

Also, petition of Union Stationary Firemen of Ticonderoga, N. Y., against repeal of duty on wood pulp—to the Committee on Ways and Means.

By Mr. MANN: Petition of Union League Club and City Club, of Chicago, favoring H. R. 10457, for forest reservations in White Mountains and Southern Appalachian Mountains—to the Committee on Agriculture.

Also, petition of Credit Men's Association, favoring H. R. 13286, amendment of bankruptcy law—to the Committee on the Judiciary.

Also, petition of Grand Army Hall and Memorial Association of Illinois, against consolidation of pension agencies—to the Committee on Appropriations.

Also, petition of Lake Seaman's Union, against H. R. 225, amending section 4463, Revised Statutes—to the Committee on the Judiciary.

By Mr. MAYNARD: Petition of working people and their sympathizers in Virginia, for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and eight-hour law—to the Committee on the Judiciary.

By Mr. NORRIS: Petition of working people and their sympathizers, of Lincoln, Nebr., for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. PETERS: Petition of workingmen of Boston, for amendment to Sherman antitrust law and for Pearre bill, employers' liability bill, and eight-hour bill—to the Committee on the Judiciary.

By Mr. PORTER: Petition of Lockport Union of Carpenters, No. 289, for amendment proposed by American Federation of Labor conference to the Sherman antitrust law, and for the Pearre bill, the employers' liability bill, and the national eight-hour law—to the Committee on the Judiciary.

Also, petition of International Paper Makers' Union of Niagara Falls, protesting against the removal of the duty on paper and pulp—to the Committee on Ways and Means.

Also, petition of working people and their sympathizers of North Tonawanda and Mount Morris, N. Y., for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and eight-hour law—to the Committee on the Judiciary.

By Mr. PRINCE: Petition of working people and their sympathizers of Quincy, Ill., for amendment to Sherman antitrust law, for the Pearre bill regulating injunctions, employers' liability bill, and national eight-hour law—to the Committee on the Judiciary.

By Mr. REYNOLDS: Petition of citizens of Conemaugh, Cambria County; citizens of Defiance; Local Union No. 1837, United Mine Workers of America, of Defiance; citizens of Spangler, Cambria County; Local Union No. 830, United Mine Workers of America, of Dunlo; and citizens of Dunlo and Spring Hill, all in the State of Pennsylvania, favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. RHINOCK: Petition of trades and labor unions of Covington, Ky., and citizens of Ludlow, Ky., for amendment to Sherman antitrust law and for Pearre bill, employers' liability bill, and eight-hour bill—to the Committee on the Judiciary.

Also, petition of Cincinnati Clearing-House Association, against sections 8 and 11 of the Aldrich currency bill—to the Committee on Banking and Currency.

By Mr. RICHARDSON: Paper to accompany bill for relief of Elisha Stogsdill—to the Committee on War Claims.

By Mr. RIORDAN: Petition of Chamber of Commerce of New York, against H. R. 19245, relative to obstructive and injurious deposits within the harbor of New York and adjacent waters—to the Committee on Rivers and Harbors.

Also, petition of Chamber of Commerce of New York, favoring increase of salaries of United States circuit judges—to the Committee on the Judiciary.

By Mr. SABATH: Petition of citizens of Illinois for amendment to Sherman antitrust law, Pearre bill, employers' liability bill, and eight-hour law—to the Committee on the Judiciary.

By Mr. SCOTT: Petition of McCook Post, Grand Army of the Republic, of Iola, Kans., expressing the thanks of the post to the President and the Congress for the passage of the widows' pension bill—to the Committee on Invalid Pensions.

By Mr. SHERMAN: Petition of various citizens of Utica, N. Y., for amendment to Sherman antitrust law, and for the Pearre bill regulating injunctions, employers' liability bill, and national eight-hour law—to the Committee on the Judiciary.

By Mr. SOUTHWICK: Petition of citizens of Schenectady,

N. Y., favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of working people and their sympathizers of Albany and Cohoes, N. Y., favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. SPIGHT: Paper to accompany bill for relief of heirs of John Hughey—to the Committee on War Claims.

By Mr. SULZER: Petition of citizens of New York City, for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. TALBOTT: Paper to accompany bill for relief of Anna E. McDonald—to the Committee on War Claims.

By Mr. WEEMS: Petition of Local Union No. 186, Jefferson Trades and Labor Association, of Steubenville, Ohio, praying for legislation and modification of the Sherman antitrust law, for employers' liability law, for limitation on injunction, and for the extension of the eight-hour law—to the Committee on the Judiciary.

By Mr. WILSON of Pennsylvania: Petitions of Order of Railway Telegraphers, of Lock Haven; Brotherhood of Electrical Workers, F. B. Long, and Joseph Winslow, of Williamsport, Pa., and Midvale, Ohio, Local Union No. 2052, United Mine Workers of America, for amendment to Sherman antitrust law, the Pearre bill regulating injunctions, employers' liability bill, and national eight-hour law—to the Committee on the Judiciary.

SENATE.

SATURDAY, May 2, 1908.

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

Paul, an apostle of Jesus Christ, to the faithful brethren:
We do not cease to pray for you and to desire that ye might be filled with the spirit in all wisdom and understanding; that ye might walk worthily of the Lord, bearing fruit in every good work and increasing in the knowledge of God, strengthened with all power according to the might of His glory.

Let us pray.

Here is our prayer, Father, that what the apostle asked from Thee Thou wilt give to us to-day in this day's duty, in to-day's pleasure, in work, in thought, alone or together, that the Lord God will be with us to teach us, Father, Thy will; that we may walk worthy of this Christian vocation to which we are called; that it may not be in vain that Thou hast lifted this nation where it is, to be the messenger of Thy glad tidings to all men.

To-day, Father, we go back into the past to recall memories of the lives of those who have served in this Chamber, and to look forward for the good of this people. May every lesson of the past be translated for us into duties for to-day, to-morrow, and every day. O God, make this nation that happy people whose God is the Lord. We ask it, in Christ Jesus.

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

THE JOURNAL.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. TALIAFERRO, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

LIST OF VOLUNTEER OFFICERS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in further response to the resolution of March 21, 1908, a list of officers of the United States Volunteers organized under the act of March 2, 1899, for service in the Philippines, showing the difference between the amount paid each officer under the act of May 20, 1900, as travel pay, etc., and the amount each would have received under section 1289 of the Revised Statutes in force at the time of the muster into service, which, with the accompanying papers, was referred to the Committee on Claims and ordered to be printed.

IMPROVEMENT OF ROCK CREEK VALLEY.

The VICE-PRESIDENT laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, pursuant to law, a report upon the improvement of the valley of Rock Creek from Massachusetts avenue to the mouth of the creek, which, with the accompanying papers, was referred to the Committee on the District of Columbia and ordered to be printed.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented petitions of sundry citizens of Marion, Ind., of St. Charles, Ky., of Birmingham, Ala., and of Watertown, N. Y., praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which were referred to the Committee on the Judiciary.

