I got the committee to go just as far as it would, and I think as far as it can be gotten through here. I have no objection to the House increasing the power of the Commissioners by a proper amendment if they can attain the object sought.

Now, I am not charging here that this vast capitalization is water, but it is not actual cash value. If there was only one share and it was worth \$100, the company would be entitled to reasonable fares.

If they had one hundred millions they would not be entitled to more than reasonable fares, but with the stock issues so largely over actual value, even at the present high prices, or what it was a year ago, how can it be an injustice to these companies to require this service? Now, we have a right to repeal. If any of these corporations refuse to obey and carry out in letter and spirit these requirements, all we have to do is to repeal their charter. I do not think any of them want to invite anything of that sort. In the other company, General Harries says the stock and bonds amount to \$31,600,000 and odd, as shown in the hearings. I want to read exactly what he says. I read from the hearings of one year ago, and nothing has happened since that I know of, and there General Harries says that they have—that is, his company, including all of these companies except the Capital Traction—that they have 60 miles of single tracks underground and 86.50 miles of single track overhead, a total of 146.25. The question was asked by Mr. Pou, "What would you put the average of mile of construction, including everything from the power house down to the last item underground?" and General Harries says, "Not less than \$122,000 a single mile, including power stations, offices, real estate, feeders, conduits, and all the things that go to make up complete construction—cars and track." Further over he says that overhead trolley, except in New York, is universal, and the cost of the final construction, including trolley lines, tracks, equipment, and everything would be about \$45,000 per single track mile.

Mr. HEPBURN. Will the gentleman allow me to ask him a question?

Mr. SIMS. Yes.

Mr. HEPBURN. Does that indebtedness of some \$29,000,000 cover all of the indebtedness that this company has on all the roads outside of the District, or simply on the roads within the District?

Mr. SIMS. The roads within and without, as I understand it.

Mr. HEPBURN. And the mileage the gentleman has given is what?

Mr. SIMS. Is both within and without—all.

Mr. HEPBURN. But I understand the indebtedness relates only to roads within the District?

Mr. SIMS. No; the indebtedness relates to all of the roads.

Mr. HEPBURN. That would be the 146 miles?

Mr. SIMS. Yes.

Mr. HEPBURN. Does that indebtedness include the four roads that are not associated with the electric company?

Mr. SIMS. No.

Mr. HEPBURN. Does the gentleman know what the amount of indebtedness is there?

Mr. SIMS. The amount of that indebtedness, bonded and funded debt, is about \$5,000,000, on the roads they have not acquired—that is, not acquired by proceedings in court or purchase of all the stock from the stockholders.

Mr. HEPBURN. But, as a matter of fact, they are operating them.

Mr. SIMS. They are operating them absolutely. They have in their treasury \$5,700,000 in unsold bonds for the purpose of

taking up that outstanding indebtedness of these other companies. Now, taking it as it is, and calculating this 60 miles of underground at \$122,000 a single mile and the 86 miles of overhead trolley at \$45,000 a single mile, for equipment, power cars, power houses, and everything, it amounts to \$11,000,000 instead of \$31,620,000, counting it at the high figures that he places it at. That is the Washington Electric Company, understand, so that in that company there is, according to his statement of the cost of reproduction, more than three to one in outstanding stocks and bonds; and yet they say we can not have free transfers without bankrupting and ruining these roads.

Mr. GAINES of West Virginia. Can the gentleman tell us how this overcapitalization came about?

Mr. SIMS. I can not give the details.

Mr. GAINES of West Virginia. What I want to know is whether it was a legitimate sale of stock at cheap prices at the beginning in order to build them, or was it water, pure and simple.

Mr. SIMS. I want to say this, that in the different reorganizations and changing of names of one company to the other, payments were made in stocks and bonds, and stocks and bonds reissued. I have never been able yet to find where a single dollar was applied to anything, so far as these reports go, since 1900.

Mr. GAINES of West Virginia. To explain my question, if the gentleman will permit me, I know a railroad, the bonds of which are now selling above par, which ten or twelve years ago was selling its bonds at 82. The result would be that that railroad would have to that extent a bonded indebtedness, which would be greater than the cost of reproduction, and yet the cheap selling of bonds was necessary to finance the road. Now, if the gentleman has any idea how much of this excess of valuation came about in that way and how much is mere reorganization, water, the House, I think, would like to have it.

Mr. SIMS. There were eleven different companies, each company being built up to the condition existing at the time of the bill to consolidate, and, as I said to the gentlemen of the House a while ago, the present company owns these lines, so far as stocks and bonds are concerned, by giving \$1,300 of the new for \$1,000 of the old, at that time worth \$580 on the market. I do not know whether you call that water or not. Colonel Dunlop said when before the committee that the Capital Traction was the Rock Creek road with its name changed. I asked him what was the capital stock of the Rock Creek Company, and he said \$200,000. I said, "Did you pay any money when you increased the stock to \$12,000,000?" He said, "Not a dollar." It is here in the hearings; but Congress authorized that; they could not do anything without the authorization of Congress. But, Mr. Chairman, I do not think there is a particle of doubt that these railroad companies will accept this free-transfer provision and that it will work all right, and that instead of injuring it will help both companies. It will increase travel.

We know how it is about excursions. We spend more money on excursions than any other sort of travel because we are getting cheap rates of fare and go more on that account. Now, if eleven lines, which were not consolidated and did not give free transfers, did consolidate and give free transfers and improve and increase the growth and net income of eleven lines, and the others, about seven, did the same thing, why will it not be so now when we make universal transfers between these two companies?

Mr. DRISCOLL. I asked you a few moments ago about the power of the Commissioners to compel the various companies to grant universal transfers and accept them, and it was stated here that section 18 gave to the Commissioners power to compel them to do it. Now the eighteenth section goes on and gives the Commissioners certain powers, and in the sixteenth line of that page it says, the Commissioners are given power to compel obedience to all the provision of this section. Now, does that mean the "section," or the provisions of this act? It says, "provisions of this section."

Mr. SIMS. Well, I do not know, but I rather think it ought to be, "the provisions of this act."

Mr. DRISCOLL. If it means the provisions of the act it might go back and give the Commissioners power to enforce the granting and receiving of transfers, but if it means "section," I do not see that there is any power given them to accomplish this result.

Mr. SIMS. I was going to say it can not possibly hurt to strike out the word "section" and insert the word "act." I want to say we provide punishment for failing to give the free transfers. Mr. Chairman, I do not desire to use but a very few more minutes of the time of the committee, and that is in

regard to supervision. There is no supervision by any authority here over the street railways as to schedules, as to sanitation, as to overcrowding, overheating, or underheating; in other words, to-day they do just what they desire without any kind of supervision. There ought to be some supervision somewhere, some executive authority to carry out all the provisions of this or any other law affecting them. The Commissioners of the District of Columbia are the only officers we have now who can do it. When I asked General Harries at the hearing, "Do you object," he said, "Oh, we would not object to the present Commissioners, but we do not know who we will have." Well, that is a great compliment to the present Commissioners, but I believe the future Presidents of the United States will be equal to the task and will appoint Commissioners after these are gone who will be their equal in every respect, and who will do justice both to the companies and to the public; but without some supervision there will be an army of complainants and volumes of complaints every year, as there always is, to Congress.

I believe these or any future Commissioners will act only upon complaint. If the complaint is a just one the railways ought to heed it and remove the cause if the Commissioners so order; if it is an unjust one, I believe the Commissioners will refuse it and that there will be a harmonious service throughout the District by having a unified supervision. I do not see how anything but good over the present conditions can arise from this bill, but I do not object to any amendment that carries out the object of the bill.

Now, Mr. Chairman, I want to refer a moment to an amendment which is going to be offered—

Mr. ALEXANDER of Missouri. May I interrupt the gentleman? It was suggested that it would be well enough to strike out in line 16 of section 18 the word "section" and insert the word "act."

Mr. SIMS. Yes.

Mr. ALEXANDER of Missouri. I call attention to this fact: This section says that every street railroad company or corporation, etc., shall "supply and operate such number of cars, clean, sanitary, and in good repair, with proper and safe power, equipment, appliances and service, comfortable and convenient, and so operate the same as to give expeditious passage, not exceeding 15 miles per hour, to all persons desirous of the use of said cars, without crowding said cars, or the platforms thereof." The Commissioners are simply given the power to make necessary rules and regulations to carry out the provisions of this section. It does not relate to any general power, so it would be inapt to alter that section in that regard.

Mr. SIMS. Unless you say "this section" and "this act." Now, Mr. Chairman, my colleague on the committee [Mr. SHACKLEFORD] has given notice that he will offer a 3-cent fare amendment, or eight tickets for 25 cents, with the provisions of the bill all intact except that. I want to say, Mr. Chairman, to the members of this committee that I do not think that will be just to the companies. A 3-cent fare schedule has been operated successfully at Cleveland, Ohio, and perhaps in other places. I think it could be done here with an entire overhead construction. But with so large an amount of these roads with underground construction, which costs double as much, according to the expert evidence of these railroad men—more than double as much—it would not be fair and just to require a 3-cent fare with the high class of service that we seek to bring about in the District of Columbia. I know that the objects and purposes of my colleague are good. He is offering this amendment in the best of faith. I voted for it a year ago. Why? We had to have a bill passed, if possible, in some way, and it was passed under the suspension of the rules, and there was no way to get it through without meeting the views of two-thirds of the membership of the House, and we had no sufficient time to discuss it. But further investigation leads me to believe that such a provision will result in a suit to declare the act confiscatory and unconstitutional, and will be an injury to the service rather than a benefit. With free transfers and with the large area that is covered by the railroads of this District, 5 cents, or six tickets for 25 cents, is not a high fare with the character of service that we think will be given if this bill becomes a law, with supervision vested in the Commissioners.

Mr. Chairman, unless some one wants to ask another question, while I have not covered every phase of the bill, as I do not deem it necessary—

Mr. SABATH. Who is operating these cars that the gentleman spoke of—those old-time cars—that have been doing service here for about thirty or forty years? Which company is it?

Mr. SIMS. The Capital Traction.

Mr. SABATH. They could easily afford to pension these cars by this time, could they not?

Mr. SIMS. They might put them in some museum somewhere.

Mr. GRONNA. I understand the gentleman from Tennessee [Mr. SIMS] to say that Mr. Dunlop, the president of the Capital Traction Company, made a statement that it would cost \$6,000,000 to construct all of these roads. Was that the statement?

Mr. SIMS. To reconstruct all the lines and equip them.

Mr. GRONNA. And the indebtedness of these roads amounts to some \$29,000,000?

Mr. SIMS. Not his road. The stock of the Capital Traction Company amounts to \$12,000,000, and now the bonds are \$2,500,000.

Mr. GRONNA. Another question I would like to ask. It is this: I know that the gentleman is on the Committee on the District of Columbia and is well informed. I also imagine that it costs more to construct an underground railway than an overhead railway?

Mr. SIMS. It does—double as much.

Mr. GRONNA. What is the difference in the cost of maintaining these roads after construction?

Mr. SIMS. I do not know exactly the comparative cost of maintaining an underground and an overhead track, but it must be more to maintain an underground track, because they have to dig out below the surface and arrange underground trolley conduits.

Mr. GRONNA. Does the gentleman believe that the companies would be obliged to give the universal transfers if this bill is passed, under the wording of this particular bill?

Mr. SIMS. It is in the language of all the street-car legislation we have ever had—"authorized and directed."

Mr. HARDY. The gentleman concluded his remarks by discussing the question of supervision. Is there any section in this bill, except section 18, that gives supervision to any authority?

Mr. SIMS. Yes. There is a part of a section giving it to the Commissioners—we changed it so often I can not keep track of it—power to determine what is "general direction," and in another place where it says the "transfer shall be in one general direction."

Mr. HARDY. Now, I understand the gentleman personally to be in favor of giving the Commissioners power to enforce the object of section 18, and making that include the entire act.

Mr. SIMS. I do not object to it.

Mr. HARDY. That would give them the power to do so.

Mr. SIMS. I am not going to offer an amendment, because this is the best bill we could get out of the committee. If the amendment does not mean anything more than carrying out the object and purposes of this act, I do not object to it.

Mr. HARDY. I understand that would give to the Commissioners supervision of the entire system, would it not?

Mr. SIMS. I understand it would give them the supervisory power which is necessary to serve the public.

Mr. HARDY. And enforce this entire act?

Mr. SIMS. So far as the public is concerned.

Mr. DRISCOLL. Now, I have listened heretofore with much interest and information to the gentleman, and have discovered that he has a very accurate and comprehensive view of the whole proposition. If he can, in five minutes, I would like to have him tell this committee his plan for solving the difficulties we are now in with the various companies in the city of Washington. If he has a plan in his mind which he would put into effect, had he the power, and can state it in five minutes, I would be glad to have him do so.

Mr. SIMS. I can give it in less time than that. As an individual, my idea would be that you do not want competing roads and companies here, because they can not occupy the same streets, and we now are hearing complaints of this kind. People are making demands on the Washington Railway and Electric Company because they want better service.

Mr. DRISCOLL. You would have consolidation?

Mr. SIMS. The Washington Railway and Electric Company say that they have so much greater mileage than the Capital Traction Company have that they can not give as good service as it does, or as some would suggest they should do. They say also that the Capital Traction Company runs through a more congested part of the city and receives more fares per car and per mile, and therefore they can give better service than they do. There is a comparison between the service given by the two lines all the time.

Now, if all the lines were under one company, with one supervision, included in one management and operation, these troubles that grow out of these ideas of the people, even if they were true, would fade away. Then the cost of management

would be decreased to a great extent by removal of the cause for duplicating the general officers and having double expenses. Now, we can not do that by act of Congress. We can pass no bill by which we can say these two companies shall sell one to the other or both to some other company; but I believe that we can have legislation that will tend to such a result in the future, and I believe that the relief lies that way rather than otherwise. Congress always will retain the power to supervise and control the railroads in the District of Columbia. I believe that if we had one company to operate all the roads and complete supervision in the Commissioners or some other body, we would have a more satisfactory service.

Mr. DRISCOLL. Is the gentleman in favor of municipal ownership?

Mr. SIMS. Oh, no; if we can get just as good by private ownership.

Mr. DRISCOLL. Under regulation by Congress.

Mr. SIMS. Congress has full power, and there is no unexpired charter rights in the way.

Mr. DRISCOLL. And fix the price of tickets?

Mr. SIMS. Everything; so that it is not confiscatory.

Mr. DRISCOLL. So that they will make a fair income and the good roads will make up for the loss suffered on the poor ones?

Mr. SIMS. A reasonable income on all and a unified splendid service on every line. I am not in favor of governmental ownership here yet; but if in the District of Columbia, in Washington, with the President, the Army and the Navy, and the "big stick," we can not control a few little street car companies so as to do justice to all concerned, we ought to own them and be done with it. [Applause.]

Mr. Chairman, I want to make just one little remark on the question of 3-cent fares. The idea was suggested here that Congress wanted a 3-cent fare. I can state in a few words how that idea originated in the District of Columbia. A few years ago the Old Dominion Railway Company sought, by Congressional action, to build what was called a "cross-town railway" from the end of their line at the Aqueduct Bridge to the Union Station, and to build that identical cross-town railroad up there shown on that map. It was opposed by existing roads. Finally Mr. Cowherd, who had charge of the bill and who was a member of the District Committee, offered an amendment providing for eight tickets for 25 cents and universal transfers over their line, if permitted to build. The Old Dominion Company was owned, as it was represented to us and as shown by the reports to-day, by Senator STEPHEN B. ELKINS and Hon. John R. McLean, two men of great wealth; and the people had no doubt that they were able to do what they said they would do if this franchise was granted—that is, give a 3-cent fare with universal transfers over their line.

That started the 3-cent fare agitation in Congress. Afterward the Capital Traction Company made terms with the Old Dominion by giving transfers over their lines. I do not know what the agreement was, but the Old Dominion Company did not seek further legislation at that time. The two existing companies up to the time that that Congress adjourned were able to forestall the Old Dominion Company in its purposes here, even with great wealth and influence behind it. It was then stated in a conversational way, and admitted before the committee that these gentlemen might then, with their present facilities, construct and operate a line on a 3-cent fare, but that it would be unjust to existing lines that had to carry the capital representing expenditures and experiments of other days which had turned out to be failures.

I only want to state this because there seems to be an idea thrown out here that some Member of Congress is trying to make capital out of this at home; so I thought I would state to the House the origin of the 3-cent fare idea. As I say, the amendment was offered by Mr. Cowherd, of the District Committee, one of the ablest men who ever sat in this House, and who said he was authorized to offer it by the Old Dominion Company, owned and operated by two of the great capitalists of this country. [Applause.]

Mr. SMITH of Michigan. I yield thirty minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, I want to congratulate the District Committee at the outset for the good work it has done in reporting this bill. I realize that it started out to make up the bill under great difficulties. The committee met with serious opposition in its work. It required a good deal of patriotism, courage, and patience to report a bill as broad in its provisions as the one now under consideration.

This bill gives to the people of the District of Columbia more comprehensive accommodations than they have ever before enjoyed. I believe this is the first time that a bill has been

reported by any District Committee which has given special consideration to the needs of the people. But while this bill goes a long way in the right direction, it could with greater justice go considerably further. Still it will be hard to accomplish all the good in one inning. So we may reasonably hope that the good beginning made in the bill now before us is but the start of good things that are yet to come. I believe the committee should be encouraged to go on in the good work by receiving from the House a vote of confidence in the passage of this bill.

The universal-transfer provision in the bill is one which the people have long sought. It was said by the railroad representatives during the hearing that there was no demand for universal transfers. Hearings were had by the District Commissioners, at which many, if not all, of the organizations throughout the District were given an opportunity to present their demands for universal transfers. These demands were presented, and resulted in a recommendation from the District Commissioners that any bill passed granting additional rights to the street railway companies of Washington should contain a provision for universal transfers.

This bill places upon the District Commissioners the responsibility of regulating the manner in which the street railways shall be conducted within the District. I apprehend that under the power conferred in the bill the Commissioners would have the right to say how far apart the cars should run on every line. I assume that they would have the right to say how the cars should be ventilated and how they should be cleaned, the character of the cars that should be used, and, if they have that right, I would suggest that they say that no trailers be allowed to run on any street; that only one car shall be allowed to run in one train; that there shall be one conductor and one motor-man on every car; that all cars shall be properly heated, cleaned, and ventilated; that no open cars shall be run when the thermometer is below zero [laughter]; that every necessary provision shall be made in order that the people may ride in comfort, and that no enforced condition productive of pneumonia shall be tolerated in the District.

The street car companies' representatives plead poverty. Representatives of great corporations usually do that when the people demand what they should receive at their hands. The people of the District have yielded up their rights to the streets in order that facilities may be furnished to carry them to and fro, and the street car companies are given the right of way on all the streets of the District where their tracks are laid. They have the right to drive the wagons that may be on the street out of their path in order that they may be able to carry the passengers on board their cars to their destination. Great privileges are accorded to these corporations and few concessions have been demanded of them. This is the first time that any concession whatever has been exacted from the street car corporations as a condition precedent to being allowed to carry passengers.

Now, let us see whether the burden which we seek to impose on the street railway companies of the District are onerous. First, it may well be stated how these companies are capitalized, how much railroad track they own. I may say in this connection that the Washington Railway and Electric Company's report shows that the company owns 60.41 miles of road within the District, and 23.72 miles in Maryland, or 84.13 miles altogether; that the length of the double track, including sidings, is only 49.47 miles in the District and 9.70 miles in Maryland. All told, it has 146.22 miles of single-track railway. I figure that 87.5 miles are single-track overhead trolley. The company has outstanding \$18,000,000 in bonds, and it is capitalized for \$15,000,000 in addition to the bonds. Eight million five hundred thousand dollars of this \$15,000,000 is preferred stock. Five per cent dividends are paid on this preferred stock. The annual interest charges on the bonds amount to \$749,947.11, and there are \$425,000 paid in dividends, making a charge paid out of the earnings amounting to \$1,275,000. One hundred and forty-six miles of single track bonded and capitalized for \$33,000,000, or \$226,000 a mile.

Mr. NORRIS. Will the gentleman allow me a question?

Mr. MADDEN. Certainly.

Mr. NORRIS. The income the gentleman has just given us does not include dividends on the common stock?

Mr. MADDEN. Not on the common stock.

Mr. NORRIS. That much dividends must be had before the common stock is reached, is that right?

Mr. MADDEN. Yes. Let us assume that the overhead trolley construction costs \$30,000 a mile—and that is really what it does cost—and the underground construction costs about three times what the overhead construction costs, namely, \$90,000 a mile. These figures include the equipment and land. It will

be seen that the roads are capitalized for at least two and one-half times what they could be built for, if we assume that these figures are correct. The annual statements, which are not at all clear, show that \$1,275,000 per annum is paid in interest on the bonds outstanding and dividends on the stock, or \$8,733 a mile of single track.

From the figures that I have been able to obtain from the report, I reach the conclusion that 87 miles of the 146 miles of track was overhead trolley. If my analysis of the figures made in the reports be correct, I would figure the cost of the road as follows, namely: Eighty-seven miles of overhead road at \$30,000 would be \$2,610,000, and 60 miles of underground at \$90,000 amounts to \$5,400,000, or \$8,810,000, whereas these roads are bonded and capitalized for \$33,000,000, making more than four times the cost. Now, of course it is hard and always will be hard for any institution to earn dividends on such a large amount of water—more than is needed to keep the institution moist. If you are going to run a railroad on land you do not need so much water. If you are going to do your propulsion in a boat, of course you need water. [Applause and laughter.]

It seems to me that every condition which will facilitate the carrying of passengers throughout the District in the most comfortable and expeditious way should be exacted from these companies, to whom the Congress grants such valuable concessions, and in addition to that, they ought not under any circumstances be allowed to pay more than a reasonable dividend on the actual money invested in the enterprise. The corporation, given life by the public and furnished facilities by the public, should be forced to so conduct its business that as the earnings increase by reason of the added travel the fares should be reduced. So that, if these companies were compelled to capitalize for just what they have invested and dividends were paid on that amount only, the cost of transportation to the people could be reduced almost every year until it finally reached 2 or 2½ cents a ride. But the street car companies in the District of Columbia are almost on a par with the Metropolitan Traction Company in New York, where it seems to make no difference what the earnings are. The company goes into bankruptcy, and this same condition will prevail here if these companies are allowed to go on issuing bonds and stocks without putting any money into the enterprise. Nothing unreasonable is being asked from them. In fact all that could be reasonably asked is not being demanded.

The annual report of the Capital Traction Company shows that it owns 22 miles of double track, or 44 miles of single track. The company has a bonded debt of \$2,520,000 and it is stocked for \$12,000,000, making \$14,520,000. On the bonds it pays 5 per cent interest, or \$126,000 a year, and on the stock it pays 6 per cent dividends, amounting to \$720,000 a year, or a total of \$846,000 per annum, and in addition to these payments the ordinary repairs of the road, the maintenance of the equipment, as well as the purchase of new equipment, and the necessary extensions of the lines are paid from the earnings. This company with 22 miles of double track, or 44 miles of single track, is capitalized and bonded, as I said, for \$14,520,000, or \$660,000 a double-track mile.

Mr. SABATH. And how much does it cost to build a mile?

Mr. MADDEN. One hundred and eighty thousand dollars to build a double-track mile of this kind of road, or \$60,000 a mile of overhead road. Ninety thousand dollars a mile for single track is, as I said before, considered a reasonable cost for underground electric construction, and experts say that \$90,000 a mile is all that it should cost. It will be seen that the capital and bonded debt of this company is four times what it should be, and that instead of earning 6 per cent on the investment, as the report shows, the company is really earning 24 per cent on its investment.

Gentlemen may say that this bill is exacting, but I submit that the rights granted are great and the value that is given to the stock of the company is largely due to the rights granted by the public. I submit that \$660,000 a mile for double-track capitalization is outrageous—\$330,000 for every mile of single track—and it is paying dividends on that capitalization. We are told that universal transfers can not be exacted from the companies, and that the companies may litigate the question of the right of Congress to legislate on the subject. What if they do? Our duty is clear. We are legislating for the people, and as the people's representatives we should see that the people's rights are protected. I say that this body should exact from these companies every proper facility demanded by the people of the District. I believe that if the companies are compelled to yield to the reasonable demands of the people, they will still have franchises that are invaluable. I believe that no unnecessary reduction of the fares should be made. I believe that we should be just to the companies, but we should demand

for the people justice from the companies at the same time. This is a two-sided proposition, and we ought to see that the people's side is given consideration and the kind of consideration that will bring desired results.

The street railway companies' representatives come before committees of Congress with as much assurance as if they owned the nation. They tell the people's representatives what they will and will not accept. They deny the right to a Member of this House to originate legislation. They have become so inured to the belief that they control the situation that when a Representative dares to originate a thought, if that thought be expressed and is antagonistic to their own views, they take exception to it. This bill gives the first notice to these corporations that Congress has a right to originate legislation and having that right it will insist upon executing it by giving to the people through whom these corporations get their privileges the facilities to which they are justly entitled and for want of which they have suffered so long. [Applause.]

Mr. HARDY. Will the gentleman allow me one question?

Mr. MADDEN. Yes, sir.

Mr. HARDY. I would like to ask if, in your opinion, all these roads were consolidated would a universal 3-cent fare be sufficient for earning a fair dividend upon \$90,000 per mile of single track, and \$180,000 per mile of double-track construction?

Mr. MADDEN. I think there is no doubt but that a 3-cent fare would pay a handsome profit on a legitimate capitalization.

Mr. HARDY. To the extent I have named—\$90,000 per mile single track, and \$180,000 per mile double track?

Mr. MADDEN. But I think it is wise to try what is suggested in the bill at this time, get part of what we should have at first, and then insist on further concessions in the future.

Mr. HUGHES of New Jersey. Will the gentleman yield for another question?

Mr. MADDEN. Certainly.

Mr. HUGHES of New Jersey. I would like to ask the gentleman to state again what he considers is a fair capitalization?

Mr. MADDEN. I consider that \$30,000 per mile for overhead trolley, a single-track line, is the right capitalization, or \$90,000 for a single-track mile of underground construction.

Mr. HUGHES of New Jersey. Do you know whether or not in figuring the \$90,000 per mile for underground trolley construction there is usually figured a certain amount allowed for the cost of the right of way?

Mr. MADDEN. No; that increases the cost of construction.

Mr. HUGHES of New Jersey. Your estimate is for construction purely?

Mr. MADDEN. Yes.

Mr. HUGHES of New Jersey. Do I understand you to say you have figures showing it costs as much as that for underground trolley?

Mr. MADDEN. I know that is what it costs.

Mr. FOSTER of Vermont. The gentleman speaks of a fair capitalization. I suppose he means by that if a road were starting out de novo.

Mr. MADDEN. Yes; I mean the actual amount of money invested in the enterprise would be a fair capitalization. In other words, I believe that men entering upon an enterprise should invest their money in the enterprise. I do not believe that the sale of bonds from which money is raised with which to construct a street railway is a legitimate investment, but that the money required to construct the road should be furnished by the people who have an interest in the road and who expect to get the profits from its operation.

Mr. FOSTER of Vermont. Exactly. Now, some parts of these roads were formerly horse railways.

Mr. MADDEN. And the way capitalization became so high in this case I suppose is this: There were ten or eleven separate companies operating. Some of these companies were said to be unprofitable. A company was organized known as the "Washington Railway and Electric Company." This company is a holding company. It purchased the stock, or a majority of the stock, in each one of these ten or eleven roads. Whether it paid more than the value of the road for the stock I do not know, but it capitalized the Washington Electric Railway Company high enough to pay for the ten or eleven companies and to have something left for the promoters of the Washington Electric Railway Company, and there is no doubt but that more wind and water can be found in the capitalization of the Washington Electric Railway Company than should be legitimately there. [Applause.]

Mr. SMITH of Michigan. Does the gentleman from Tennessee [Mr. SIMS] desire to occupy any further time?

Mr. SIMS. I have no further requests.

Mr. SMITH of Michigan. Mr. Chairman, I yield twenty minutes to the gentleman from Iowa [Mr. HEPBURN].

The CHAIRMAN. The gentleman from Iowa is recognized for twenty minutes.

Mr. HEPBURN. Mr. Chairman, I think it is safe to say that the District of Columbia furnishes the most desirable field for the operation of street railways and suburban railways of any portion of the United States. I have before me a compilation by the Director of the Census showing the single-track cost of construction and equipment, and so forth, of street and electric railways in the States of the United States. The comparison that I propose to make is scarcely fair in this, that the District of Columbia, containing the city of Washington, is of small area, but it is approximately correct, for I have made inquiry with regard to one or two States, particularly Massachusetts, and I have been told by those who are capable of judging that fully 80 per cent of all the population of that State is within convenient distance of a street railway. I find from this table that the District of Columbia, treating it as a State, leads the entire column in the number of fare passengers per mile of single track. It stands at the head. A larger number of passengers per mile are carried in the District of Columbia than in any of the States of this Union. That great number is 403,485 paying passengers—that is, fare passengers—per mile of single track. It is also at the head of the column in the number—

Mr. NORRIS. Will the gentleman permit an interruption right there?

Mr. HEPBURN. Yes.

Mr. NORRIS. Is that per year?

Mr. HEPBURN. For a year—yes, sir; by States, for 1902. The State that next approaches is the State of New York, with 407,305; then the State of Massachusetts with 182,822; and the State of Illinois with 287,035. So that, with the exception of the State of New York—and you will remember the large number of populous cities in that State supplied with street railway facilities—the District of Columbia is far ahead of all the other States, more than 100,000 ahead of the one that nearest approaches it. The number of persons who ride, including old and young, in all of these States is, in the District of Columbia, 237. That is, the number of rides that each inhabitant, little and big, takes each year. The nearest approach to that is the State of Massachusetts, with 165, as against 237 in the District of Columbia. In the State of New York the number is 157; in the State of Illinois, with its numerous populous cities, only 96. So that the patronage that the roads are receiving per capita is far in excess of that in all of the other subdivisions of the United States. These figures show the value of a railway franchise in the District of Columbia as compared with any other locality in the United States. Another thing to be taken into account is the facility of movement that the railways have in this city as compared with any other that I know of. The streets here are wide. It is not a commercial city. There is but little interference with their movements. Compare Pennsylvania avenue, for instance, with Broadway, New York. There are no delays here. There is nothing in the way of added expense because of interruption to their business.

These franchises are given to the railways with a tax of 4 per cent upon their gross earnings, in connection with another system of taxation that is most favorable to them, as was shown by the gentleman from Tennessee [Mr. SIMS]. In other words, they pay here but a little over 4 mills on the dollar as tax for every form of taxation. And then again, the holders of their securities, who reside here, pay no tax whatever upon those securities, for personal property of that character is not taxed in the District. So that from every viewpoint of that character they are most favorably dealt with, and the franchises are, in comparative value, far greater than those anywhere else.

I want to call attention to the further fact that there has been an almost criminal negligence upon the part of Congress with regard to their organization. There are no limitations, or practically no limitations, upon the amount of stocks and bonds that they may issue. And under this favorable legislation they have been able to construct their roads so that not a dollar of investment, necessarily, is made by any man who built these ways, of his own money. They have been allowed to issue bonds vastly superior in amount to the cost of the road, and leaving all of their stock as a mere gratuity. These roads have not been built with the money of the men who hold them. They have been built through the agency of bonds, and the stock has been a gratuity that has been given as a bonus to those who furnished the money. So that these gentlemen are not here in the attitude of those who have been abused,

or who have been great sufferers, or who have been charitable in a great degree to the people of the city, intent as they might claim upon doing beneficial things for their fellow-citizens. They have gone into these enterprises for the money that was in them, and surely we will not quarrel with that. They have been able to so finance them that they have cost them no money, and they are now reaping a reward where they have rendered but little service, so that they do not appeal particularly to my compassion.

Now, the bill that is under consideration, I want you gentlemen to remember, is a bill conferring still further gratuities upon them, giving them still further of the valuable franchises of this city. We are not asking them to do anything. They are here as supplicants for favor. It is true that they talk about additional burdens; but there will be no difficulty in finding corporations that will be glad to buy everything and pay for every franchise that we are now additionally conferring on them.