He also presented a petition of the Wyoming State Federation of Women's Clubs, of Sheridan, Wyo., praying for the enactment of legislation providing for the investigation and the development of the method of the treatment of tuberculosis, which was referred to the Committee on Public Health and National Quarantine.

He also presented a petition of the Society of Survivors of the Men of the Mississippi River United States Steamer Army Fleet and Marine Brigade, praying for the enactment of legislation to apply to them, their widows, and minor children, the provisions of the act of June 27, 1890, which was referred to the Committee on Pensions.

He also presented memorials of Local Union No. 31, of Franklin; of Local Union No. 29, of Berlin, in the State of New Hampshire, and of Local Union No. 7, of Palmer, N. Y., all of the International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, remonstrating against 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.

Mr. CULLOM presented petitions of sundry citizens and labor organizations of Peoria and Kewanee, in the State of Illinois, praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which were referred to the Committee on the Judiciary.

Mr. WETMORE presented a petition of Painters and Paperhangers' Union, No. 15, of Pawtucket, R. I., and a petition of Local Union No. 33, International Typographical Union, of Providence, R. I., praying for the adoption of certain amendments to the so-called "Sherman antitrust law," relating to labor organizations, which were referred to the Committee on the Judiciary.

Mr. GUGGENHEIM presented petitions of sundry citizens of Denver and Durango, in the State of Colorado, praying for the adoption of certain amendments to the so-called "Sherman antitrust law," relating to labor organizations, which were referred to the Committee on the Judiciary.

Mr. SCOTT presented petitions of sundry citizens and labor organizations of McMechen, Grafton, Paden City, Follansbee, and Morgantown, all in the State of West Virginia, praying for the adoption of certain amendments to the so-called "Sherman antitrust law," relating to labor organizations, which were referred to the Committee on the Judiciary.

He also presented a petition of the West Virginia Fish and Game Protective Association of Wheeling, W. Va., praying for the enactment of legislation to establish a national forest reserve in the Southern Appalachian and White Mountains, which was ordered to lie on the table.

He also presented a petition of sundry surviving officers of the civil war of Harrison County, W. Va., praying for the enactment of legislation to create a volunteer retired list in the War and Navy Departments of the surviving officers of the civil war, which was referred to the Committee on Military Affairs.

Mr. GALLINGER presented the petition of E. D. Sanderson, director of the New Hampshire Agricultural Experiment Station, of Durham, N. H., praying for the enactment of legislation to prevent the manufacture, sale, or transportation of adulterated or misbranded fungicides, Paris green, and other insecticides and for regulating traffic therein, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of Local Union No. 31, International Brotherhood of Pulp, Sulphite and Paper Mill Workers, of Franklin, N. H., remonstrating against 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. PILES presented a petition of sundry citizens of Tacoma, Wash., praying for the adoption of certain amendments to the so-called "Sherman antitrust law," relating to labor organizations, which was referred to the Committee on the Judiciary.

Mr. HOPKINS presented the memorial of John E. Garvey, of East St. Louis, Ill., remonstrating against the ratification of the treaty of arbitration between the United States and Great Britain, which was ordered to lie on the table.

He also presented petitions of sundry citizens and labor organizations of Bloomington, Galesburg, Danville, Kewanee, Peoria, and Belleville, all in the State of Illinois, praying for the adoption of certain amendments to the so-called "Sherman antitrust law" relating to labor organizations, which were referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. FRYE, from the Committee on Commerce, to whom was referred the amendment submitted by Mr. WETMORE on the 1st instant, proposing to appropriate \$9,000 for a light and signal or whistling buoy, fitted with submarine bell, off Point Judith, Rhode Island, intended to be proposed to the sundry civil appropriation bill, reported favorably thereon and moved that it be printed and, with the accompanying papers, referred to the Committee on Appropriations, which was agreed to.

Mr. PILES. I report back from the Committee on Territories favorably without amendment the bill (H. R. 14789) to amend an act entitled "An act for the protection of game in Alaska, and for other purposes," approved June 7, 1902, and I submit a report (No. 597) thereon. A similar bill passed the House at the last session and was on its final passage in this body when the hour of final adjournment arrived. I ask for the immediate consideration of the bill, as it is an important one for Alaska.

Mr. HALE. I can not agree, of course, as I have made an arrangement with the Senator from Florida [Mr. TALLAFERRO], who has charge of the eulogies, that he will give way for the diplomatic and consular appropriation bill. I shall object to any other bill, and I shall object to this if it gives rise to any debate.

Mr. BEVERIDGE. It will not, I think.

Mr. HALE. Then it may go on.

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

The Secretary proceeded to read the bill.

Mr. HALE. If it is a long bill, I can not consent to its consideration.

The VICE-PRESIDENT. It is a long bill.

Mr. BEVERIDGE. It will not take ten minutes.

Mr. HALE. I can not give ten minutes.

Mr. SCOTT. Let the bill go over.

The VICE-PRESIDENT. Objection is made, and the bill goes to the Calendar.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 6901) to acquire the triangular square bounded by Second and T streets and Rhode Island avenue NW. for use as a public park, asked to be discharged from its further consideration and that it be referred to the Committee on Public Buildings and Grounds, which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 4308) to restore the name of California avenue to that certain street lying and being in the county of Washington and running from Florida avenue to Nineteenth street NW., and now known as V street, reported it with amendments and submitted a report (No. 598) thereon.

BILLS INTRODUCED.

Mr. STEPHENSON introduced a bill (S. 6931) for the relief of H. S. Sacket, which was read twice by its title and, with the accompanying papers, referred to the Committee on Claims.

Mr. McCUMBER introduced a bill (S. 6932) granting a pension to Nancy Peltz, which was read twice by its title and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 6933) for the relief of Rastus W. Crandall, which was read twice by its title and, with the accompanying papers, referred to the Committee on Military Affairs.

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

A bill (S. 6934) for the relief of the Merritt & Chapman Derrick and Wrecking Company; and

A bill (S. 6935) for the relief of the Merritt & Chapman Wrecking Company.

Mr. BANKHEAD introduced a bill (S. 6936) authorizing the erection of a post-office building at Demopolis, Ala., which was read twice by its title and referred to the Committee on Public Buildings and Grounds.

Mr. JOHNSTON introduced a bill (S. 6937) to increase the appropriation for a public building at Dothan, Ala., which was read twice by its title and referred to the Committee on Public Buildings and Grounds.

Mr. CLARKE of Arkansas introduced a bill (S. 6938) granting an increase of pension to William S. Thomas, which was read twice by its title and referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 6939) granting an increase of pension to Thomas Black, which was read twice by its title and referred to the Committee on Pensions.

Mr. DICK introduced a bill (S. 6940) for the relief of the heirs at law and legal representatives of Asahel Bliss, which was read twice by its title and referred to the Committee on Claims.

Mr. STONE introduced a bill (S. 6941) granting a pension to Nora R. Willett, which was read twice by its title and referred to the Committee on Pensions.