There is a feature in this bill that I do not take very kindly to. In the first place, a system of universal transfers is not, to my mind, the relief that should be given to the people. I believe that every man should pay for what he gets. Now, the average person who rides in this city rides a distance of less than a mile. That man who rides a mile ought to pay for a mile; that man who rides 10 miles ought to pay for 10 miles. Then you would be putting everybody on an equality with regard to the service that he receives or the benefit that is conferred upon him. The proposition of the bill is illogical; it is not a scientific way of disposing of this question. I have another objection to it. I fear that this legislation will be entirely nugatory. I know that there are gentlemen who say there is no question, there is not a doubt but that this method of imposing an obligation upon the companies is entirely within the powers of Congress. I very much doubt it.

I do not believe that with the capitalization of the Washington Railway and Electric Company, for instance, this system will yield such a revenue as the courts will hold they are entitled to; and if it fails as to one it fails as to all, because it must be reciprocal in its application to all the roads if the people are to have benefit from any. Nobody knows yet. We do know that the courts have said that a public-service corporation is entitled to earn that sum which will pay all of the operating expenses and will yield a fair dividend upon the moneys involved. Now, what are the moneys involved? Are they evidenced by the obligations of the company and by the capitalization of the company, or simply those sums that were actually invested? In other words, will the court squeeze out the water? Nobody can say. Suppose they do not. Suppose they listen to the plea of a man who is an innocent holder, who has had no part or parcel in the wrongs of overcapitalization, who has paid full value for the securities that he holds. Who is able to say that that plea will not be listened to by the courts? Suppose that plea is listened to. Then, if they are entitled to a fair compensation upon the capital as measured in this way by the issues of the corporation—the very condition here—who will say that the present revenues, or the revenues that are probable within a reasonable time, will meet those requirements?

What benefit will the people get from that? I know that gentlemen say there is nothing in this theory. We have got the power to do whatever we choose with them, because of the reservation and power to amend their charters. Can we amend the charter so as to impose a hardship upon them—a destructive hardship, a hardship in the nature of a confiscation of their property? I think there will be some limitation placed upon that power when the courts come to construe. If so, then there is nothing in this bill that the people are interested in. No great advantage to the people here, except it be this provision that gets the passengers from C street down to the depot. Not a very great boon. There is but little in that. The distance is a short one. The inconvenience is inconsiderable. But there are provisions in the bill that, with slight amendments, it seems to me, may be effective of good, and that is the reason why I am willing to support the whole bill in order to get those provisions. The great demand of the people in this District and the demand of justice is that these companies should perform their duties. The gentleman from Tennessee has said with much of truth that one of the companies here does render reasonably fair service—not perfect service, because there are times when their cars are overcrowded to such a degree that no one who rides upon such a car can have a comfortable, expeditious passage, which he pays for and has a right to demand. But there are some other roads the service on which is simply intolerable, especially that line of the Washington Railway and

Electric Company that is known as the "F street line," which has been referred to, that leads out from the extreme eastern portion of the city to Georgetown.

The same thing is true of the Mount Pleasant line of the same company.

Now, Mr. Chairman, I have already in the presence of this House adverted to some of the palpable outrages that that company is daily, almost hourly, perpetrating upon the people of this District. [Applause.] The service is absolutely abominable. The man who authorizes it is guilty of a crime. All this winter they have been running open cars in this city. We read about the great number of people suffering from pneumonia and similar diseases. A great portion of the time their closed cars are not heated. The cars are old, dilapidated, and inadequate. I have not seen half a dozen cars on that line in the last three months that ought not to be condemned, and would be where there was a decent service. Now, there is no excuse for that. These people have an abundance of means, although they are constantly pleading poverty. They say they have not the money to buy new cars. Why, they have had money enough to pay 5 per cent dividends on eight and one-half million dollars of watered stock. [Applause.] They had the money to do that. They have the money to pay high salaries, although they starve many of their employees. Now, I think that matter ought to be righted, and when the opportunity comes I intend to offer a substitute for section 18, which I will ask the Clerk to read.

The CHAIRMAN. If there be no objection, the Clerk will read.

The Clerk read as follows:

SEC. 18. That every street railroad company operating one or more railroads within the District of Columbia shall on each and all of its railroads supply and operate such number of cars as will give comfortable, convenient, and expeditious passage to all persons desirous of the use of said cars. All such cars shall be clean, in good repair, and in good sanitary condition, and shall be supplied and operated with such frequency as to prevent crowding of either car or platform. It is hereby made the special duty of the Commissioners of the District of Columbia to require and compel obedience to all of the provisions of this section, and to this end said Commissioners shall have authority to make and enforce all needful rules and regulations to secure obedience to the requirements herein contained, and to make such changes in the time cards or time schedules adopted by any railroad company, or to make such orders relating to the character and condition of the cars operated, or the time, manner, or frequency of their operations, as to said Commissioners may seem proper; and such railroad companies, their officers and employees, are hereby required to obey all of the provisions of this section, and such regulations and orders as may be lawfully made under its provisions. Any railroad company herein referred to, or its officers or employees, violating any provision of this section, or any of the orders or regulations made by the Commissioners by authority of the same, or permitting such violation, shall be punished, in the case of a railroad company by a fine of not less than \$100 nor more than \$1,000, and in the case of an officer or employee of a railroad company by a fine not exceeding \$100, or imprisonment not exceeding thirty days, or by both such fine and imprisonment. And each day of failure or neglect on the part of any railroad company, its officers or employees, to obey each and all of the provisions and requirements of this section, or the orders and regulations of the Commissioners issued thereunder, shall be regarded as a separate offense. Prosecutions under this section shall be in the supreme court of the District of Columbia, upon which jurisdiction is hereby conferred to try and determine the same. Such prosecutions shall be conducted by the corporation counsel or his assistant, who shall be entitled to a fee of not to exceed \$25, to be fixed by the court, which fee shall be taxed as costs against the party failing in the suit.

[The time of Mr. HEPBURN having expired, by unanimous consent it was extended five minutes.]

Mr. HEPBURN. I believe that with a provision of that kind in the law the people of this District can have good service. I would vote for all the other provisions if we had that. I regard it as the most important of all, because that will secure efficient service. If these gentlemen, who are responsible for the wrongs and outrages perpetrated upon a helpless populace, felt that they might look through the bars of a prison they would be more mindful of their duties. As long as a mere fine is the limitation of the power of the court, they may be quite careless, because the corporation will pay their fine and put another and an additional burden upon the people, for they in the end will have to pay all the fines that are levied upon public-service corporations. But if there is danger of imprisonment, and if it might be the truth that their handsome faces could be seen through the network of bars, by which security is given to prisoners, they might look upon the matter differently. [Loud applause]

Mr. SMITH of Michigan. Mr. Chairman, I think general debate is exhausted.

The CHAIRMAN. If no other Member desires to take the floor, the Clerk will read. The Chair will suggest that there is a substitute offered by the committee, which is one amendment. Does the gentleman desire to have it read through before any amendments are offered, or have it read section by section?

Mr. SMITH of Michigan. I think it would be more satisfactory to have it read section by section.

The CHAIRMAN. Without objection, the amendments will be offered section by section, as though it were an original proposition.

There was no objection.

The Clerk read as follows:

SEC. 2. That the Washington Railway and Electric Company be, and it is hereby, authorized and required to construct and extend, by double tracks, the lines of its underground electric railroad from North Capitol and C streets northwardly along North Capitol street and the new street running northeast from North Capitol and D streets to the Union Station plaza; thence westwardly in said plaza and near to the southern curb thereof to Massachusetts avenue, there to connect with the tracks of the City and Suburban Railway of Washington, hereinbefore authorized, and with the two tracks provided for in section 8 of this act; also a double-track extension of its lines from First and B streets NE. northwardly on First street to the Union Station plaza; thence eastwardly in said plaza and near to the southern curb thereof to connect with the tracks of the City and Suburban Railway, hereinbefore authorized, and with the two tracks provided for in section 8 of this act.

Mr. HEPBURN. Mr. Chairman, I would like to ask the gentleman from Michigan if it is not practicable to secure all of the facilities that are now needed in reaching the new station by roads that would run from C street and North Capitol street in front of the building, and then reach B street at its intersection with First street? A single double-track road of that description would give all of the present needed facilities, would it not?

Mr. SMITH of Michigan. I would like to clearly understand the gentleman.

Mr. HEPBURN. I will have a map here in a moment to show what I mean. I ask that this section may be passed for the moment.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that section 2 may be passed without prejudice. Is there objection?

There was no objection.

The Clerk read as follows:

SEC. 3. That the Capital Traction Company of the District of Columbia be, and it is hereby, authorized and required to construct and extend, by double tracks, the lines of its underground electric railroad from Florida avenue and Seventh street NW. southeastwardly along Florida avenue to its intersection with Eighth street east, thence southwardly along Eighth street to Pennsylvania avenue, there to connect with existing tracks of the Capital Traction Company; also a double-track extension from the tracks hereinbefore authorized on Florida avenue southeastwardly along New Jersey avenue to its intersection with Massachusetts avenue southeastwardly to the said plaza, and with such northerly deviation as may be necessary to bring the tracks immediately in front of and adjacent to the main entrance of the Union Station, thence by such route as may be determined by the Commissioners of the District of Columbia to the corner of Second and F streets NE., thence east on F street north to Eighth street east to connect with the tracks of the Capital Traction Company hereinbefore authorized; also a double-track extension of its lines from Seventh and T streets NW. eastwardly along T street to Florida avenue to connect with the tracks of the Capital Traction Company hereinbefore authorized; also a double-track extension of its lines from North Capitol and C streets northwardly along North Capitol street and the new street running northeast from North Capitol and D streets to the Union Station plaza, thence westwardly in said plaza and near to the southern curb thereof to Massachusetts avenue to connect with the tracks of the Capital Traction Company hereinbefore authorized; also a double-track extension on North Capitol street from D street to Massachusetts avenue to connect the tracks of said company hereinbefore authorized; also a double-track extension of its tracks from First and C streets NE. northwardly on First street to the Union Station plaza, thence eastwardly in said plaza and near to the southern curb thereof to connect with the tracks of the Capital Traction Company hereinbefore authorized, and with the two tracks provided for in section 8 of this act.

Mr. HEPBURN. Mr. Chairman, this was the section I had in my mind instead of section 2, and I ask unanimous consent that this section may be passed for the time being.

The CHAIRMAN. The gentleman from Iowa asks that section 3 be passed without prejudice. Is there objection?

There was no objection.

The CHAIRMAN. Does the gentleman from Michigan desire to have section 2 considered now?

Mr. SMITH of Michigan. I think we might consider it now.

The CHAIRMAN. If there be no amendment to be offered to section 2, it will be considered as agreed to. [After a pause.] The Chair hears no objection, and the Clerk will continue the reading.

The Clerk read as follows:

SEC. 4. That the Anacostia and Potomac River Railroad Company be, and it is hereby, authorized and required to construct and extend by double tracks the lines of its underground electric railroad from the intersection of Second and E streets SE. northwardly along Third street to East Capitol street, there to connect with existing tracks of the Washington Railway and Electric Company.

Mr. SMITH of Michigan. Mr. Chairman, on page 11, line 2, I move that the word "Second" be stricken out and the word "Third" be inserted.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 11, line 2, strike out the word "Second" and insert the word "Third."

The amendment was agreed to.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. LONGWORTH having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. LATTI, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On February 15, 1908:

H. R. 14766. An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1908, and for prior years, and for other purposes.

On February 20, 1908:

H. R. 2756. An act for the relief of L. K. Scott;

H. R. 13430. An act to authorize the Chicago, Indianapolis and Louisville Railway Company to construct a bridge across the Grand Calumet River in the city of Hammond, Ind.;

H. R. 14040. An act to authorize the county of Ashley, State of Arkansas, to construct a bridge across Bayou Bartholomew, at a point above Morrell, in said county and State, the dividing line between Drew and Ashley counties;

H. R. 14781. An act to authorize Campbell County, Tenn., to construct a bridge across Powells River; and

H. R. 16050. An act to authorize the Interstate Transfer Railway Company to construct a bridge across the St. Louis River between the States of Wisconsin and Minnesota.

EXTENSION OF STREET RAILWAY LINES TO THE UNION STATION.

The committee resumed its session.

The Clerk read as follows:

SEC. 8. That where the route or routes provided for in this act coincide with each other or with the route or routes of existing street railways or street railways hereafter authorized to be operated or constructed, one set of double tracks only shall be constructed and shall be used in common, upon terms mutually agreed upon, or, in case of disagreement, upon terms determined by the supreme court of the District of Columbia, which is authorized and directed to give notice and hearings to the interested parties and to fix and finally determine the terms of the joint trackage: *Provided*, That there shall be only one set of double tracks immediately in front of the main entrance to the Union Station, facing Massachusetts avenue, the most northerly rail being not less than 70 feet from the axis of the south portico of said station.

Mr. NORRIS. Mr. Chairman, I move to strike out the last word. I do this for the purpose of getting some information from the chairman of the committee in regard to an amendment to this section that seems to me ought to be adopted. I do not offer the amendment now because, in the first place, I have not had time to prepare it as I think it ought to be prepared, and in the next place it may be that after I have heard further from the chairman I will not desire to offer it.

My proposition, Mr. Chairman, is that we are providing in this section for the settlement of disputes that may occur between these different railroad companies by submitting it to a sort of arbitration. The arbitrators are the judges of the supreme court of the District of Columbia. The language is "the supreme court of the District of Columbia."

Now, it seems to me, Mr. Chairman, that we ought not to impose on the court this duty; that is out of the ordinary judicial procedure. It ought to be submitted, in the first instance, to some other board, and I suggest whether it would not be better to strike out the words "supreme court" and insert "Commissioners," and then allow an appeal from their decision to the supreme court, where it could be tried as all other lawsuits are tried. If we leave it as it is now, I submit to the chairman that either one or the other of these parties to the controversy will be practically without a remedy and without any means of appealing or getting into court for the purpose of giving them a judicial trial of the matter in dispute—something that all people and corporations ought to have under the law.

Mr. SMITH of Michigan. I can say that section 8 is in accordance with the practice that has been invoked for a good while, and there has been no trouble in leaving these matters to the supreme court.

Mr. NORRIS. There are other places in this bill where the District Commissioners are given authority to settle disputes. Why is it in this particular controversy that you submit it to the supreme court?

Mr. SMITH of Michigan. We are simply following precedents in this matter.

Mr. NORRIS. Would the gentleman see any objection to an amendment that strikes out, in line 18, the words "supreme court" and insert the words "District Commissioners," and then make the other necessary amendment to give it effect?

Mr. SMITH of Michigan. This has been the precedent for some time and no harm or injury has come from it. Nobody has complained of it so far.

Mr. NORRIS. It may be that no difficulty will come in the future, but I submit to the gentleman that it practically takes away from these parties the right to go into court and settle their differences in case they feel aggrieved on account of the decision of the arbitrators.

Mr. SMITH of Michigan. We have had the railroad companies before the committee and they have never raised any objection to having this adjusted by the supreme court.

Mr. NORRIS. Is not this procedure out of the ordinary? We do not in passing laws here ordinarily call in the courts, but we let parties get into court in the regular way.

Mr. SMITH of Michigan. Last year in Congress we let the supreme court name the school board for us.

Mr. NORRIS. I know we did; and I thought then, and have thought since, that we were unwise in doing it; that we ought to keep the court on the bench to try judicial proceedings in a judicial way, and not make of them arbitrators and clerks and various other things.

Mr. SMITH of Michigan. I confess if I had learned there had been any difficulty in the past by this precedent, I would consent to the amendment, but otherwise I do not feel like consenting to it.

Mr. NORRIS. Mr. Chairman, without making any further argument, I will move to amend section 8 by striking out the words "supreme court" and inserting in lieu thereof the word "Commissioners."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 13, line 18, strike out "supreme court" and insert "Commissioners," so that it will read "by the Commissioners of the District."

Mr. NORRIS. Mr. Chairman, if this amendment is adopted, it will be necessary to change one or two other words slightly, and then I want also to offer an amendment further along which will provide for an appeal.