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. MONEY submitted an amendment proposing to appropriate \$125,000 for the construction of a dredge for use on the Gulf coast of Mississippi, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. HALE. I ask that House bill 20345, the diplomatic and consular appropriation bill, be taken up and proceeded with.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 20345) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1909, which had been reported from the Committee on Appropriations with amendments.

Mr. HALE. I ask that the formal reading of the bill be dispensed with, and that the amendments be considered as they are reached in the reading of the bill.

The VICE-PRESIDENT. The Senator from Maine asks unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered. Without objection, it is so ordered. The Secretary will read the bill.

The Secretary proceeded to read the bill, and read to page 2, line 16, the last paragraph read being the following:

Envoys extraordinary and ministers plenipotentiary to Denmark, Morocco, Norway, Paraguay and Uruguay, Portugal, Roumania and Serbia, and diplomatic agents in Bulgaria, Sweden, and Switzerland, at \$10,000 each, \$80,000.

Mr. HALE. The word "agents," in line 14, should be "agent." It is a mistake in the print.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, line 14, strike out the word "agents" and insert the word "agent."

The amendment was agreed to.

The reading was continued to line 2, page 4, the last paragraph read being as follows:

Secretary of legation to Salvador and consul-general to San Salvador, \$2,000; and the words "San Salvador" in the consular reorganization act of April 5, 1896, are hereby repealed.

Mr. HALE. On page 3, line 25, before the word "dollars," I move to strike out "two thousand" and insert in lieu "thirty-five hundred."

The amendment was agreed to.

The reading was continued to page 5, line 13.

Mr. HALE. In lines 12 and 13 the total should be changed so as to read "\$129,875" in lieu of "\$128,375." I move that amendment.

The amendment was agreed to.

The reading was continued. The first amendment of the Committee on Appropriations was, in Schedule A, under the subhead "Transportation of diplomatic and consular officers in going to and returning from their posts," on page 9, line 8, after the date "1900," to strike out "so much as may be needed" and insert "\$30,000," so as to make the clause read:

To pay the cost of the transportation of diplomatic and consular officers in going to and returning from their posts, or when traveling under the orders of the Secretary of State, at the rate of 5 cents per mile, but not including any expense incurred in connection with leaves of absence, to continue available during the fiscal year 1909, \$30,000.

The amendment was agreed to.

The next amendment was, on page 15, after line 5, to insert:

INTERNATIONAL INSTITUTE OF AGRICULTURE.

For the payment of the quota of the United States for the support of the International Institute of Agriculture for the calendar year 1909, \$4,800.

Mr. HOPKINS. I should like to have the Senator in charge of the bill state what this amendment relates to.

Mr. HALE. It is in reference to a conference arranged with the Department, under treaty, which takes place at Rome. The same provision was in the bill last year.

The amendment was agreed to.

The next amendment was, on page 15, after line 19, to insert:

REPORTS RELATIVE TO THE WORK OF THE JOINT HIGH COMMISSION.

For the preparation of reports and material necessary to enable the Secretary of State to utilize and carry out the work partly performed by the Joint High Commission of 1898 for the settlement of questions relating to Canada and for the settlement of questions relating to Newfoundland, \$10,000, or so much thereof as may be necessary, to become immediately available.

The amendment was agreed to.

Mr. HALE. After line 4, on page 16, I move to insert:

To enable the Secretary of State to protect the property and rights of citizens of the United States interested in the navigation and use of the St. John River in case of litigation arising in the courts or tribunals of any foreign power, the Secretary of State in such case being authorized to appoint counsel in such courts or tribunals, \$15,000.

The amendment was agreed to.

The reading was resumed.

The next amendment was, on page 19, after line 3, to insert:

PURCHASE OF LEGATION PROPERTY.

For the purchase of building and grounds, or of a site and the erection of a building thereon, in the city of Paris, France, for the use of the embassy and for the residence of the ambassador at that capital, and for furnishing the same and, if necessary, otherwise adapting it to the needs of the service, \$400,000, or so much thereof as may be necessary.

Mr. HALE. I ask that this amendment may be passed over until after the reading of the bill has been completed.

The VICE-PRESIDENT. Without objection, the amendment will be passed over.

The next amendment was, on page 19, after line 11, to insert:

For the purchase of the residence erected by Mr. R. S. Miller, Japanese secretary of the legation, at his own expense, on the ground held by the United States in perpetual lease for the legation purposes in Tokyo, Japan, \$3,267.

The amendment was agreed to.

The next amendment was, on page 19, after line 11, to insert:

EXCHANGE OF PROPERTY AT PEKING, CHINA.

The Secretary of State be, and he is hereby, authorized to transfer to the Bank of Indo-China a certain lot of land situated at Peking, China, and now belonging to the United States, said lot being designated as X Y Z on the plat on file in the Department of State entitled "Plat showing the property situated at Peking, China, to be exchanged between the United States and the Bank of Indo-China," and marked with file No. 3565/45-47; said lot X Y Z being described by metes and bounds, as follows:

Starting from the point "o" of lot "C," thence north 81° 58' west 54 feet to the point "p," the place of beginning in describing lot "X Y Z;" thence south 4° 36' west 72 feet to a point "r;" thence north 77° 56' west 87 feet to the point "a;" thence north 12° 4' east 10 feet to the point "t;" thence south 77° 56' east 50 feet to the point "u;" thence north 12° 4' east 7 feet to the point "v;" thence south 85° 24' east 6 feet to the point "w;" thence north 4° 36' east 54 feet to the point "y;" thence south 81° 58' east 10 feet to the point "p."

The said lot to be transferred to the said Bank of Indo-China in exchange for certain lots of land situated at Peking, China, and now belonging to the said bank, said lots being designated as A, B, and C on the said plat and described by metes and bounds, as follows:

LOT A.

The starting point marked "a" on the plat is the intersection of the west side of the west wall of the house built and formerly owned by H. G. Squiers, and being situated upon the south line of Legation street, Peking, China, and the west side of the west wall being 128 feet 6 inches, more or less, east of the east side of the main entrance to the compound of the Banque de l'Indo Chine, and 191 feet 6 inches, more or less, west of the intersection of the north line of Canadal street with the south line of Legation street, with the south face of the present wall running east and west on the south line of Legation street, said wall being the boundary wall on the north side of the property of the Banque de l'Indo Chine.

Beginning with the point "a," thence south 2° 52' west 96 feet to the point "b;" thence west 1° 44' north 4 feet 6 inches to the point "c," this being the northeast corner of the house now occupied by the comprador of the Banque de l'Indo Chine; thence north 2° 52' east 96 feet to the point "d;" thence east to the starting point "a."

LOT B.

Starting from "a," thence south 2° 52' west 114 feet to the point "e," which is the place of beginning in describing lot "B;" thence east 4° 36' south 20 feet to the point "f;" thence south 11° 30' west 36 feet to the point "g;" thence west 4° 36' north 5 feet to the point "h;" thence north 11° 30' east 2 feet to the point "j;" thence west 12° 38' north 9 feet to the point "k;" thence north 2° 32' east 32 feet to the point "e."

LOT C.