Mr. UNDERWOOD. Mr. Chairman, I do not agree with what the gentleman has just said in reference to this amendment. I think it would be a very unwise change of existing law. There is no necessity for having a lawsuit about where these tracks shall run. We don't want in the District of Columbia more than two tracks on any one street, but in certain places we want to go over street car lines—the opportunity to run to the main points of interest, particularly the Union Station. We must provide that the railroad that has got the tracks down shall let another railroad run over its lines. Now, this provision in the bill as it stands is very simple. It says that that shall be done; that you shall not put more than two tracks on any street, which is proper. It says that the railroad that has got the track down shall let another competing line run over it in certain places, on such terms as they shall agree to—such trackage terms as they shall mutually agree to—but if they will not agree, if the company that has the line running wants to be the dog in the manger and keep the other fellow out, why that then an arbitrator shall be appointed. Now, it is in the interest of the public that such a question should not get into the courts and be tied up year after year to determine how and on what terms one railroad can run over the track of the other. There is no great question involved. The only question that can be involved in the case at all is the question as to what is the fair compensation for the new road going in to pay the old road for running over its lines. It is not a question that is necessary to litigate about. The law fixes what shall be done—that is, that the old line shall let the new line run over its tracks, and the only question is what compensation shall be paid. All we want is an arbitrator to determine that question if the roads can not determine it for themselves. It is for the interests of the people of the District that it should be determined speedily, and not after a long drawn out lawsuit, and I do not know any arbitrators that we can select who will stand in a more disinterested place, are more beyond the usual influence that these railroad companies can bring to bear in such matters, than the judges of the supreme court of the District of Columbia. I think the bill should remain as it is for that reason.

Mr. NORRIS. I am not finding fault, as one might suppose after listening to the argument of the gentleman from Alabama [Mr. UNDERWOOD], with the law itself, with the point involved, but only to the extent that we ought not to make arbitrators of our judges of the supreme court to settle the differences that may arise between individuals or between corporations.

The gentleman's argument is based to a great extent upon a road coming in after another has been built. This particular

case we have before us is a case where both roads are coming in at the same time as provided in this bill. Now, it is right that there should be some arbitrator to settle this difficulty if the roads can not settle it themselves, but it is not logical, it is not proper, but, on the other hand, in my judgment, it is absolutely wrong to say that we should make of our judges of the supreme court arbitrators to settle this particular difference. The gentleman says they are beyond the influences, as much as anybody could be, of political, railroad, or corporate domination. Admitting that, we do not want our judges to be used in that way. If we are going to make our judges upon the supreme bench arbitrators to settle every dispute that may arise between individuals and corporations, we will soon take away all dignity and all respect that the people generally have for the courts. If we are going to make them arbitrators to settle this difficulty, then it will be just as reasonable to say that they should settle every other class of legislation, and therefore, as a matter of fact, would be deprived from sitting as judges to try anything at any time or in any place in a judicial and logical way, as is contemplated and understood that all cases should be tried when they get into court.

Mr. SHACKLEFORD. Will the gentleman allow me to ask him a question?

Mr. NORRIS. Certainly.

Mr. SHACKLEFORD. Is it not purely a judicial function now that is conferred upon the supreme court in this section to which the gentleman refers?

Mr. NORRIS. Now, I am not going to argue whether it is judicial or otherwise. I think it has some other attributes than of a judicial function in it, and some of executive, perhaps.

Mr. SHACKLEFORD. If that be true, will the gentleman permit another question—

Mr. NORRIS. But, for argument's sake, admit that, even if that be true, it is the principle of the thing that I object to—that we ought not to take our courts and our judges and make arbitrators of them, and thus deprive them of the right and take away from them their judicial duties of hearing lawsuits and disputes in a legal way and in the way that is contemplated judges should hear and settle legal controversies.

Mr. SHACKLEFORD. Well, this in the last analysis must be based upon some judicial determination, and is it not better to provide here that it shall get in court at as early a date as possible without any intervening machinery, because in the last analysis it takes a judicial determination to settle it?

Mr. NORRIS. Even though you are going to say the findings of these arbitrators should be final and there should be no appeal from them, which is practically what you have in the bill, because you can not go into court, as you disqualify the judges from sitting on a case by selecting them as arbitrators; but even if that be the intent, it would be much better to let that decision be made by some one other than the judges. We ought not to use our judges for anything else except to hold court in a judicial way. They ought not to be permitted to be used in any other way. You lower the dignity of the court; you take away from it eventually the respect that all people ought to have for it.

Mr. SIMS. Is not this really a controversy between parties? Is not this a plan to let them go—

Mr. NORRIS. There never was a difficulty except a controversy between parties.

Mr. SIMS. And it takes a judicial determination to decide it.

Mr. NORRIS. If this is the gentleman's idea, why not do away with all other laws and let them provide how a man shall go into court, so we would have a system with the court acting as arbitrators?

The CHAIRMAN. The time of the gentleman has expired.

Mr. KAHN. Mr. Chairman, I hope the amendment offered by the gentleman from Nebraska will not prevail. It seems to me that the language of the bill indicates clearly that this proceeding before the court is purely a judicial proceeding. It says:

In case of disagreement, upon terms determined by the supreme court of the District of Columbia, which is authorized and directed to give notice and hearings to the interested parties and to fix and finally determine the terms of the joint trackage.

It seems to me that under the provision suggested by the gentleman from Nebraska he would simply complicate matters. First, he would have a board of arbitration pass upon this matter, and generally there is considerable wrangling before a board of arbitrators can be agreed on. And then, after that board of arbitration have determined the matter and have filed their findings, if those findings are not satisfactory to the parties in interest, as a last resort those parties in interest shall go into court. Now, the provisions of the bill require that they shall go into court at once if they can not agree, and I submit that that is the fairest, the quickest, and the best method of arriving at the result.

Mr. NORRIS. Will the gentleman permit a question?

Mr. KAHN. Certainly.

Mr. NORRIS. I take it, therefore, from what the gentleman says that he would favor a law that would do away with the practice of law in the courts and compel everybody to submit their differences in the same way that we are going to compel these people to submit their differences?

Mr. KAHN. That is hardly a fair statement of the matter. However, in most of the States of the Union the laws provide that the parties in interest may go before a board of arbitrators, if they so elect.

Mr. NORRIS. Can the gentleman name one State where they make the judges of the courts those arbitrators?

Mr. KAHN. I can not.

Mr. NORRIS. I do not believe anybody else can.

Mr. KAHN. I will say for the benefit of the gentleman that it seems to be the custom here in the District of Columbia to confer extrajudicial duties upon the judges of the supreme court of the District. But I say to the gentleman that, in my judgment, when you come to analyze the language of the section that you are simply imposing upon the judges, under the provisions of this section, a purely judicial function.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Nebraska [Mr. NORRIS].

The question was taken, and the amendment was rejected.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CAMPBELL of Kansas having taken the chair as Speaker pro tempore a message from the Senate, by Mr. CROCKETT, its reading clerk, announced that the Senate had passed without amendment joint resolution and bill of the following titles:

H. J. Res. 138. Joint resolution to continue in full force and effect an act entitled "An act to provide for the appropriate marking of the graves of the soldiers and sailors of the Confederate army and navy who died in the northern prisons and were buried near the prisons where they died, and for other purposes.

H. R. 12401. An act to legalize a bridge across the Mississippi River at Rice, Minn.

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

Senate concurrent resolution 29.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause such survey and examination to be made of the existing canal and locks at the Falls of the Willamette River at Oregon City, Oreg., as may be necessary to ascertain what sum of money, at present prices, of labor and material, should be appropriated by Congress in addition to the appropriation already made by the State of Oregon therefor, to enable the Government to acquire said canal and locks and properly repair the same.

Senate concurrent resolution 35.

Resolved by the Senate (the House of Representatives concurring) That the Secretary of War be, and he is hereby, authorized and directed to submit an estimate to Congress as to the cost of improvements and works necessary to restore the Missouri River to its proper channel at the city of Atchison, in the State of Kansas.

Senate concurrent resolution 37.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of Providence River and Harbor between Kettle Point, Rhode Island, and Gaspee Point, Rhode Island, with a view to widening and straightening the channel and dredging the same to a depth of 25 feet at mean low water, and to submit a plan and estimate for such improvements.

EXTENSION OF STREET RAILWAY LINES TO THE UNION STATION.

The committee resumed its session.

Mr. SHACKLEFORD. Mr. Chairman, I gave notice this morning that I would offer an amendment in the form of a new section at the end of section 6, on page 12. I ask unanimous consent that we may return to that section in order that I may offer the amendment.

The CHAIRMAN. The gentleman from Missouri [Mr. SHACKLEFORD] asks unanimous consent to return to the end of section 6 for the purpose of offering an amendment. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment offered by the gentleman from Missouri.

The Clerk read as follows:

Amend by adding on page 12 at end of line 24, as a new section, the following:

"Sec. 6. That all companies or corporations which now are or shall hereafter be engaged in the operation of street cars within the District of Columbia shall have equal rights and privileges in relation to the passage of street cars over the tracks herein authorized and directed to be constructed, upon payment of reasonable compensation for such use. In case of any disagreement between companies or corporations concerning the terms of such use or the sums to be paid therefor all matters at issue shall be determined by the supreme court of the District of Columbia. In determining what is a reasonable compensation for the use of such tracks no account shall be taken of the value of

the franchise of any company or corporation involved in the determination, but such compensation shall be based solely upon the actual value of the physical property used and the reasonable cost of its maintenance."

Mr. SHACKLEFORD. Mr. Chairman, naturally the streets belong to the public; and if any street shall be given to a particular railroad for use, it amounts to a monopoly unless other companies may be permitted to lay parallel tracks along the same street or to use the tracks already laid. Everybody who is familiar with the streets of this or any other city knows that it is wholly impracticable and out of the question to lay more than a double track in any street. Therefore, to prevent a street falling into the hands of any particular company, and to be used by it as a monopoly, I have offered the amendment which has been read.

We find a parallel for this in the franchises that are given to railroads to build bridges across navigable streams. For instance, it would be wholly impracticable to let every railroad that desires to enter a given city erect a separate bridge in order to get to that city. A multiplicity of bridges would be an impediment to navigation. Congress has universally, in granting these bridge charters, provided that all railroads desiring to use such bridges shall have equal rights and privileges in the use thereof. So I think it should be with reference to these streets.

Privileges can not be granted to a number of railroads to lay tracks upon a given street, and the only way remaining to prevent the granting of an absolute monopoly to the company that first gets the privilege of using a particular street is to provide that when a track is laid upon that street all street car companies desiring to use that track shall have equal rights and privileges in the use of it, paying therefor a reasonable compensation. And that compensation, I think, and as I have required in the amendment which I have drawn, should be based upon the value of the physical property and the necessary expense in maintaining it, and a reasonable return upon the amount of money actually invested. The tracks that are being allowed here to-day amount, in fact, to a belt line around the Union Station. The traction companies we now have may not choose to build all the lines the people of this city need. No other company can build to that station unless it shall use these tracks we are now authorizing. The streets belong to the public. They should forever belong to the public and be used for the benefit of the public, and they can not be so used if these companies named in this bill shall secure a monopoly of them.

The tracks should be treated precisely as a terminal station. They should belong not to the railroads, but to the people, to be used by the people, to be used by every company that chooses to serve the people. Otherwise we shall have a most hurtful monopoly in this as we have in many other cities. It would be no hardship upon one of the companies putting down these tracks. They are, under my amendment, to receive from another company using them a reasonable compensation, based upon the value of their property and the cost of its maintenance.

Mr. CAMPBELL. Is not the converse of that proposition also true; for under your amendment would not a company that had a couple of cars and a block of street railway then get the privilege of using all of the trackage within the city?

Mr. SHACKLEFORD. It is hardly so broad as that, but admitting for the sake of argument that it is, would they not have to pay for it a reasonable return if they used the tracks; a reasonable return for the money invested in them? And they are not entitled to more than a reasonable return.

Mr. CAMPBELL. Would that include pay for the passengers they had picked up on all the route of the railroad?

Mr. SHACKLEFORD. There is the point I make. The gentleman has brought that point out. What I contend is that they should have a reasonable compensation upon the amount of money they had invested for the tracks and the amount of money that is required to keep those tracks in repair and a reasonable interest or rent or income, as you choose to call it, on the money invested. Everything else is something they do not own, something that the people own. Do you want these companies to collect dividends on the franchises which we give them for nothing?

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHACKLEFORD. I ask that I may have five minutes more.

Mr. CARLIN. I dislike very much to object to extending the time of the gentleman, but there are other sections here that we want to consider, and the gentleman should have been here when this section was under consideration.

Mr. SHACKLEFORD. Oh, Mr. Chairman—

Mr. CARLIN. Other gentlemen want to have an opportunity to be heard on other sections.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that he may proceed for five minutes more. Is there objection?

Mr. CARLIN. I withdraw my objection.

The CHAIRMAN. The Chair hears none.

Mr. SHACKLEFORD. Now, Mr. Chairman, the point I was making has been clearly placed before this House by the gentleman from Kansas [Mr. CAMPBELL], to wit, that these companies shall have in the future the right, as they have done in the past from time immemorial, to collect an income upon the amount of money they have invested, collect an income on the amount of money that they shall annually expend in keeping up their property, and collect in addition an income on the franchise that is given to them for nothing by act of Congress.

Mr. CAMPBELL. Will you yield to me?

Mr. SHACKLEFORD. I have hardly time; I would if I had more time.

The CHAIRMAN. The gentleman declines to yield.

Mr. SHACKLEFORD. Now, what I want is, that we shall grant no monopoly of streets. The company may have a monopoly in the money that it has invested; it may have a monopoly in the money it expends in keeping up its property, and it is entitled to an adequate income upon that investment; but this intangible, invisible thing, called a "franchise," that is given to it as a munificent bonus by Congress, is not to be put up as a barrier between the people and the better and cheaper facilities of transportation that they demand.

I ask unanimous consent that I may have permission to extend my remarks in the Record.

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

Mr. SIMS. Mr. Chairman, I approve of every word the gentleman from Missouri has stated. I want to say that when this matter was first suggested to the committee I heartily favored it. I had an idea at that time that we could make it binding, but upon inquiry I find there is no general law permitting railroads outside of the District to enter the District of Columbia; consequently street railways, or any other kind of railroad, that comes into the District of Columbia must come in by special act of Congress. And that special act provides how it shall get in, and what tracks, if any, it shall use, and the terms upon which it may do so. If we had a general law of this kind we could not bind any future Congress, and any Congress following, or this one, could hereafter authorize any company to come in, and come to this Union Station upon such terms as might be fixed, thereby, in effect, repealing the provisions of any general law.

Mr. UNDERWOOD. Is it not a fact that there is a street railway company which has built an electric railroad between Baltimore and Washington which has come to the edge of the city limits and can not get into town?

Mr. SIMS. I do not know about that. I do not know whether that is so or not.

Mr. UNDERWOOD. And would it not have the privilege of coming in under this amendment?

Mr. SIMS. There has been no bill before our committee authorizing it, and they will have to have a bill in order to do it.

Mr. SHACKLEFORD. Did not that company get a charter at the last session of Congress?

Mr. SIMS. Not that I know of.

Mr. UNDERWOOD. Would not that company be authorized, upon reaching the city limits, to come in by paying a price to be agreed upon, or in the event of a failure to agree, to be fixed by the court?

Mr. SIMS. I should not think so, because every railway corporation operating in the District of Columbia does so by authority of a special act of Congress, and if it takes a special act, then that act can make any provision which Congress sees proper.

Mr. SHACKLEFORD. Would it not be well in granting this franchise now to reserve this, which they may say we have not the power to take away from them afterwards?

Mr. SIMS. We do reserve the right to alter, amend, or repeal.

Mr. SHACKLEFORD. That does not reach the point.

Mr. SIMS. I have no objection to the objects and purposes of the amendment, but it seems to me it will be futile, for other corporations can not operate in the District of Columbia without a special act of Congress, because the special act will fix the terms upon which the corporation may operate in the District of Columbia, in spite of any general law we pass now.

Mr. UNDERWOOD. I thought the provision of the gentleman from Missouri was a general law. I should like to hear that amendment read.

Mr. SIMS. It is a general law.

Mr. SHACKLEFORD. It would bind all the companies now operating railroads in the District of Columbia and in effect would be a general law.

Mr. SIMS. It is a general law so far as existing lines are concerned.

Mr. SHACKLEFORD. Limiting the franchise that we are now granting.

Mr. SIMS. But no road can get in without a Congressional franchise, and in enacting that franchise Congress can impose such conditions as it may see fit, which will in effect be a repeal of the general law.

Mr. SHACKLEFORD. One other question, please. Can another Congress give to another company that which we now give away to this?

Mr. SIMS. This is a mere privilege. We do not give them anything, only the right to do what they themselves are doing, not the right to keep somebody else from doing it.

Mr. SHACKLEFORD. They will argue that it does; and why give them the opportunity to make the argument?