Starting from the point "h," thence south 8° 2' west 44 feet to the point "l," which is the place of beginning in describing lot "C;" thence south 8° 2' west 16 feet to the point "m;" thence west 8° 2' north 20 feet to the point "n;" thence north 8° 2' east 16 feet to the point "o;" thence east 8° 2' south 20 feet to the point "l," as described in Senate Document No. 451, Sixtieth Congress, first session.

The amendment was agreed to.

The next amendments were, on page 22, after line 15, to insert:

PAYMENT TO SWEDEN.

To pay the Government of Sweden, for the proportionate share of the United States on account of a claim of a Swedish subject in Samoa under the convention of November 7, 1899, between the United States, Great Britain, and Germany, \$375.

PAYMENT TO NORWAY.

To pay the Government of Norway, for the proportionate share of the United States on account of a claim of a Norwegian subject in Samoa under the convention of November 7, 1899, between the United States, Great Britain, and Germany, \$200.

Mr. HALE. I ask the Senate to disagree to the two amendments just read, as they will be incorporated in the deficiency bill to be reported hereafter. They are to be taken care of later.

The amendments were rejected.

The next amendment was, in schedule B, under the subhead "Salaries, consular service," on page 23, after line 6, to strike out "For salaries of consuls-general, consuls, and consular inspectors, as provided for in the act approved April 5, 1906, entitled 'An act to provide for the reorganization of the consular service of the United States,' \$1,061,000" and to insert in lieu thereof the following:

For salaries of consuls-general, consuls, and consular inspectors, as provided in the act approved April 5, 1906, entitled "An act to provide for the reorganization of the consular service of the United States," as follows: Salaries of consuls-general, including consul-general at Boma, Kongo Free State, of class 5, at \$4,500, \$298,500; consuls, including consul at Calgary, Canada, of class 9, at \$2,000, \$737,500; consular inspectors, including three additional inspectors, at \$5,000 each, \$40,000; total, \$1,076,000.

Mr. NELSON. I suggest to the Senator who has charge of the bill the necessity of making an amendment in lines 13 and 14, because yesterday we agreed to the conference report on the consular reorganization bill.

Mr. HALE. That will be looked out for in conference.

Mr. NELSON. You will correct that?

Mr. HALE. Yes.

The amendment was agreed to.

The next amendment was, under the subhead "Allowance for clerk hire at United States consulates," on page 24, line 18, after the word "consulates," to insert "to be expended under the direction of the Secretary of State," and in line 20, after the word "dollars," to insert "Provided, That the total sum expended in one year shall not exceed the amount appropriated," so as to make the clause read:

Allowance for clerk hire at consulates, to be expended under the direction of the Secretary of State, \$242,000: *Provided*, That the total sum expended in one year shall not exceed the amount appropriated.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. HALE. I ask that the Senate return to the item on page 19, beginning with line 4. Let it be read.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. The committee report to insert on page 19, after line 3:

PURCHASE OF LEGATION PROPERTY.

For the purchase of building and grounds, or of a site and the erection of a building thereon, in the city of Paris, France, for the use of the embassy and for the residence of the ambassador at that capital, and for furnishing the same and, if necessary, otherwise adapting it to the needs of the service, \$400,000, or so much thereof as may be necessary.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. CULBERSON. I ask the Senator in charge of the bill if he will explain the amendment and the necessity for the expenditure of this extraordinary sum of money?

Mr. HALE. The item speaks for itself. It is a provision for buying property and owning a building for the use of the embassy of the United States in Paris. It was considered fully by the Committee on Foreign Relations and reported by that committee as an amendment to this bill, and in accordance with that report put upon the bill for the consideration of the Senate.

Mr. OVERMAN. Let me make an inquiry of the Senator. Why are we to have this building in Paris and not have one in Berlin and one in London, or is it to be the policy of the Government to own the houses where our ambassadors will live in other foreign countries than in France?

Mr. HALE. Of course the Senate will understand that this appropriation is a departure. The Committee on Foreign Relations, which reported it to the Committee on Appropriations, has all the papers and all the information upon it, and the members of that committee will give the details of the reasons why that committee adopted it.

It is the beginning of a new plan. In the East, where it has been impossible, in some cases, to rent buildings and where

it was desirable because of conditions there to own property, we have heretofore had legation property owned by the Government. But we have never, up to this time, gone in as other governments have done and are doing in Washington and furnished residences for our embassies. The beginning of that plan, and it is involved in this amendment, was selected by the Committee on Foreign Relations as Paris, because, I suppose, it is very important as an embassy and there is property there which can be bought at a reasonable rate. Instead of going into others, although the Committee on Foreign Relations recommended one or two others, the Committee on Appropriations did not report anything except this provision for our embassy in France.

Mr. OVERMAN. I understand, then, that this is the beginning of a policy to have such buildings in other countries.

Mr. HALE. Of course we can not tell what another Congress may do; but the reasons that apply for purchasing and owning and furnishing a residence for an embassy at Paris apply equally to London, Rome, Vienna; in fact, to all the great missions which are now embassies.

Mr. OVERMAN. I should like to inquire of the Senator if Germany and England own such magnificent establishments in this city as we propose to establish in Paris, costing some \$400,000? The British embassy here is a very substantial-looking building, but I should think it could be bought for \$150,000, and probably it would not cost that much. I think the French Government has lately bought a building here, but I do not think it cost \$100,000 or \$150,000. I do not know, and I simply make the inquiry for information.

Mr. HALE. All of those details are in possession of the Committee on Foreign Relations and will be given to the Senate if required.

At present the nations that we have friendly intercourse with, who have in late years purchased and built and furnished residences here, comprise Great Britain, France, Germany, Italy, China, and, I think, one or two of the smaller powers. They have bought property here and built fine residence buildings and furnished them, and they house their ambassadors. That relieves them from the payment of rent.

Of course the great argument for it, and it is a very pertinent argument, is that if we furnish comfortable residences abroad, men can afford to take the places of ambassadors to foreign powers; it relieves them from the great burden under which they rest now of cutting into and in some cases absorbing their entire salaries.

Mr. OVERMAN. Does the Senator think a poor man could live in a \$400,000 house in Paris?

Mr. HALE. He could live better if he had a house furnished him than if he had to hire one.

Mr. OVERMAN. If he is a poor man, would he not rather live in a more humble residence, not put on so many airs, and not live in such magnificence?

Mr. HALE. I do not think if this property in Paris is purchased it will be considered in any way as extravagant there, or that it will in any way surpass what other nations furnish for their ambassadors in Paris. In fact, I think it would be rather a modest place compared with some other embassies in that great city.

Mr. WARREN. Mr. President—

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

Mr. HALE. Yes.

Mr. WARREN. The Senator understands, of course, that it is not only the residence, but furnishing the offices and the location of the entire business part of the embassy, as well as the residence?

Mr. HALE. Yes; of course it is included. It is for all the uses of the embassy, not only the dwelling of the ambassador, but the offices in which the business of the embassy is transacted.

Mr. CULBERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Maine yield to the Senator from Texas?

Mr. HALE. Yes.