Mr. SIMS. We have already an act providing for the use of tracks, upon making proper compensation. In this very bill we authorize the use of tracks by different companies, upon such compensation as shall be agreed upon, or, in case of disagreement, to be fixed by the court. I am not opposed to the gentleman's provision. The trouble is, I do not believe it will ever apply, because every new company coming in will have to come in by virtue of an act of Congress, and that act will make the terms upon which it shall come in, in spite of any law we may pass now. I have no objection to it, but it seems to me we can not bind future Congresses.

Mr. CAMPBELL. The gentleman from Tennessee [Mr. SIMS] has stated the objection to the amendment offered by the gentleman from Missouri [Mr. SHACKLEFORD]. The whole matter has been gone over thoroughly. This amendment is not new to the members of the Committee on the District of Columbia. We took the position in the committee that I take here, and that the gentleman from Tennessee has taken here. We have reserved in this bill, as is done in all franchise bills, the right to alter, amend, or repeal the law granting any privileges in the District of Columbia. My opposition to this amendment is that it would enact a general law here, giving any street railway company, or any trolley company applying for the privilege, the right to use the lines of any or all the street railways here in the District. The amendment does not confine its privileges to those already in existence, but refers also to those that may hereafter be built. Inasmuch as any street railway company that comes into the District of Columbia hereafter must come in as the result of an easement given over the streets of the city by act of Congress, we can provide for them in the light of the claims that are made by that particular company. Under the provisions of this amendment a suburban line a mile in length, or less, and with three or four cars, could have full use of all the tracks now built on the streets in this city, and could pick up passengers and get the revenues that rightfully belong to the companies that have built these street railways and which are more entitled to their use, I submit, than any company that builds a mile or two outside of the city and has but a few cars.

The gentleman from Tennessee [Mr. SIMS] well stated early in this debate this afternoon that a street railway has a natural monopoly on the street. One line of street railway upon a single street is a monopoly, but we have provided in section 8 of this bill that no one company shall have a monopoly in the use of the tracks approaching the Union Station. We have reserved the right to exercise the control which Congress always reserves in granting these franchises; we say that all companies to which we refer in this bill shall have the right to use all the tracks going to Union Station, and I have no doubt that any company that comes into the District of Columbia in the future by authority of Congress will have the same rights that we give to the companies that are here now under the provisions of this bill.

I object to the amendment because of its sweeping character and because we have a right at all times to give any company, when such a company makes application to come into the District of Columbia or into the Union Station, such privileges as under the other conditions it is entitled to. I hope the amendment of the gentleman from Missouri may not be adopted.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri [Mr. SHACKLEFORD].

The question was considered, and the amendment was rejected.

Mr. SMITH of Michigan. Mr. Chairman, I move to return to section 3.

Mr. HEPBURN. I withdraw my request, Mr. Chairman, to return to section 3.

The CHAIRMAN. At the request of the gentleman from Iowa the committee passed section 3 without prejudice. The gentleman from Iowa now states that he does not desire to return to it. Without objection, section 3 will be considered as agreed to. [After a pause.] The Chair hears no objection. The Clerk will read.

The Clerk read as follows:

SEC. 13. That existing transfer arrangements between the Washington Railway and Electric Company and the Metropolitan Coach Company, a corporation of the District of Columbia, shall not be terminated, except by authority of Congress; and unless said Metropolitan Coach Company shall, within one year after the passage of this act, substitute motor vehicles to be approved by the Commissioners of the District of Columbia for the herdies now used by it, its right to operate its line shall cease and determine: *Provided further*, That all transfers issued by the Metropolitan Coach Company shall be properly dated and punched as to time limit as provided by rules and regulations to be made, altered, and amended from time to time by the Commissioners of the District of Columbia, and that unless said transfers are so dated and punched the Washington Railway and Electric Company shall not be required to receive them.

Mr. SMITH of Michigan. Mr. Chairman, at the end of line 5, page 17, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Insert at the end of line 5, page 17, the words "*Provided*, That nothing herein contained shall be held to give the said Metropolitan Coach Company any franchise to use any of the streets and avenues in the District of Columbia."

Mr. SIMS. What is the object of that? It was not considered by the committee?

Mr. SMITH of Michigan. A question has arisen that possibly under that section the herdic company may gain franchise rights in Sixteenth street, and therefore I offer the proviso.

Mr. SIMS. It looks to me like a case of imagination; there is nothing in the law indicating anything of that sort.

Mr. SMITH of Michigan. I quite agree with the gentleman.

Mr. SIMS. I would like to have the amendment voted down.

Mr. SMITH of Michigan. I am doing this at the suggestion of the corporation counsel of the District, so as to save any possible question in the future about the rights of the herdic company. It can do no harm and I hope the gentleman from Tennessee will let the proviso go in to save any question.

Mr. SIMS. I have not studied it. This bill has had a long, hard struggle to exist because of the lack of statutory requirement to make transfers. Now, if they fail to put in the electric herdies or cabs within twelve months, it shall cease. They have got to provide capital with which to do that; to make a mandatory provision for transfers, coupled with the provision that they must put on the equipment provided in the act, will enable them to get the capital to do this. This service is desirable. We do not want to have any more street cars in the District of Columbia than we can help, and then to say that it gives them no franchise looks like something of a shadow or something that might injure their ability to secure money with which to comply with the terms of the act.

Mr. SMITH of Michigan. It was the opinion of the corporation counsel that possibly at some future time, by reason of this section, the herdic company might claim they had some franchise rights in Sixteenth street.

Mr. SIMS. I can not for the life of me see how they can gain rights they have not got.

Mr. UNDERWOOD. Under the terms of the bill if any franchise rights are given we have a right to repeal them.

Mr. SMITH of Michigan. That is true.

Mr. UNDERWOOD. It does not seem to me the gentleman accomplishes anything by putting this proviso in, except to limit the opportunity of this motor company to compete with the street car company. You limit the opportunity of issuing the bonds or raising capital by reflecting on the company in this bill, and thereby may prevent them from inaugurating a motor line which will be a competitor of the street car companies and undoubtedly of great benefit to the residents of the District.

Mr. SMITH of Michigan. Well, I am not very strenuous about it.

Mr. DRISCOLL. All the gentlemen seem to agree that this herdic company or other company could obtain no franchise. Now, the provision is offered by the chairman of the committee putting that in writing, so that there will be no doubt about it. If it is voted down, won't it be fair to assume that some of the gentlemen on the floor of the House think that this company will obtain a franchise by user or prescription or in some way?

Mr. UNDERWOOD. I will say this—

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. UNDERWOOD. I ask to be recognized. I think unquestionably we are giving under this bill to this company a franchise right, not to build a street-car line, but a franchise right to run a motor car on Sixteenth street, and I think it is wise to give it that right. To the people who live out Sixteenth street that line has been of great service. If they put on motor cars instead of horses and wagons it will be of greater service.

Mr. DRISCOLL. I understood from the gentleman from Tennessee [Mr. SIMS] that they assume that the company would not be given any franchise rights.

Mr. UNDERWOOD. If the gentleman reads the bill he will clearly see that they are given the franchise rights to run a motor car. Why should we reflect on that franchise in this way, when it may be of value to them in obtaining money to buy their motor cars?

Mr. DRISCOLL. Mr. Chairman, I will ask to have this amendment again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment.

Mr. UNDERWOOD. The gentleman will see that this is an absolute limitation. Here you have a herd company. We want them to put motor cars on instead of herds. They have that right. You do not say in that amendment that they do not have any franchise as a street car company, but you say they shall have no franchise at all. The sections of the bill propose to give them a franchise—the right to run a motor car on Sixteenth street.

Mr. DRISCOLL. Can't they run their motor cars without any franchise?

Mr. UNDERWOOD. I don't know whether they can or not. They probably have to have a permit.

Mr. DRISCOLL. Is there not danger that they will assume that they have some sort of a franchise greater than the ordinary man has who drives a motor car or a team of horses?

Mr. SMITH of Michigan. Is it not true that all they have now is a license or a permit? They have no franchise.

Mr. UNDERWOOD. If they claim more than Congress wants to give them, Congress can repeal it.

Mr. SMITH of Michigan. I can not understand how it would do any harm to put this in, it would save any harm in the future.

Mr. SHERLEY. Would it not be wise to add to the amendment offered by the gentleman the words "not now possessed?" In other words, they have certain privileges now, and the effect of the amendment would be to bring into doubt the rights they now possess, whereas if you add to it that this shall give them no additional rights, then you safeguard without impairing what they ought to have and now properly have.

Mr. NORRIS. Will the gentleman permit a suggestion there? Just in addition to what the gentleman from Kentucky has said, I want to say it seems to me now they have absolutely no franchise—

Mr. SMITH of Michigan. Certainly not.

Mr. NORRIS. And if you strike out section 13 of the bill, they would not have a franchise, but if you leave it in you give them one, for the simple reason that you say in that section that the present arrangement shall not cease except upon permission of Congress. If that has any legal effect, and I doubt it greatly, it means what it says, of course.

Mr. SMITH of Michigan. That the transfer arrangement shall not cease. They have now a permit.

Mr. NORRIS. That the arrangement they now have with the electric-car company shall not cease without consent having been given by Congress. Now, you say in one breath they shall go on and do so and so and in the next breath you say they shall not have any franchise.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIMS. Mr. Chairman, I ask to be recognized in my own right. I want to say this, Mr. Chairman and gentlemen of the committee, this amendment offered by the chairman is not a committee amendment. It has never been considered in the committee at all, and it is sprung on us so suddenly we have not had time to consider it, and I think it ought to be voted down. I do not think a cloud should be thrown on this herd service; we simply give them the power to substitute a different vehicle from the one they have and provide that transfers shall cease unless they make the substitution.

Mr. HULL of Iowa. Will the gentleman yield? Is it not a fact that the gentleman's amendment absolutely makes it impossible for the motor company to make any arrangement whatever for transfers with the street car companies?

Mr. SIMS. That is exactly what I say, and I desire—

Mr. HULL of Iowa. Therefore it compels a passenger desiring to go on the motor company to pay two fares, when we are now trying to reduce them to one. I think the amendment is a bad one.

Mr. SHERLEY. Mr. Chairman, I desire to offer an amendment to the amendment offered by the gentleman from Michigan, and that is to add the words "not now possessed" at the end of said amendment.

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

The Clerk read as follows:

Add the words to the amendment "not now possessed," so as to read "any of the streets and avenues in the District of Columbia not now possessed."

Mr. SHERLEY. Mr. Chairman, I desire also, with the permission of the committee, to add the words "and hereby given."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read the amendment, as follows:

Add also the words "and hereby given."

Mr. NORRIS. Mr. Chairman, I make the point of order that the motion made by the gentleman from Kentucky is one degree too remote, since this bill itself is an amendment.

The CHAIRMAN. The gentleman is mistaken—

Mr. SHERLEY. The gentleman will recall the committee agreed by unanimous consent that this bill should have the same parliamentary status as a bill originally reported.

Mr. NORRIS. I did not understand we made that agreement.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky to the amendment offered by the gentleman from Michigan.

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

The CHAIRMAN. The question now recurs to the amendment of the gentleman from Michigan as amended.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Sec. 14. That the Washington Railway and Electric Company and the Capital Traction Company be, and they are hereby, authorized and required, jointly, to construct, maintain, and operate, by overhead trolley, temporary railway tracks for passenger service from the Union Station to the intersection of either North Capitol street or Delaware avenue and C street north, as the Commissioners of the District of Columbia may direct, said tracks to be constructed within sixty days from the date of the approval of this act in accordance with plans approved by the Commissioners of the District of Columbia, said tracks to be maintained and operated by said companies to the satisfaction of said Commissioners, and to be removed by said companies after the construction of the permanent street railway tracks herein provided for within thirty days after notice from said Commissioners so to do.

Mr. MADDEN. Mr. Chairman, I want to call the attention of the committee to the language used in lines 18 and 20, commencing after the word "companies" in line 18, page 17, section 14, and ending with the word "for" in line 20. The thought has been suggested to me that although the bill provides that the road must be completed within twelve months, that the Commissioners may have the power to extend the time for the completion of the permanent work six months longer, that if the companies should not wish to build the permanent work at all, that the Commissioners would not have power under the wording of this section to order the removal of the temporary tracks, because this language, commencing in line 18, says:

After the construction of the permanent railway tracks herein provided for within thirty days after notice from said Commissioners so to do.

If the section were allowed to read "and to be removed by said companies within thirty days after notice from said Commissioners so to do," without the other language being in the section, it would be within the power then of the Commissioners to order the removal if the permanent structure was not completed at all by the company.

Mr. SHACKLEFORD. May I interrupt the gentleman?

Mr. MADDEN. Yes, sir.

Mr. SHACKLEFORD. That seems to be a wise proposition. Why does not the gentleman make a motion to that effect?

Mr. MADDEN. I am going to, but I wanted to explain, so that the committee would understand the purpose of it. Now, I move to strike out the words in line 18, commencing after the word "companies," down to and including the word "for" in line 20.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 17, line 18, after the word "companies," strike out the words "after the construction of the permanent street railway tracks herein provided for."

Mr. SMITH of Michigan. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

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

The Clerk read as follows:

SEC. 16. That all street railway companies or lessees now operating or controlling, or hereafter operating or controlling, their systems or part of their systems in the District of Columbia are hereby authorized and required, and shall, in said District, make or cause to be made and given, at all times, free, reciprocal, continuous, universal transfers, interchangeable to, from, and over the line or lines of every other street railway company or companies in said District, good and receivable at all junction points, intersections, or connections of every said street railway company with the line or lines of every other said street railway company, for one continuous passage in one general direction for one cash or ticket fare. All said street railway companies are authorized and required to receive, accept, and honor all transfers made or given in accordance herewith, and to carry all passengers transferred without the payment of additional fare: *Provided*, That all said street railway companies shall sell six tickets for 25 cents.

Mr. SHACKLEFORD. Mr. Chairman, I have an amendment pending to that paragraph which I desire to have read.

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

The Clerk read as follows:

Amend, on page 18, line 22, by striking out the word "six" and inserting in lieu thereof the word "eight."

Mr. SHACKLEFORD. Mr. Chairman, just a word. It has been stated by some of the gentlemen who were discussing this question to-day—the gentleman from Illinois [Mr. MADDEN] and the gentleman from Tennessee [Mr. SIMS]—that some of these railroads are paying a dividend on a capitalization of \$650,000 to the mile. It has also been stated on this floor by gentlemen who are competent to pass judgment upon such matters that \$100,000 per mile would be an extravagant sum for building and equipping these railroads. In other words, Mr. Chairman, it has been shown that we are paying a 6 per cent dividend to these railroads on six and one-half times the amount of capital required for building and equipping them. We are to-day in the midst of a panic brought on very largely by corporations watering their stock and floating that water out to absorb the money of the country. There is no better place on earth to commence the correction of overcapitalization than right here now. If a 5-cent fare pays a 6 per cent dividend on six and one-half times the actual value of the property engaged, this amendment will still furnish ample funds to pay a fair, honest dividend upon the real value of the property of these railroad companies. How much longer must the American public pay for the water that is fraudulently put into the stocks of the corporations?

Mr. Chairman, this is the capital of the Republic. We as the Congress of the United States ought to stand here as models of what legislators should do in behalf of the people. We ought not to wink at overcapitalization. We ought not to tolerate overcapitalization. Every man upon this floor knows that \$650,000 per mile is overcapitalization. Every man upon this floor knows that in paying dividends upon \$650,000 a mile these railroads are compelling the people to pay dividends upon water that has been forced into the capitalization of these roads. It is not worth while to wait until we go home and get upon the stump and talk about overcapitalization. It is up to every gentleman upon this floor to show his faith by his works. Vote as you talk! Here is a chance to say by your vote that you are opposed to overcapitalization. Do not wait until you get home among the glorious constituency that you represent.

Mr. DRISCOLL. I would like to ask the gentleman how many members of the Committee on the District of Columbia who examined this matter are in favor of this amendment?

Mr. SHACKLEFORD. Mr. Chairman, I trust the gentleman will excuse me from betraying the secrets of executive sessions of my committee. The rules do not allow it.

Mr. DRISCOLL. I would like to know if any of them really believed that the company could afford to do this.

Mr. SHACKLEFORD. Mr. Chairman, if a company is paying 6 per cent on \$650,000 a mile, and probably not worth more than \$100,000, on a 5-cent fare, can not it pay a fair dividend on the real value on a 3-cent fare? What Tom Johnson has done can not we do?