Mr. CULBERSON. The Senator from Maine has very frankly stated that this is the beginning of a new rule with respect to housing the ambassadors of the United States in foreign countries. I should like to ask him, in view of that candid statement, two questions.

The first is, Ought not the Senate and the other body to be allowed to consider this important and general question as to whether we shall institute this innovation on some general legislation, not in an appropriation bill? The second the Senator has adverted to already in a general way, but is there any special reason why we should at this time, under the peculiar

circumstances which surround the Senate this morning, pass this appropriation for Paris, amounting to \$400,000, without allowing the Senate an opportunity to consider the general questions to which I have referred? In other words, is there any special reason, on account of an option or anything of that kind, why we should act immediately upon the matter as to Paris and not act on the general proposition for all the countries?

Mr. HALE. It is a question purely for the discretion of the Senate. It will finally come, whether now or at some other time. But it is a question of the appropriation of money, and that should be upon this bill. It does not follow if Congress decides to inaugurate this plan by providing for Paris that it is obliged to take up the general question of providing for residences and offices for all the embassies. Like everything else the items will come up one at a time.

If this measure passes Congress and is embodied in this bill and the appropriation is made, undoubtedly next year the Committee on Foreign Relations, as it has done here, will call in the Secretary of State and have a full hearing, and if he recommends it to Congress, one or possibly two others will be reported, and it will all come up on an appropriation bill.

I do not think that in any way it weakens this project, whatever strength it may have, that we take only one at a time. It would be impossible to put through a general bill. There have been bills introduced perhaps in this branch of Congress, certainly in the other, for a general programme involving several million dollars, covering all of the embassies.

The Committee on Appropriations did not consider it proper and fitting at the present time to go further than to put this item upon the pending bill for Congress to settle whether it will begin in Paris. It is a good place. It is said that the amount is not extravagant, and from my knowledge of the situation, from the papers that have been presented and the illustrations of what the building is and what it will be, I do not think, if our ambassador gets this place and moves into it, it will be considered in Paris as in any way more showy, or as much so, as other great embassies which are established in that city.

Mr. TELLER. I wish to ask the Senator if he is not of the opinion that if we buy one place we will have to buy more than one? Is it not certain that if we buy a building in Paris we must buy one in London or in Berlin or in other places?

Mr. HALE. I think they will all follow.

Mr. WARREN. Have we not already bought in Constantinople?

Mr. HALE. We have in the East, as I have already said, one or two cases where the conditions were such that for protection we have had to buy property.

Mr. TELLER. Certainly. I understand that because of the conditions that is so in China and Japan.

Mr. HALE. Yes.

Mr. TELLER. If the Senator has concluded, I wish to say a word.

Mr. HALE. I admit that if we do this now, undoubtedly it is the beginning of the policy, and it will be followed up by requests from the Department from year to year to purchase property and to erect embassy buildings and offices in the other European capitals.

Mr. WARREN. Mr. President—

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

Mr. WARREN. Will the Senator yield to me just a moment to answer a question asked by the Senator from Texas, which the Senator from Maine did not cover?

Mr. TELLER. I yield to the Senator.

Mr. WARREN. As I understand the Senator from Texas, he made inquiry whether this ought to be settled now or at another time, and if there was any option. Of course I am not upon the Committee on Foreign Relations, and perhaps members of that committee had better answer the question; but I happened to be in Paris late last season. My attention was called to this property, not through the influence of anybody who sought to sell it to the United States or to buy it for the United States; but they took me to another property, which would cost several times as much and which would correspond more nearly with the embassies of Great Britain, Austria, and other countries.

But this building being then under repair, I had occasion to go through it and to go about it, making a pretty thorough examination. If we were to buy property, and surely we ought to do so, it seemed to me this would be good enough even though it were not worth a quarter or a fifth of what some other countries may have invested. I asked at the time as to the price, and it was stated that it would probably cost about \$450,000.

I seems that the property belongs to heirs and that the time

has come to divide it or divide the proceeds among the heirs. The property can now be bought at considerably less than \$400,000, and it is considered by those who know the market prices of property in Paris as being very low, in consideration of the repairs which our ambassador has put upon the building—some thirty-odd thousand dollars of his own money—which, of course, he will never have returned to him. He has, however, on that account a sort of option on the property, and they will wait to see what Congress may do before the property is sold. But it is to be sold the present year.

Therefore I think, if we are to buy and furnish an embassy at Paris, this is the very best property, and I think it can be obtained for the least figure we can avail ourselves of at any time. Now, just a word more. As to the matter of policy, of course that is for every Senator to decide for himself. My own impression is that in Paris, where the whole world goes in and out—in fact, we have to go to Paris to get to almost any other country—we should not confine our embassy to upstairs rooms and back places, as it has been confined most often heretofore. I think we ought to have a place among nations, not equal, perhaps, to some others in elegance, but to have this Government represented in an official and permanent, even though modest way. I think we ought also to have—

Mr. OVERMAN. I wish to ask the Senator from Wyoming if other countries—Germany and England, for instance—own their embassies in Paris?

Mr. WARREN. Oh, yes; magnificent ones.

Mr. OVERMAN. How do they compare with the property it is proposed this Government shall purchase?

Mr. WARREN. I should say that the English embassy is possibly worth five to eight times as much, and I should say that the Austrian embassy might be worth five to seven times as much.

Mr. LODGE. The English embassy is worth, I suppose, ten times as much.

Mr. WARREN. Possibly.

Mr. LODGE. The English embassy is one of the finest houses in Paris, and is surrounded with an immense garden. It is located right in the heart of Paris.

Mr. WARREN. The property in question here also has a garden. It faces two ways, and upon two prominent streets. It is very handsomely located.

Mr. OVERMAN. Is property more expensive in Paris than in Washington?

Mr. WARREN. It is; oh, yes.

Mr. OVERMAN. Largely more expensive than it is in Washington?

Mr. WARREN. Very much more expensive.

Mr. OVERMAN. I suppose the British embassy here would cost not more than \$100,000.

Mr. WARREN. Be that as it may, that property was bought when it was out of town and it cost then very little; but Paris—this property is in town and costs very much.

Mr. TELLER. Mr. President, I do not criticize the character of this proposed purchase nor the cost of it. I think the only thing for us to determine is whether we are to go into the policy of furnishing buildings for our ambassadors and ministers at the several courts of the world. It is quite certain that if we purchase a building in Paris we shall have to purchase a building in London; and, having bought one there, we shall have to buy one in every great capital of every country of any consequence in the world.

Mr. President, I do not know but what we have reached a time in the history of the world when we may be compelled to do something of that kind. I have thought perhaps, as suggested by the Senator from Texas [Mr. CULBERSON], that the matter ought properly to come to Congress in the way of determining what should be our policy, and not in the way of determining what should be done as to a particular embassy. I have no doubt that this purchase would be all right if we should determine that we wanted to make such a purchase; but, Mr. President, I want to say now that if we go into this business I am in favor of making a reasonable purchase. If we establish an embassy in a building of our own, we shall have to take some care to see, at least, that it is somewhat commensurate with our consequence in the world. We may let our minister or ambassador live where he wishes to, but when we provide a place for him we shall have to provide a good and proper one.