Mr. DRISCOLL. What are their running expenses?

Mr. SHACKLEFORD. Their running expenses are about 50 per cent of the gross income, and the other 50 per cent pays 6 per cent on \$650,000 a mile, which is more than six and a half times its value. Now, that is all I have to say.

Mr. SLAYDEN. Mr. Chairman, I would like to ask the gentleman what provision is there for limiting the issuance of bonds for the extension of these railroad lines as provided, as I understand they are compelled by the letter of this proposed enactment.

Mr. SHACKLEFORD. I am not informed just what the provisions are; but it does not make any difference on this question of the universal transfer and 3-cents fare.

Mr. SLAYDEN. Am I to understand that there is no provision limiting the amount of bonds and obligations that they may issue?

Mr. SHACKLEFORD. There is no provision to limit their bonds or stocks. That is one of the things that I have been trying to remedy. I have been trying to get a bill out of my committee authorizing the Secretary of Commerce and Labor to assess the value of the physical property of these roads, but I have not been able to do it.

Mr. SLAYDEN. Mr. Chairman, I am sorry that I was not able to get the information that I really wanted, as to what provision it was proposed to make in this law for the issuance of securities against the roads that the letter of this proposed act compels the companies to construct, because, as I understand it, we can not now legislate in such a way as to compel a reduction of the capitalization on lines already in existence and where the securities have been issued. But we can control future issues, and reasonably do so. We can with propriety say what shall be the revenue collected upon the mileage to be constructed.

Mr. Chairman, I do not know whether these roads can afford to carry passengers for 3 cents. I have not heard of any demand for 3-cent fare. I am much more interested in securing adequate transportation for what we do pay, and I believe that the public is. It rarely happens that a Member of Congress going home after a day's session can get a seat in a car. They are crowded to an unusual degree of discomfort. I would like primarily to see better accommodation for the traveling public; to have more cars, and for the passengers to have an opportunity now and then, at least, to get a seat. Then I belong to that rather numerous class that enjoys a cigar in the morning, and when I start to the Capitol I would like to have a seat in a car dedicated to the use of smokers. [Laughter.]

I wish for better accommodation for the fare we are now paying, 4 cents, which I do not believe excessive. Before undertaking to compel any further reduction, I first want to see the public accommodated. There is no complaint as to the amount charged, but there is daily, hourly, complaint about the accommodation. I had an experience a few days ago in company with one of my colleagues, Mr. REID, of Arkansas. It was late; we were both anxious to get home, and very unhappily had to stand on the platform, and I could barely get a footing at that. If it had not been for the big husky character of my colleague, I believe that the motorman or conductor would have licked me for getting on the platform. [Laughter.] I want to see better facilities and better accommodation, and I believe that the people of Washington would be willing to pay a 4-cent fare for better service. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri.

The question was taken, and the amendment was rejected.

Mr. TAYLOR of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Page 18, amend section 16, in line 11, by inserting, after the word "over," the following: "its own line or lines and;" and in line 12 strike out the word "every" and insert the word "any;" in line 15, after the word "with," insert "its own line or lines and;" in line 15 strike out the word "said."

Mr. TAYLOR of Ohio. Mr. Chairman, this amendment was sent to the desk this morning by Mr. JOHNSON, a member of the District Committee from Kentucky. The object is simple. The provision is made because without it in one or two instances these companies would not transfer to any other track on their own lines with which they came in contact. That is the sole purpose effected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

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

Mr. CARLIN. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

That section 16 of the pending bill be amended as follows: After the words "twenty-five cents," at the end of line 22, section 16, page 18, add the following:

"The provisions of this section shall apply to all railroad or railway companies which operate cars by electricity within any portion of the District of Columbia, and which enter the same from the States of Virginia or Maryland, whether they physically connect or not with the other electric railways."

Mr. CARLIN. It is not intended by that amendment to enlarge this section, but, rather, intended to make certain the construction of the act. I do not understand that there is

any objection to the amendment on the part of the chairman of the committee, and for that reason I will not discuss it.

Mr. SMITH of Michigan. Does the gentleman understand that it permits a person to get six tickets for a quarter, and on one of those tickets go to Alexandria?

Mr. CARLIN. No, sir; it simply permits them to get six tickets for a quarter, for the purpose of riding on any such car line within the District of Columbia, and getting their transfer at the end of the car line in the District.

Mr. TAYLOR of Ohio. Will the Clerk read that amendment again?

The CHAIRMAN. If there be no objection, the Clerk will again report the amendment.

The amendment was again read.

Mr. FITZGERALD. I wish to inquire of the gentleman, would not this amendment permit a person getting on a car at the Capitol to get off at Twelfth street and take a car to Mount Vernon on a transfer?

Mr. CARLIN. No; because Congress only has authority to legislate concerning this road within the District of Columbia. Under the present act of Congress this road is now compelled to do a street car service within the District of Columbia.

Mr. FITZGERALD. Take the other part of it. A person leaving Mount Vernon, arriving at the terminal of that road in this city, would be entitled to receive a transfer, and to ride to any part of the District of Columbia. While I believe that the Members of the House wish to perfect a transfer system that will permit interchange from one system of roads to another, I doubt whether any such transfer system as proposed in this amendment would effect what is in the contemplation of anybody. Now, that railroad—

Mr. CARLIN. I thought the gentleman wanted to ask me a question.

Mr. FITZGERALD. I think I got the floor.

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from New York?

Mr. CARLIN. No, sir; I do not. I did yield for the purpose of a question.

Mr. FITZGERALD. I beg the gentleman's pardon.

Mr. CARLIN. I judge from the gentleman's remarks that he has not read the provision to which the amendment is intended to apply.

Mr. FITZGERALD. I have just heard it read.

Mr. CARLIN. You have heard the amendment.

Mr. FITZGERALD. The section has just been read, and if the gentleman was here he would know that it had been read.

Mr. CARLIN. I was here and I understand that, but I did not know the gentleman had heard it. The provision is as follows:

Sec. 16. That all street railway companies or lessees now operating or controlling, or hereafter operating or controlling, their systems or part of their systems in the District of Columbia are hereby authorized and required—

Now, the railroads to which this amendment is intended to apply do operate parts of their lines in the District of Columbia, and this provision is intended to apply to those railroads. The object of this amendment is simply to make the provision more certain.

A deeper reason is this: The railroads which come into the District of Columbia from the neighboring States, namely, Virginia and Maryland, haul passengers a shorter distance for five cents than any railroads which operate exclusively in the District. They are authorized and compelled to do a street car service, and they do a street car service within the District of Columbia, and a new union station is shortly to be constructed just north of the Long Bridge, under an act previously passed by this Congress, and all the people who come into the District of Columbia from the south must and will use that Union Station as a matter of convenience; and when they get off at that station and pay a street car fare over the Mount Vernon Railroad into the city of Washington, they will be as much entitled to transfer over the other roads as will anybody who gets on a Pennsylvania avenue car and rides to that point.

Mr. TAYLOR of Ohio. Does not the first part of this section cover the case that the gentleman is trying to bring into the bill?

Mr. CARLIN. I discussed that with the chairman of the committee.

Mr. TAYLOR of Ohio. Let me read the portion I refer to. It says that any street railway company operating its lines or a part of its system in the District of Columbia shall do all these things.

Mr. CARLIN. There would not be any question that you were correct if it were not for the fact that in the act you use

the words "at all junction points." That would mean a physical connection, and the only object of my amendment is to avoid the question of a physical connection.

Mr. TAYLOR of Ohio. The gentleman wants that special line between the Capital Traction and the Alexandria track known as a junction?

Mr. CARLIN. That is the effect of my amendment.

Mr. WILLIAMS. Mr. Chairman, if the gentleman will allow me, it is true that this road from Mount Vernon makes no physical connection with the Pennsylvania avenue line, but it does not miss it by over 40 feet. It comes in down by the post-office, and this bill, which says that a transfer shall be had wherever there is an intersection or connection, would not, without this amendment, apply. Take the line that comes in from Maryland; it goes to the Treasury and it misses a physical connection with the car line there, the Fourteenth street car line, by about 4 feet, but it does not make the connection. There is no intersection, no connection.

Mr. CARLIN. The gentleman from Mississippi has very properly interpreted the effect of my amendment.

Mr. SIMS. If the gentleman from Virginia will modify his amendment to show that it only applies to tickets purchased for use within the District, it will avoid the objection of the gentleman from New York. As stated, it is unfair for a man to get on at Mount Vernon and buy a ticket through and then get a transfer to go anywhere he wishes in Washington, and if this amendment does not mean that, it ought to be made to say so.

Mr. WILLIAMS. Why is it any more unfair than if he gets on at Georgetown?

Mr. SIMS. This is not a city company. The Mount Vernon Company runs about 18 miles and charges 75 cents or \$1.

Mr. CARLIN. I did not understand the gentleman from Tennessee [Mr. SIMS] to object to my amendment when I showed it to him and he read it.

Mr. SIMS. I do not object to it if the proper language is used to show the gentleman's intention, and I suggest that it will obviate the objection of the gentleman from New York [Mr. FITZGERALD].

Mr. CARLIN. In answer to the suggestion of the gentleman from Tennessee and also the gentleman from New York [Mr. FITZGERALD], I want to say that Congress has no power to regulate fares within the State of Virginia.

Mr. SIMS. Oh, yes; it is an interstate road, and we have full power.

Mr. CARLIN. Well, it may be true that the company is an interstate company, but there is no such intention as that indicated by the gentleman in my amendment. It is to meet the conditions made by the use of the word "junction" in the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The question was considered, and on a division (demanded by Mr. CARLIN) there were—31 ayes and 46 noes.

So the amendment was rejected.

Mr. UNDERWOOD. Mr. Chairman, I desire to offer the following amendment:

The Clerk read as follows:

On page 18, lines 16 and 17, strike out the words "in one general direction," so that the clause will read, "for one continuous passage for one cash or ticket fare."

Mr. UNDERWOOD. Now, Mr. Chairman, I would like to ask the attention of the chairman of the committee until I explain this amendment, because I would like to have him accept it. These words "in one general direction," as I understand, are used in the present law for the transfer by each company. Under that system if you get on the street car at the Public Printing Office and ride toward the Treasury Department and want to come back to the Capitol, that company will not give you a transfer. If you get on at the Printing Office and ride toward the Treasury and want to go to Georgetown you can get a transfer; but, as I say, if you want to come to the Capitol you have to pay two fares, because it is not in the same general direction. Now, there is no cross-town road by which you can get to the Public Printing Office, and if you do not strike out these words you will require every citizen who lives along this section of the city, when he wants to come to the Capitol or to the Navy-Yard, to pay two fares, and it will not be a general transfer.

Mr. SMITH of Michigan. I want to say to the gentleman that if we do not leave those words in there we will find plenty of people riding around in a circle.

Mr. UNDERWOOD. I will say to the gentleman that he is mistaken about that, and I will tell him why. We have a universal system of transfers in my town. As a matter of fact

you can get on a car and ride in a circle if you want to—some of the street cars run in a circle—but I have never known of a man who gets on a street car for the fun of riding on a street car. He is usually going somewhere.

Mr. SMITH of Michigan. Oh, they frequently do it here in the summer time.

Mr. UNDERWOOD. But there is a limitation on that. Besides that, I will call the gentleman's attention to this fact: You could not ride in a circle under this proposition. You would get to the end of the line eventually, because it is not in the same general direction. If you keep the words in the bill that are in there now, "not in the same general direction," you are going to prohibit all the people that come down on a V-shaped proposition from having a transfer. There are a great many people that live out in the neighborhood of the New York avenue line who work at the navy-yard. There is no reason on earth why you should require those people to pay two fares when you are letting other people ride on one fare. There is no cross-town connection. If you want to go from the Public Printer's Office to the Capitol and ride on a street car, the only way you can do it is to go down to Fifteenth street and come back.

Mr. SMITH of Michigan. But I desire to remind the gentleman that if this bill is enacted into law it will cure the defects that he spoke of. We are going to have a cross-town connection.

Mr. UNDERWOOD. But there are other places where this same thing occurs where there is no cross-town connection.

Mr. SMITH of Michigan. If the gentleman's proposition is accepted, a man can get on a car at Pennsylvania avenue and ride over to Georgetown and out to Chevy Chase and back down to U street and down Florida avenue to Eighth and down Eighth to where he got on. He will transfer in a circle. The object of these words was to prevent anything of that kind.

The CHAIRMAN. The time of the gentleman has expired.

Mr. UNDERWOOD. I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. UNDERWOOD. Mr. Chairman, I admit that there may be some cases in which it might be abused if we strike out the words "in one general direction," but on the other hand I know that you are going to prevent a great many people from getting the benefit of the universal transfer if you leave those words in, where they come down the two sides of a V-shaped situation. Therefore I think it is better to eliminate those words. There will be very little loss on the part of the company, and you will put a great many people to a great cost in this town merely because of a few people who might, for the pleasure of it, make a continuous circuit. They have got to get off eventually. It is very seldom they will ride just for the fun of riding. I say for the benefit of these people who live along these lines we ought to strike out the words "in one general direction."

Mr. HARDY. Mr. Chairman, I would like to ask the chairman of the committee one question. We will suppose a man on a street car comes down Fourteenth street to the connection with the Avenue cars.

Mr. SMITH of Michigan. Does the gentleman refer to Pennsylvania avenue?

Mr. HARDY. Yes. Would not the language of this provision prevent him from taking a car over to Georgetown, because it is in an entirely different direction. At present, I understand, they give those transfers, but you come down Fourteenth street, coming in a southerly direction, and you reach the Avenue, and then you take a direction going northwest. Is that the same general direction? You are going northwest—nearly back the way you came.

Mr. SMITH of Michigan. I think some discretion in these matters is to be allowed the conductors in determining the matter.

Mr. HARDY. Under this provision could not the railway system in Washington refuse to grant transfers from the Fourteenth street car to the Georgetown line?

Mr. SMITH of Michigan. They do now.

Mr. HARDY. Oh, no; they give them always.

Mr. SMITH of Michigan. Does the gentleman mean between the Capital Traction Company and the Washington Railway and Electric Company? One is owned by the Capital Traction and the other is the property of the Washington Railway and Electric Company.

Mr. HARDY. I know they always call transfers to Georgetown before they get to the Treasury building. I don't know what the system is.

We have transfers now, but they can be refused under this law.

Mr. SMITH of Michigan. 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. MANN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 902), the track-age bill, and had directed him to report that it had come to no resolution thereon.

EXTENSION OF TIME FOR BUILDING BRIDGE ACROSS RED RIVER AT SHREVEPORT, LA.

Mr. WATKINS. Mr. Speaker, I ask for the present consideration of the bill (H. R. 16955) to extend the time for building the bridge across Red River at Shreveport, La.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 5 of the act of Congress approved March 2, 1907, entitled "An act to authorize the construction of a bridge across Red River at Shreveport, La.," be, and is hereby, amended to read as follows:

"Sec. 5. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from February 3, 1908."

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

In line 3 strike out the word "March" and insert the word "February" in lieu thereof.

In line 4 strike out the word "second" and insert the word "third" in lieu thereof.

In line 4 strike out the word "seven" and insert the word "five" in lieu thereof.

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

The amendments were agreed to.

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

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

HOUSE BILL WITH SENATE AMENDMENTS REFERRED.

Under clause 2, Rule XXIV, the bill (H. R. 586) granting an increase of pension to Squire J. Carlin, with Senate amendments, was taken from the Speaker's table and referred to the Committee on Invalid Pensions.

JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following joint resolutions:

H. J. Res. 130. Joint resolution providing for salaries of the Resident Commissioners from the Philippine Islands; and

H. J. Res. 139. Joint resolution to fill a vacancy in the Board of Regents of the Smithsonian Institution.

SENATE CONCURRENT RESOLUTIONS REFERRED.

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

Senate concurrent resolution 29.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause such survey and examination to be made of the existing canal and locks at the falls of the Willamette River at Oregon City, Oreg., as may be necessary to ascertain what sum of money, at present prices of labor and material, should be appropriated by Congress in addition to the appropriation already made by the State of Oregon therefor, to enable the Government to acquire said canal and locks and properly repair the same—

to the Committee on Rivers and Harbors.