In addition to that, I have no doubt we shall have to do more than merely provide a building. If we provide a building which is large and somewhat prominently located, we shall have to equip it, to furnish it according to the character of the building and corresponding with the character of the position which our representative occupies.

Mr. HALE. That is provided for in the amendment, I will say to the Senator.

Mr. TELLER. I understand that is provided for in the amendment.

Mr. HALE. The provision is "and for furnishing the same and, if necessary, otherwise adapting it to the needs of the service."

Mr. TELLER. Yes; I see.

Mr. HALE. That provision covers all of that.

Mr. WARREN. Just a word there—

Mr. TELLER. I think it follows, as a matter of course, that if we are going to provide a building we shall have to fit it up.

Mr. WARREN. Mr. President—

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

Mr. TELLER. Certainly.

Mr. WARREN. Mr. President, in my estimation, having seen both the properties—this house property and the legation where it is now located—this appropriation will cover its furnishing and upkeep. I do not think the expense will be any greater than it would be under our present system, under which the embassy is likely to be moving from place to place. There will be no greater cost for attendance.

Mr. TELLER. Mr. President—

Mr. WARREN. Let me just say one word before I sit down. The Government so far, to my knowledge, has never made an investment for an embassy or a legation but what the value of it has very greatly increased. This one is a good investment, and I think the property is one that will not deteriorate—that is, the land will be worth more, rather than less.

Mr. TELLER. That is not what I want to consider. I do not care anything about the value of this property. If it is a proper thing for us to do, we want to do it; and if it is not, we do not want to do it. If we go into this system, I think we ought to go into it with our eyes open and with the understanding that it is to add immensely to the cost of the diplomatic service in foreign lands. I do not mean to say that that is what we ought to do. If that matter is to be submitted to the Senate, I should like to consider it somewhat before I vote on it. We are now preparing practically to establish a precedent without any consideration whatever. We pay our ambassador to France \$17,500 a year, as I recollect. Is that correct?

Mr. WARREN. It is.

Mr. TELLER. Now, with a house which costs \$400,000 and properly equipped, our ambassador can not live for \$17,500 a year, and we must make such provision, so that an ambassador who occupies a house that we shall buy and equip for him may be able to live in accordance with his surroundings. I do not know but what, in the present condition of the world, it is necessary that our ambassador should occupy a position somewhat different from what he has occupied heretofore. For instance, Mr. Franklin lived in a private house, and I believe his salary was \$5,000 a year. Mr. Jefferson, I think, had a salary of \$7,500, and he lived at a hotel. That, Mr. President, in those days was eminently proper and not out of character. Whether it would be so to-day is another question.

I suppose we owe something to the ideas of mankind, and since we have got to be a world power and are putting on fine airs, I think we shall have, perhaps, to enlarge our contributions in that line. I do not know how much it will cost to sustain a house of this character, never having lived in a house that cost \$400,000, but I do know, Mr. President, that there will be considerable expense attached to a large house with large consequent demands. If our ambassadors in the future are to meet the demands which our present ambassador and our former ambassadors have had made upon them by society, then we shall have to make a very large appropriation either for their support or increase their salaries.

Mr. SMITH of Michigan. Mr. President—

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from Michigan?

Mr. TELLER. I do.

Mr. SMITH of Michigan. Mr. President, I simply wanted to say to the Senator from Colorado that this house need not necessarily cost \$400,000 or involve large expense in its maintenance. The dwelling in which our ambassador at Tokyo lives cost originally about \$15,000, I understand, and its great value now is in the land.

Mr. TELLER. Mr. President, that is a very different thing.

Mr. SMITH of Michigan. No. The grounds which surround the building are very valuable now—worth probably many times the original price; but it does not cost so much to keep the grounds up. I do not believe this house in Paris cost \$400,000 to build.

Mr. WARREN. Oh, no.

Mr. SMITH of Michigan. The main value is in the land, I think.

Mr. TELLER. That is not the question. You will require a different character of house and you will have to meet different conditions in every way in Paris from those in Tokyo or some Chinese town. All I want to say about it is that when later on somebody raises a question about giving an additional appropriation for an ambassador or a minister and making some provision for maintaining his position socially, as it is properly demanded he shall, the Senate will not feel that they have a somewhat unnecessary demand on them. When we establish this principle we must establish it with the understanding that considerable expense is to follow.

We know, Mr. President, that there are certain demands made upon American ambassadors and ministers in all the great cities of the world. We recently had an intimation that the Emperor of Germany did not want a certain man because he would not expend as much money, and he would not have the social position because he did not expend it, as some other man had, who possibly might have been an inferior man to the one proposed. That is a part of his public duty, I suppose, and our representative abroad has got to do it.

I should have been glad if this matter could have come before the Senate in such a way as that the whole question could have been settled as to the adoption of the policy now proposed. As to whether we are really in a condition to make this movement, I have no doubt we are. If we purchase this property, I shall regard it as establishing a principle requiring us to furnish a house in practically each of the great cities of the world. If we establish an embassy in fine style in Paris, we must do the same thing in London, and we must do the same thing in every country of that rank at least.

Mr. CULBERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from Texas?

Mr. TELLER. Certainly.

Mr. CULBERSON. I hesitate to ask the question because the Senator is not a member of the Committee on Foreign Relations—

Mr. TELLER. No; I am not on that committee.

Mr. CULBERSON. But I should like to know if the Senator has any knowledge about what proportion, if any, of the cost of maintaining this character of establishment is borne by the United States?

Mr. TELLER. Mr. President, practically nothing heretofore, I suppose. We have been sending abroad rich men, who are able to pay for house rent two or three times the amount of their salary, and then they have been able to spend four or five times that amount in entertaining. It is not a very good condition when you can not send a man to represent the United States at Berlin, at Paris, or at London unless he is a millionaire; but that is the condition to-day. I do not suppose any man of moderate means would dare to take an appointment to any great capital to-day. If he did, he would probably be ostracized by the world's representatives.

Mr. NEWLANDS. Mr. President—

The VICE-PRESIDENT. Does the Senator from Colorado yield to the Senator from Nevada?

Mr. TELLER. In a moment. There is something, undoubtedly, in the social relations and duties being properly performed by the representatives of this Government as they are performed by the representatives of other governments. I think we have passed the period when we can send a minister abroad and let him live in a small house or a small room, dress plainly, and fail to recognize the demands of society on him as the representative of this Government. I do not know that the world is any better by the change, but I think we have to recognize the fact that our ministers now are called upon to do things that they would not have been called upon to do a hundred years ago.

I only wish that we should start out with a knowledge of what it will involve if this thing is to be done. How much it will cost, I have not the slightest idea, but if we start upon it, I think, as we are a rich Government, we ought to do it in a proper style or else we ought not to do it at all.

Mr. NEWLANDS. Mr. President, all I wanted was to ask the Senator from Colorado a question, and that was, whether he did not think it would add to the embarrassment of a man of even moderate fortune to assign him to a house worth \$400,000, and whether the expense of administering that house and running it upon the social scale that would be required would not be such that it would be almost prohibitive of the employment of men of moderate means in positions of this kind?