Senate concurrent resolution 35.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to submit an estimate to Congress as to the cost of improvements and works necessary to restore the Missouri River to its proper channel at the city of Atchison, in the State of Kansas—

to the Committee on Rivers and Harbors.

Senate concurrent resolution 37.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of Providence River and Harbor between Kettle Point, Rhode Island, and Gaspee Point, Rhode Island, with a view to widening and strengthening the channel and dredging the same to a depth of 25 feet at mean low water, and to submit a plan and estimate for such improvements—

to the Committee on Rivers and Harbors.

SUPERANNUATION OF CIVIL-SERVICE EMPLOYEES OF THE GOVERNMENT.

The Speaker laid before the House the following message from the President of the United States, which was read and, with the accompanying document, was referred to the Committee on Reform in the Civil Service and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of the Congress a report by the committee on department methods on the subject of superannuation in the classified civil service; also a draft of a proposed bill which provides for the payment of annuities to employees upon retirement.

THEODORE ROOSEVELT.

THE WHITE HOUSE, February 21, 1908.

CHANGE OF REFERENCE.

By unanimous consent the Committee on Military Affairs was discharged from the further consideration of the bill (H. R. 538), "authorizing the construction upon the military reservation at Fort Morgan, Ala., of a suitable building for use and accommodation of the customs service," and the same was referred to the Committee on Public Buildings and Grounds.

WITHDRAWAL OF PAPERS.

By unanimous consent Mr. MARSHALL was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Lucretia Williams, Fifty-ninth Congress, no adverse report having been made thereon.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. BARTLETT of Georgia, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 3726) to authorize the Twin City Power Company to build, operate, and maintain three dams across the Savannah River, above the city of Augusta, in the State of Georgia, reported the same without amendment, accompanied by a report (No. 1044), which said bill and report were referred to the House Calendar.

Mr. POWERS, from the Committee on the Territories, to which was referred the resolution of the House (H. J. Res. 94) disapproving certain laws enacted by the legislative assembly of the Territory of New Mexico, reported the same without amendment, accompanied by a report (No. 1045), which said resolution and report were referred to the House Calendar.

Mr. HAY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 13077) to authorize the Secretary of War to furnish four condemned brass cannon and cannon balls to the Confederate Monument Association, at Franklin, Tenn., reported the same without amendment, accompanied by a report (No. 1046), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 14772) prescribing what shall constitute a legal cord of wood in the District of Columbia, reported the same without amendment, accompanied by a report (No. 1047), which said bill and report were referred to the House Calendar.

Mr. RICHARDSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 16746) to authorize T. H. Friel or assigns to construct a dam across Mulberry Fork of the Warrior River, reported the same with amendments, accompanied by a report (No. 1048), which said bill and report were referred to the House Calendar.

Mr. COOPER of Wisconsin, from the Committee on Insular Affairs, to which was referred the bill of the House (H. R. 17516) to increase the membership of the Philippine Commission by one member, reported the same with amendments, accompanied by a report (No. 1049), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LITTLEFIELD, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 4064) to provide for a term of the United States circuit and district courts at Lander, Wyo., reported the same with amendment, accom-

panied by a report (No. 1050), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HENRY of Texas, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 16874) to amend section 13 of an act entitled "An act to divide the State of Texas into four judicial districts," approved March 11, 1902, reported the same without amendment, accompanied by a report (No. 1051), which said bill and report were referred to the House Calendar.

Mr. CLAYTON, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 17524) to provide for circuit and district courts of the United States at Dothan, Ala., reported the same without amendment, accompanied by a report (No. 1052), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles, which were thereupon referred as follows:

The bill (H. R. 13359) granting a pension to Gertrude A. Huth—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 16179) for the relief of Wilson L. Lowery—Committee on Pensions discharged, and referred to the Committee on War Claims.

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. MONDELL: A bill (H. R. 17700) providing for an enlarged homestead—to the Committee on the Public Lands.

By Mr. MOORE of Pennsylvania: A bill (H. R. 17701) authorizing and empowering the Secretary of the Treasury to sell at public or private sale the property belonging to the United States formerly used as a lazaretto and quarantine warehouse at Essington, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. HEFLIN: A bill (H. R. 17702) to regulate the matter of agricultural statistics—to the Committee on Agriculture.

By Mr. WASHBURN: A bill (H. R. 17703) to repeal section 4885 of the Revised Statutes and to substitute another section therefor—to the Committee on Patents.

By Mr. STURGISS: A bill (H. R. 17704) making additional annual appropriations for the more complete endowment of agricultural colleges now established, or which may hereafter be established, in accordance with the act of Congress approved July 2, 1862, and for the establishment and maintenance of schools of mines and mining, and to regulate the expenditure thereof, and for other purposes—to the Committee on Mines and Mining.

By Mr. CARLIN: A bill (H. R. 17705) for the relief of pensioners of the Metropolitan police fund—to the Committee on the District of Columbia.

By Mr. HALE: A bill (H. R. 17706) to provide for the appointment of an additional district judge in and for the middle and eastern districts of Tennessee—to the Committee on the Judiciary.

By Mr. RUSSELL of Missouri: A bill (H. R. 17707) to authorize William H. Standish to construct a dam across James River in Stone County, Mo., and divert a portion of its waters through a tunnel into the said river again to create electric power—to the Committee on Interstate and Foreign Commerce.

By Mr. GAINES of Tennessee: A bill (H. R. 17708) to provide for the appointment of an additional district judge in and for the middle and eastern districts of Tennessee—to the Committee on the Judiciary.

By Mr. MOORE of Pennsylvania: A bill (H. R. 17709) authorizing the extension of Otis place from Holmead place to Fourteenth street NW.—to the Committee on the District of Columbia.

By Mr. LOVERING: A bill (H. R. 17710) to increase the efficiency of the personnel of the Life-Saving Service of the United States—to the Committee on Expenditures in the Department of Commerce and Labor.

By Mr. THOMAS of North Carolina: A bill (H. R. 17711) to increase the salaries of light-house keepers—to the Committee on Expenditures in the Department of Commerce and Labor.

By Mr. JOHNSON of Kentucky: A bill (H. R. 17712) to increase the limit of cost of public building at Lebanon, Ky.—to the Committee on Public Buildings and Grounds.

By Mr. SOUTHWICK: A bill (H. R. 17713) revising and amending the statute relating to trade-marks—to the Committee on Patents.

By Mr. STANLEY: A bill (H. R. 17714) to prevent the improper divulging of agricultural statistics—to the Committee on Agriculture.

By Mr. SOUTHWICK: A bill (H. R. 17715) for an elastic national currency, special national bank deposit notes secured by United States bonds—to the Committee on Banking and Currency.

By Mr. CARY: A bill (H. R. 17716) to amend section 1 of an act granting pensions to certain enlisted men, soldiers and officers, who served in the civil war and the war with Mexico, passed February 6, 1907—to the Committee on Invalid Pensions.

By Mr. SAUNDERS: A bill (H. R. 17717) to authorize the Secretary of the Interior to issue patents in fee to purchasers of Indian lands under any law now existing or hereafter enacted—to the Committee on Indian Affairs.

By Mr. RODENBERG: A bill (H. R. 17718) to acquire certain land in Hall and Elvan's subdivision of Meridian Hill, in the District of Columbia, for a public park—to the Committee on Public Buildings and Grounds.

By Mr. SHEPPARD: A bill (H. R. 17719) prescribing penalties for interference with official wireless messages—to the Committee on the Judiciary.

By Mr. RODENBERG: A bill (H. R. 17720) to establish a park at Fourteenth street and Columbia road—to the Committee on Public Buildings and Grounds.

By Mr. MONDELL: A bill (H. R. 17721) to amend an act entitled "An act to prevent cruelty to animals while in transit by railroad or other means of transportation from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, and repealing sections 4386, 4387, 4388, 4389, and 4390 of the United States Revised Statutes," approved June 29, 1906—to the Committee on Interstate and Foreign Commerce.

By Mr. FRENCH: A bill (H. R. 17722) to amend an act entitled "An act to prevent cruelty to animals while in transit by railroad or other means of transportation from one State or Territory or the District of Columbia into or through another State or Territory or the District of Columbia, and repealing sections 4386, 4387, 4388, 4389, and 4390 of the United States Revised Statutes," approved June 29, 1906—to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Resolution (H. Res. 258) for the payment of a messenger to the Committee on Naval Affairs—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER of Missouri: A bill (H. R. 17723) granting a pension to James R. Thornton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17724) granting a pension to Jeremiah R. Whitsell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17725) granting a pension to Elizabeth Morrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17726) granting an increase of pension to Levi P. Hyatt—to the Committee on Invalid Pensions.

By Mr. BANNON: A bill (H. R. 17727) granting an increase of pension to William S. Merrill—to the Committee on Invalid Pensions.

By Mr. BARCLAY: A bill (H. R. 17728) for the relief of John A. Henderson, assistant engineer, United States Navy, retired—to the Committee on Naval Affairs.

By Mr. BRADLEY: A bill (H. R. 17729) authorizing the settlement of certain outstanding liabilities of the Government by the issue of new drafts upon the return of drafts heretofore issued representing said liabilities—to the Committee on Claims.

By Mr. CANNON: A bill (H. R. 17730) granting an increase of pension to James W. Fisk—to the Committee on Invalid Pensions.

By Mr. CHANEY: A bill (H. R. 17731) granting an increase of pension to Thomas A. Wirt—to the Committee on Pensions.

By Mr. DRAPER: A bill (H. R. 17732) granting an increase of pension to Charles R. Barron—to the Committee on Pensions.

Also, a bill (H. R. 17733) granting an increase of pension to Mary B. Kincaid—to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 17734) to remove the charge of desertion from the record of Harry Huckman—to the Committee on Military Affairs.

By Mr. FOULKROD: A bill (H. R. 17735) granting an increase of pension to William W. Sechler—to the Committee on Invalid Pensions.

By Mr. GAINES of Tennessee: A bill (H. R. 17736) granting a pension to Clarence F. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17737) granting a pension to John Fambrough—to the Committee on Invalid Pensions.

By Mr. GOULDEN: A bill (H. R. 17738) authorizing the appointment of Maj. J. F. Munson, United States Army, retired, to the rank and grade of brigadier-general on the retired list of the Army—to the Committee on Military Affairs.

Also, a bill (H. R. 17739) authorizing the appointment of Lieut. Col. Frederick Fuger, United States Army, retired, on the retired list of the Army with the rank of brigadier-general—to the Committee on Military Affairs.

Also, a bill (H. R. 17740) authorizing the appointment of Lieut. Col. Ira Quinby, United States Army, retired, on the retired list of the Army with the rank of brigadier-general—to the Committee on Military Affairs.

Also, a bill (H. R. 17741) authorizing the appointment of Lieut. Col. E. A. Edwards, United States Army, retired, to the rank and grade of brigadier-general on the retired list of the Army—to the Committee on Military Affairs.

By Mr. HALE: A bill (H. R. 17742) for the relief of W. J. McGehee—to the Committee on War Claims.

Also, a bill (H. R. 17743) to correct the military record of William H. Shillings—to the Committee on Military Affairs.

Also, a bill (H. R. 17744) extending the benefits of the acts of June 27, 1890, May 9, 1900, February 6, 1907, and ——— to certain officers and enlisted men of the civil war and to their widows and minor children—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17745) granting an increase of pension to Julia E. Angel—to the Committee on Invalid Pensions.

By Mr. HARDING: A bill (H. R. 17746) granting an increase of pension to G. W. Cover—to the Committee on Invalid Pensions.

By Mr. HARDWICK (by request): A bill (H. R. 17747) for the relief of E. J. O'Connor and J. B. Schweers—to the Committee on Claims.

By Mr. JOHNSON of Kentucky: A bill (H. R. 17748) granting a pension to Catherine Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17749) granting an increase of pension to James B. Lyon—to the Committee on Invalid Pensions.

By Mr. KELIHER: A bill (H. R. 17750) to provide relief for those whose property was damaged by the firing of heavy guns at Forts Heath and Banks, Boston Harbor, Massachusetts—to the Committee on Claims.

By Mr. LANDIS: A bill (H. R. 17751) granting a pension to William R. Pryor—to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 17752) for the relief of Clary Fulkerson—to the Committee on War Claims.

Also, a bill (H. R. 17753) to correct the military record of Lewis Bellware—to the Committee on Military Affairs.

By Mr. LINDBERGH: A bill (H. R. 17754) granting an increase of pension to John E. Hussey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17755) granting an increase of pension to Ephriam Bates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17756) granting an increase of pension to David P. Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17757) granting an increase of pension to George Schemerhorn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17758) granting an increase of pension to Calvin Boyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17759) granting an increase of pension to Herman Hyson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17760) granting an increase of pension to Caleb J. May—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17761) granting an increase of pension to Ellen T. Mounts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17762) to correct the military record of John Brown—to the Committee on Military Affairs.

By Mr. LOUDENSLAGER: A bill (H. R. 17763) granting an increase of pension to Charles Phorazyn—to the Committee on Pensions.

By Mr. LOWDEN: A bill (H. R. 17764) granting an increase of pension to John W. Sheaffer—to the Committee on Invalid Pensions.

By Mr. McMILLAN: A bill (H. R. 17765) granting an increase of pension to William H. Spanburgh—to the Committee on Invalid Pensions.

By Mr. MADISON: A bill (H. R. 17766) granting an increase of pension to John Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17767) granting an increase of pension to Alfred Harper—to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 17768) granting an increase of pension to Andrew J. Clark—to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 17769) granting an increase of pension to Mary A. Jordan—to the Committee on Pensions.

By Mr. RAINEY: A bill (H. R. 17770) granting a pension to Lissa Leatson Burge—to the Committee on Pensions.

Also, a bill (H. R. 17771) granting an increase of pension to John Q. Dennis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17772) for the relief of Edward Gallagher—to the Committee on War Claims.

By Mr. RUSSELL of Missouri: A bill (H. R. 17773) granting an increase of pension to Walter L. Todd—to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 17774) for the relief of the Catholic Church in Washington, N. C.—to the Committee on War Claims.

By Mr. SMITH of Missouri: A bill (H. R. 17775) granting a pension to L. B. James—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17776) granting a pension to Eli Lutes—to the Committee on Invalid Pensions.

By Mr. SOUTHWICK: A bill (H. R. 17777) to correct the record of Harrison Clark—to the Committee on Military Affairs.

By Mr. SPIGHT: A bill (H. R. 17778) granting an increase of pension to Eleanor D. Cole—to the Committee on Pensions.

By Mr. STANLEY: A bill (H. R. 17779) granting an increase of pension to S. G. Ragsdale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17780) granting an increase of pension to Edmon H. Short—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17781) granting an increase of pension to Dewitt C. Yates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17782) granting an increase of pension to Kinchen L. Terry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17783) granting an increase of pension to William H. Kyler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17784) granting an increase of pension to Wesley S. Witty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17785) granting an increase of pension to Curtis A. Brasher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17786) granting an increase of pension to John W. Balee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17787) granting an increase of pension to Susan V. Childress—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17788) granting an increase of pension to Benjamine H. Norman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17789) granting an increase of pension to Thomas Ware—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17790) granting an increase of pension to Abram N. Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17791) granting a pension to Solomon Powell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17792) granting a pension to Zachary Brooks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17793) granting a pension to Loren S. Tucker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17794) granting a pension to Francis C. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17795) granting a pension to Sarah A. Harl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17796) granting a pension to William Varner Dykes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17797) granting a pension to Ann J. Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17798) granting a pension to Caroline Carter—to the Committee on Pensions.

Also, a bill (H. R. 17799) for the relief of Wormley E. Wroe—to the Committee on Pensions.

Also, a bill (H. R. 17800) for the relief of John Anderson—to the Committee on War Claims.

Also, a bill (H. R. 17801) for the relief of A. T. Hayden—to the Committee on War Claims.

Also, a bill (H. R. 17802) for the relief of Nancy Gates—to the Committee on War Claims.

Also, a bill (H. R. 17803) for the relief of Frank L. Hall—to the Committee on War Claims.

Also, a bill (H. R. 17804) for the relief of Thomas Drake—to the Committee on War Claims.

Also, a bill (H. R. 17805) for the relief of H. Grant Artis—to the Committee on War Claims.

Also, a bill (H. R. 17806) for the relief of Robert S. Hill—to the Committee on Military Affairs.

Also, a bill (H. R. 17807) for the relief of Isaac J. Tucker—to the Committee on Military Affairs.