Mr. TELLER. Mr. President, in a house costing \$400,000 and properly equipped, as such a house should be—for there

must be some relation between the surroundings and the interior of the house—I do not believe that any man could go to Paris and live in such a house on \$17,500 a year, even if he did not entertain at all.

Mr. LODGE. Mr. President, I think the Senator from Colorado [Mr. TELLER] has put this question on the proper ground. The adoption of this amendment—and I hope it will be adopted—will be unquestionably the adoption of a policy. There can be no doubt about that. It was so intended. It was believed by the Committee on Foreign Relations, certainly, that it was wiser to enter upon the policy in that way by buying one house at a time as favorable opportunities offer than to attempt by an appropriation of five or six million dollars to enter on general purchases all over the world.

We own now legations at Peking; at Seoul, where the legation has been abolished; at Bangkok, Siam; at Tokyo, which is now an embassy of course; and two years ago we purchased another and very fine embassy building in Constantinople. This is a departure, in that it is providing for the purchase of an embassy in one of the great capitals of Europe. The change, I think, that has brought about the demand for a policy of this kind was when we created embassies and entered upon the appointment of ambassadors. When we created embassies we created posts of very much greater expense than any legation could possibly be. The rank of embassies was settled under the treaty of Vienna. An ambassador not only occupies a very much higher position than anyone else in the diplomatic service and has corresponding advantages in the transaction of business, but very great expenditures are forced upon him. Demands are made upon him that he can not well avoid. We changed the rank, and we made no change in the salaries. It would have been very much the same thing when we created the rank of Admiral in the United States Navy if we had simply given admirals the salaries paid to commodores.

Having given our ambassadors no increase of salary and thrown upon them a great increase of expense, we find ourselves confronted with the fact that, in order that the United States should have proper representation in those great capitals, we must either increase the salary or add to the salary by giving them house rent or confine these appointments to men of great wealth. What it has come down to is confining these appointments to men of great wealth in almost all instances.

It is, impossible, practically, for an ambassador to live in a small apartment in Paris or Berlin and transact the business of the Government of the United States as it ought to be transacted. The demands do not come simply from the court or the society in which he finds himself, but the demands made by his own people are very great, indeed. They expect certain public receptions to be held on Washington's Birthday and on the Fourth of July; they expect hospitality from the ambassador. The number of Americans who go to these great capitals in Europe is very large; it is said that there are 60,000 Americans normally in London alone; and an ambassador can not escape the expenditure of a large amount of money. He has a constant pressure upon him; and a man who desires to represent his country properly is inevitably embarked in a course of expenditure which, if he is a poor man, will take probably what little property he may have. I know that that substantially happened in one case. It would not be proper to mention names, but I know that what I have just said did occur in one case.

Now, Mr. President, if we give to our ambassadors their rent, in addition to the salary they already have, it would certainly make living much easier for them; also it would give to the United States a definite place in the city; it would give the embassy a definite home, and it would establish what I consider a proper scale, because it is not merely that an ambassador is forced, if he is a poor man, to live below the scale that he would like to adopt, but there are cases I have in mind where men of great wealth have taken houses and established a scale of living which puts the successor in a position of great embarrassment. At least we should secure that the successive American ambassadors to any one country should live in the same house and should maintain substantially the same scale.

I do not think it is decent for a country as rich as the United States to send its ambassadors abroad as they are sent now, even if they have abundant money, to pass six months, a year, or eighteen months in looking for a suitable place to house themselves.

You have all heard the story of Mr. Choate and what he is reported to have said in a speech at a dinner. He said he wished to compliment the police of London; that on the night of his arrival in London it was very rainy. He was wandering about the streets and a policeman stopped him and said, "What are you doing here?" He said, "I am just wandering about the streets." The policeman said, "You must not do that; you

must go home." "Why," said Mr. Choate, "I have no home; I am the American ambassador." [Laughter.] That is an exaggerated way of stating what is an actual fact.

I think I shall not be trespassing upon private confidences—because the fact is known to other Senators here, as well as myself—in saying that when Mr. White was appointed ambassador to Italy I happened to be in Rome, and the Senator from Georgia [Mr. BACON] also happened to be there at that time. He had rooms at a hotel. He was searching for an apartment suitable for himself and his family to live in. It took him eight months to get a place where he could receive Americans and where he could transact the business of the embassy, and when he got a suitable apartment he was obliged, in order to make it fit for his purposes and for his residence, to spend something like \$20,000 in putting it in order. Within one year he was transferred to Paris, and went from Rome to Paris, and the \$20,000 he had the pleasure of spending on that apartment was of course an absolute loss to him.

I do not think it is fair to put these expenditures on our ambassadors, many of whom are not men of great wealth, but who desire to appear properly in the great office which they hold.

The really serious thing, to my mind, is that the inevitable tendency of this perfectly inadequate salary is to compel the giving of these offices exclusively to men of great wealth. The average man, even the man who has got a fair income of his own, knowing what expenditures these places require, does not want to go there and live in a "two-pair back." If he is going to represent his country at all, he wants to do it properly and generously and as it should be represented, and men decline those places because they can not face the great expense. I am speaking of embassies where very much is required. Therefore, Mr. President, I think this is a sound policy, one becoming to the United States, and one which we ought to adopt in regard to our embassies.

As for the amount of this particular purchase, I think, as the Senator from Colorado says, it is a secondary question. I know the particular house which it is proposed to purchase. I believe I have seen pictures of it. It is a very modest house, indeed, compared to the embassies of other nations in Paris; but you can not go into Paris and London any more than you can go into New York and buy a house suitable for an embassy, for official receptions and official purposes, for much under \$400,000.

A little less than ten years ago we were offered for \$300,000 the house in Rome then occupied by our ambassador, which was a very fine, modern house. It has a beautiful garden, and is a very fine house, indeed. There had been a great decline in values in Rome; real-estate speculation had been overdone, and this house was offered to our ambassador for \$300,000. We talked it over in the Committee on Foreign Relations, and decided that it was useless to attempt to get an appropriation. So we allowed it to go by, and, within five years after that, the Government of Italy paid a million dollars for that same house and garden, and it is now occupied by the Queen Dowager of Italy. It was an opportunity to buy a very fine embassy, of which we ought to have availed ourselves.

I think, from the circumstances which have been stated by the Senator from Wyoming [Mr. WARREN], and which are also known to him, that this is a good opportunity to buy a very suitable house—not an extravagant one—with an abundance of ground about it. It is an opportunity, if we are to enter upon this policy at all, which ought not to be allowed to go by; but the main thing with which I am concerned is the adoption of the policy. We must either largely increase the salaries or we must give them their house rent free, or we must expect to see these places occupied wholly by men of large wealth, and men of moderate means practically excluded from the great prizes of the diplomatic service. We have to make up our minds to just one of those three courses. I prefer the purchase of a house, because it seems to me that it is a great advantage to the United States to have one fixed place where the business of the United States shall be done and where everybody will know that the embassy of the United States is fixed and settled.