Also, a bill (H. R. 17808) for the relief of Walter Langley—to the Committee on Military Affairs.

Also, a bill (H. R. 17809) for the relief of the estate of W. C. Russell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 17810) granting an honorable discharge to Nathaniel Cobb—to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: A bill (H. R. 17811) to restore to the Choctaw Indian rolls the names of Mary E. Robinson and Mary A. Braudrick—to the Committee on Indian Affairs.

By Mr. SULLOWAY: A bill (H. R. 17812) granting a pension to Eliza Clune—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17813) granting an increase of pension to Catharine Roach—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Ohio: A bill (H. R. 17814) granting an increase of pension to Richard E. Welch—to the Committee on Invalid Pensions.

By Mr. TOU VELLE: A bill (H. R. 17815) for the relief of the heirs of George S. Simon—to the Committee on War Claims.

By Mr. WILLIAMS: A bill (H. R. 17816) for the relief of the estate of Benjamin Magruder, deceased—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 the SPEAKER: Petition of Washington Board of Trade, against legislation to change system of administration of Washington public schools—to the Committee on the District of Columbia.

By Mr. ACHESON: Petition of Business Men's Exchange, of New Castle, Pa., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. ADAIR: Paper to accompany bill for relief of George L. Shaw—to the Committee on Invalid Pensions.

By Mr. ALEXANDER of New York: Petition of United Trades and Labor Council in port of Buffalo, Erie County, N. Y., for H. R. 14941—to the Committee on the Merchant Marine and Fisheries.

By Mr. ASHBROOK: Paper to accompany bill for relief of Laura C. McFarland—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Orodine Drake—to the Committee on Invalid Pensions.

By Mr. BATES: Petition of William E. Steel, of Corry, Pa., for national registration of automobiles—to the Committee on Interstate and Foreign Commerce.

Also, petition of Rev. Andrew Ignasiak, of Erie, Pa., opposing restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of Chamber of Commerce of Erie, Pa., for application of civil-service rules for employees in taking the Thirtieth Census—to the Committee on the Census.

Also, petitions of citizens of Crawford County, Erie, Conneautville, Cambridge Springs, and Erie County, all in the State of Pennsylvania, for additional protection for dairy interests—to the Committee on Agriculture.

Also, petition of Philadelphia Bourse, for retirement of superintendents, keepers, and crews of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Sims Company, of Erie; Jarick Manufacturing Company, of Erie; Continental Rubber Company, of Erie; A. B. Felgemaker, of Erie Organ Company; Erie Manufacturing and Supply Company, of Erie; Erie Malleable Iron Works, of Erie; Erie Foundry Company; American Stoker Company; H. E. Dunn; Reed Manufacturing Company; Campbell Brass Works; Burke Electric Company; Hammersville Paper Company; Manufacturers' Association; citizens of Townville, and Erie City Iron Works, all in the State of Pennsylvania, against the Gardner eight-hour bill (H. R. 15651)—to the Committee on Labor.

By Mr. BURKE: Petition of the Chaplin-Fulton Manufacturing Company, against H. R. 15651—to the Committee on Labor.

Also, petition of Local No. 60, Pittsburg Musical Society, for H. R. 103, against competition of enlisted musicians—to the Committee on Labor.

Also, petition of Monongahela Tube Company, against the Gardner eight-hour bill (H. R. 15651)—to the Committee on Labor.

Also, petition of the R. & W. Jenkinson Company, for the Tawney antigift coupon bill—to the Committee on the Judiciary.

Also, petition of Mackintosh, Hemphill & Co., against the Gardner eight-hour bill—to the Committee on Labor.

By Mr. BURLEIGH: Petition of Ellsworth Board of Trade and others, for improvements in rivers and harbors—to the Committee on Rivers and Harbors.

By Mr. CALDER: Petition of National German-American Alliance, for restoration of the Army canteen—to the Committee on Military Affairs.

Also, petition of James Eads How and others, St. Louis, for appropriation of \$150,000,000 for improvement of the waterways—to the Committee on Rivers and Harbors.

Also, petition of Peoples' Institute, against the Crumpacker bill—to the Committee on the Census.

Also, petition of Metropolitan Association of Retail Druggists, for S. 4700 (Rayner bill) and H. R. 14639 (Bennet bill)—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of the District of Columbia, for extension of the tracks of the Capital Traction Company—to the Committee on the District of Columbia.

Also, petition of Dr. George H. McKerhan, against the policy of rebating by railways—to the Committee on Interstate and Foreign Commerce.

By Mr. CAPRON: Petition of Board of Trade of Providence, R. I., for improvement of the harbor of refuge, Point Judith, Rhode Island—to the Committee on Rivers and Harbors.

Also, petition of Edmund Lyons and others, of Peacedale, R. I., for the copyright bill—to the Committee on Patents.

By Mr. CARY: Petition of Local Union No. 23, of Milwaukee, Wis., for removal of duty on white paper—to the Committee on Ways and Means.

Also, petition of Chicago Local, No. 1, Commercial Telegraphers' Union of America, for H. R. 15123 and S. 4395, to regulate telegraph companies—to the Committee on the Judiciary.

Also, petition of H. S. Klein, against amendment to copyright bill inimical to photographers—to the Committee on Patents.

Also, petition of Milwaukee Association of Credit Men, against repeal of the bankruptcy act—to the Committee on the Judiciary.

By Mr. CARLIN: Paper to accompany bill for relief of Charles Spaulding (previously referred to Committee on Invalid Pensions)—to the Committee on Pensions.

By Mr. CHANEY: Petition of citizens of Patricksburg, Ind., for H. R. 40 (prohibition in the District of Columbia)—to the Committee on the District of Columbia.

Also, petition of N. Carahool and others, of Patricksburg, Ind., against H. R. 4897 and 4929, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

Also, paper to accompany bill for relief of Thomas A. Wirt—to the Committee on Invalid Pensions.

By Mr. CURRIER: Petition of Charles Carley and others, for a national highway commission—to the Committee on Agriculture.

By Mr. DRAPER: Petition of National German-American Alliance, for restoration of Army canteen—to the Committee on Military Affairs.

By Mr. DUNWELL: Petition of National German-American Alliance, for restoration of Army canteen—to the Committee on Military Affairs.

Also, petition of Stationers' Board of Trade, against the Aldrich currency—to the Committee on Banking and Currency.

Also, petition of Metropolitan Association of Retail Druggists, for S. 4700 (Rayner bill) and H. R. 14639 (Bennet bill)—to the Committee on the Post-Office and Post-Roads.

Also, petition of Grand Street Board of Trade, for building one or more battle ships at Brooklyn Navy-yard—to the Committee on Naval Affairs.

Also, petition of James Eads How, of St. Louis, for appropriation of \$150,000,000 for waterways—to the Committee on Rivers and Harbors.

Also, petition of American Live Stock Association and Cattle Raisers' Association of Texas, for the Culberson-Smith car and transportation service bill (H. R. 13841)—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of District of Columbia, for legislation to extend tracks of the Capital Traction Company—to the Committee on the District of Columbia.

By Mr. ESCH: Petition of Charles G. Bacon Post, Grand Army of the Republic, of Neillsville, against consolidation of pension agencies—to the Committee on Appropriations.

Also, petition of Western Fruit Jobbers' Association, for fixing of minimum as well as maximum freight rates—to the Committee on Interstate and Foreign Commerce.

Also, petition of Chicago Federation of Labor, for legislation relative to operation of telegraph lines (H. R. 15123)—to the Committee on Interstate and Foreign Commerce.

Also, petition of Wilson Colwell Post, No. 38, Grand Army of the Republic, of La Crosse, Wis., against consolidation of pension agencies—to the Committee on Appropriations.

By Mr. FITZGERALD: Petition of Stationers' Board of Trade of New York, against the Aldrich currency bill—to the Committee on Banking and Currency.

By Mr. FOCHT: Paper to accompany bill for relief of Mrs. Margaret Eleanor McCoy—to the Committee on Pensions.

By Mr. FULLER: Petition of National German-American Alliance, for restoration of Army canteen—to the Committee on Military Affairs.

By Mr. FULTON: Paper to accompany bill for relief of Ira N. Terrill—to the Committee on the Judiciary.

By Mr. GAINES of Tennessee: Paper to accompany bill for relief of Clarence F. Moore—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of heirs of J. T. Bell—to the Committee on War Claims.

Also, paper to accompany bill for relief of John Farnbrugh—to the Committee on Invalid Pensions.

By Mr. GARNER: Paper to accompany bill for relief of Wedderspoon Keiller (previously referred to Committee on Invalid Pensions)—to the Committee on Pensions.

By Mr. GOULDEN: Petition of National German-American Alliance of New York City for restoration of Army canteen—to the Committee on Military Affairs.

Also, petition of Lake Seamen's Union of Toledo, Ohio, for H. R. 14941—to the Committee on the Merchant Marine and Fisheries.

Also, petition of W. A. Phillips, of New York City, for protection to authors by amendment of copyright bill—to the Committee on Patents.

Also, petition of Metropolitan Association of Retail Druggists for S. 4700 (Rayner bill) and H. R. 14639 (Bennet bill)—to the Committee on the Post-Office and Post Roads.

By Mr. GRAHAM: Petition of the Chaplin-Fulton Manufacturing Company against H. R. 15651—to the Committee on Labor.

Also, paper to accompany bill for relief of Johanna Holsendorf—to the Committee on Claims.

Also, petition of the R. W. Jenkinson Company, for the Tawney antigift coupon bill—to the Committee on the Judiciary.

Also, petition of Local No. 60, Pittsburg Musical Society, against competition of enlisted musicians—to the Committee on Labor.

By Mr. GRIGGS: Paper to accompany bill for relief of Samuel N. Clary—to the Committee on Invalid Pensions.

By Mr. GRONNA: Petitions of citizens of Goodrich, Medina, Harvey, Bowdon, Casselton, and Newhome, all in the State of North Dakota, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. HEPBURN: Petition of Chicago Federation of Labor, for legislation relative to operation of telegraph lines—to the Committee on Interstate and Foreign Commerce.

By Mr. HOWELL of Utah: Petition of Union No. 299, American Federation of Labor, for building battle ships in navy-yards—to the Committee on Naval Affairs.

Also, petition of A. G. Glasgow et al., favoring the passage of H. R. 11562 for the relief of Stevens Institute, Hoboken, N. J.—to the Committee on Claims.

By Mr. HULL of Iowa: Petition of Brotherhood of Railway Car Men of America, for building battle ships in navy-yards—to the Committee on Naval Affairs.

Also, petition of Mrs. W. D. Rich et al., for the Beveridge-Parsons child labor bill—to the Committee on Labor.

Also, petition of Local Union No. 4, Stereotypers, for repeal of duty on white paper—to the Committee on Ways and Means.

By Mr. KNOWLAND: Petition of First Congregational Church of Berkeley, Cal., for the Littlefield original-package bill—to the Committee on the Judiciary.

By Mr. LAW: Petition of Metropolitan Association of Retail Druggists, for S. 4700 (Rayner bill) and H. R. 14639 (Bennet bill)—to the Committee on the Post-Office and Post-Roads.

Also, petition of National German-American Alliance, for restoration of Army canteen—to the Committee on Military Affairs.

By Mr. LIVINGSTON: Papers to accompany bills for relief of Benjamin F. Swanton and James B. Morris—to the Committee on War Claims.

By Mr. LORIMER: Petition of Chicago Federation of Labor, for legislation relative to operation of telegraph lines (H. R. 15123)—to the Committee on Interstate and Foreign Commerce.

By Mr. LOWDEN: Petition of Chicago Federation of Labor, for H. R. 15123 and S. 4395, for regulation of affairs of telegraph companies—to the Committee on Interstate and Foreign Commerce.

By Mr. MADISON: Petition of citizens of St. John, Kans., for prohibition of intoxicants in the District of Columbia—to the Committee on the District of Columbia.

By Mr. NORRIS: Petition of C. P. Stanley and others, of Holstein, Nebr., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. OVERSTREET: Petition of International Brotherhood of Electrical Workers, for construction of battle ships in navy-yards—to the Committee on Naval Affairs.

Also, petition of Beacon Light Club, of Goshea, Ind., for forest reservations in White Mountains and southern Appalachian Mountains—to the Committee on Agriculture.

Also, petition of Alvin P. Hovey Post, No. 559, Grand Army of the Republic, of Indianapolis, against consolidation of pension agencies—to the Committee on Appropriations.

Also, petition of Local Union No. 11, Indiana Photo-engravers' Union of North America, for repeal of duty on white paper—to the Committee on Ways and Means.

By Mr. PATTERSON: Paper to accompany bill for relief of Joseph G. Thorpe—to the Committee on War Claims.

By Mr. RAINEY: Petition of Chicago Federation of Labor, for H. R. 15123 and S. 4395, for legislation to control telegraph lines—to the Committee on Interstate and Foreign Commerce.

By Mr. REEDER: Petition of C. M. Heaton et al., soldiers of civil war, for the Sherwood pension bill—to the Committee on Invalid Pensions.

By Mr. REID: Paper to accompany bill for relief of Perry Crompton (previously referred to the Committee on Invalid Pensions)—to the Committee on Pensions.

By Mr. RIORDAN: Petition of National German-American Alliance, for restoration of Army canteen—to the Committee on Military Affairs.

By Mr. SHEPPARD: Petition of individuals and societies, for restoration of motto, "In God we trust"—to the Committee on Coinage, Weights, and Measures.

By Mr. SPERRY: Petition of Lumber Dealers' Association of Connecticut, for forest reservations in White Mountains and Southern Appalachian Mountains—to the Committee on Agriculture.

By Mr. SPIGHT: Paper to accompany bill for relief of Mrs. Eleanor D. Cole—to the Committee on Pensions.

By Mr. TALBOTT: Paper to accompany bill for relief of Alexander H. Sittler—to the Committee on Invalid Pensions.

By Mr. WOOD: Petition of Presbyterian Synod of New Jersey, against repeal of the anticanteen law and for the Littlefield original-package bill—to the Committee on the Judiciary.

SENATE.

SATURDAY, February 22, 1908.

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

*Let us now praise famous men, and our fathers that begat us.
The Lord hath wrought great glory by them through His
great power from the beginning.*

*Leaders of people by their counsels, and by their knowledge
of learning meet for the people, wise and eloquent in their in-
structions.*

*All these were honored in their generations, and were the
glory of their times.*

And some there be who have left no memorial.

*But these were merciful men, whose righteousness hath not
been forgotten.*

*The people will tell of their wisdom, and the congregation
will show forth their praise.*

Let us pray. Father, it is for this that we have come together. Bless the memory of those to whom we owe so much, to whom this nation owes so much, and to whom the world owes so much, lest their memory should pass from the mind of men.

In Thy service, Father, show us what it is to live and move in God, to have Thy strength for our weakness, Thy wisdom

for our direction. In Thy service may we remember how our fathers sought Thee and found Thee, how Thou hadst no need to seek them, but to give them strength and life and light and courage; and as we bring up our children and they our children's children, may it be in the memory of these great men, who lived for us, and who were willing to die for us, and day by day brought the world nearer and nearer to their God.

Father, we ask Thy blessing in every change, in Thy Providence, in every sudden word of Thine to us. In the midst of life we are in death. Thou art pleased to call day by day one and another to the higher service. We ask Thy blessing upon those who mourn to-day. We ask that Thou wouldst speak to each and to all of us, and show us what life is and what death is, that we may enter with glory into that higher service which is perfect freedom, where we see as we are seen and know as we are known.

Bless us in to-day's service of thanksgiving, bless us in to-day's sorrows, as Thine own children. Amen.

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, and 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, the power, and the glory forever. Amen.

THE JOURNAL.

On request of Mr. KEAN and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with, and the Journal was approved.

READING OF WASHINGTON'S FAREWELL ADDRESS.

The VICE-PRESIDENT. The Farewell Address of George Washington will be read, under the order of the Senate, by the junior Senator from North Dakota [Mr. McCUMBER].

Mr. McCUMBER (at the Secretary's desk) read the address, as follows:

An address of George Washington to the people of the United States September 19, 1797.

To the people of the United States:

FRIENDS AND FELLOW-CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country, and that in withdrawing the tender of service, which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of and continuance hitherto in the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this previous to the last election had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations and the unanimous advice of persons entitled to my confidence impelled me to abandon the idea. I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety, and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust I will only say that I have, with good intentions, contributed toward the organization and administration of the Government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any