The rents which have been paid by our ambassadors have made great demands upon them, even where they have been men of moderate means and have lived in a way which every Senator in this body would agree was the only proper way for an ambassador of the United States to live. I have in mind one case in London, where the ambassador lived in a very simple manner, and yet his house rent in such a house as we should all expect him to have, and which nobody would comment upon as extravagant or unreasonable, the rent of that house took more than half his salary. It took \$10,000 out of the \$17,500 and left him with \$7,500. He had other resources,

or he could not possibly have occupied the place. I do not think that the rent which this house and grounds would represent is an excessive rent. I know that our ambassador to Paris has paid more than that in rent.

Mr. OVERMAN. Mr. President, I will ask why is some particular house mentioned here? Is there an option on somebody's house in Paris? Does somebody want to sell a house to this country?

Mr. LODGE. That was explained by the Senator from Wyoming. This is an estate which must be settled within a year.

Mr. OVERMAN. Owned by some American?

Mr. LODGE. No; owned by a Frenchman. It is a French property. There is an opportunity to buy it on the settlement of an estate and to that extent it is a forced sale. They are holding it until the question can be decided here. I have no doubt about its being a good investment; and if we are disturbed about it, we can probably sell it for more than we give for it.

Mr. BACON. Mr. President, I should like to call the attention of the Senator to one statement of fact—

Mr. WARREN. Right there, if the Senator will permit me—

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

Mr. BACON. Yes.

Mr. WARREN. I want to say that while this amendment does not confine the purchase to this particular property, it is expected we can buy it and that it will be a most advantageous purchase.

The property is now occupied by the American ambassador. He has expended some thirty-odd thousand dollars in putting it in thorough repair. He asks no relief, and this was not the property that he first suggested the United States should buy. But this opportunity has come, and the price will probably be nearer \$350,000 than \$400,000 for the house and land, where it has been held at \$450,000. On account of the money expended upon it by our ambassador there is a sort of an understanding, which amounts practically to an option, that until Congress has passed upon it the United States shall have the right to buy it.

The value of this property is largely in the ground. As I said, it is between two prominent streets. There is a garden, and, as we all know, with the residences in Paris the garden is considered of equal or greater importance than the house. The entertainments that are given during most of the year are garden parties or receptions. They are the least expensive and the most satisfactory. The upkeep is not much. Probably the house alone would not cost over—or not much over—a hundred thousand dollars to build.

This is a very desirable property. It is one that furnishes office rooms, official quarters, and a family residence, and these fine grounds, of which the United States may well be proud. The ambassador and the great number of Americans who yearly visit there will have the full benefit of the grounds and the gardens, and the United States embassy be so located that we may take just pride in its permanency, convenience, and elegance.

Mr. LODGE. I merely want to say one thing more. This is not extravagant, compared with other countries. England pays her ambassador to Paris £10,000 a year. In addition, she gives him one of the finest houses and most beautiful gardens in Paris. I think the English ambassador here receives £7,000, \$35,000, and a house, stable, and grounds. But in Paris, where this is proposed, England pays her ambassador \$50,000 a year and gives him a house and garden and everything free. That is the scale on which European nations transact their business abroad.

Under this amendment we are not confined to this particular property. It will be a very advantageous purchase, in my judgment, if we can get the property. But the amendment provides for the purchase of a site and the erection of a building, if that seems better to the judgment of the State Department.

Mr. President, I do not think I need dwell longer upon the subject. The arguments in favor of the amendment seem to me overwhelming, and the question seems to me to involve the dignity of the United States abroad. I think Senators understand it, and I do not desire to detain the Senate longer.

Mr. BACON. Mr. President, I do not wish to occupy the time of the Senate for more than a few minutes, as the Senator from Massachusetts [Mr. LODGE] has said practically all that it is necessary to say, and it is not necessary that I should repeat it, except possibly to emphasize one or two points.

The only interest I have in making provision for embassies

is the one which he has stated with great clearness, that the office of ambassador shall be open to any man of moderate means in this country, and shall not be exclusively confined to men of great wealth. This legislation is not in the interest of any ambassador who now holds a post in Europe, for the reason that all of them, possibly with one exception, are millionaires, and most of them are multimillionaires. If the question were left to-day to the wealthy men of the United States, at least to those of them who may have ambitions to hold such positions, whether there should be any change in the present arrangement, they would possibly most of them desire that there should be no change and that the law should remain as it is, because with the law as it is now they have an absolute monopoly of the representation of this Government in the high and important office of ambassador.

There is no trouble under present conditions so far as concerns the United States in getting ambassadors who will represent the Government. There are any number of wealthy men throughout the country who would be delighted to hold the office of ambassador and bear all the burdens, and not only all the existing burdens, but they would gladly serve if there was no salary at all. But as it now stands it is an utter impossibility for any man to hold one of these positions and present himself in a way that would be at all creditable to the country, leaving out of sight any suggestions as to snobbery or spectacular display, and which would not be mortifying to any of our citizens who should meet him, unless he is a man of great wealth.

Mr. President, the suggestion, while not made directly, is implied that this is not necessary and therefore it ought not to be done. In other words, that ambassadors can do their work in representing the United States and live in rented rooms or in cheap houses. We do not follow that rule in our expenditures in other matters. The Congress could be housed easily and comfortably in a building that would not cost over a hundred thousand dollars, and yet it would not comport with the dignity of this nation to have Congress in a building of that kind. We recognize the necessity of our having for the Capitol of this nation a building which shall be in harmony with the dignity of the country and in harmony with what is considered proper by other nations; and instead of Congress meeting in a building costing a hundred thousand dollars, we meet in one that has cost fourteen or fifteen million dollars. The same illustration pertains to all the other provisions which Congress makes for the proper accommodations of the Departments, and all of its business throughout the country.

We have here a public-building bill, and millions of dollars are expended where a few hundred thousand dollars would suffice if we were simply to be governed by the question of what is absolutely necessary. We could save a good many million dollars. It is not necessary that there should be these vast expenditures for public buildings if we were to limit it to such buildings as would just absolutely meet the necessities. But I do not think that would be a proper policy. I think the proper policy is to do as has just been done with respect to the city of Atlanta, where a million dollars has been appropriated for the erection of a public building.

It is proper it should be done. If we were to pursue the other policy, a hundred thousand dollars would furnish a proper building where the post-office business could be transacted and the courts held in Atlanta. But it would not be a proper thing to do.

In the same way, in my own city, a much smaller town, we are erecting a building to cost \$300,000 for the post-office and court facilities and other offices connected with the Government. Twenty-five thousand dollars would put up a building in which the post-office business could be properly carried on and in which the court could be held, but it would be a disgrace to the Government of the United States to have such a building in such a city for such purposes, and it is a proper thing that the town has the \$300,000 building. And so on throughout the country. The same illustrations could be made in almost every important city in the United States.

Senators will recognize the fact that the Government does not in its dealings in such matters control itself by a consideration of what is absolutely necessary, but it goes further and does what is proper and what is consistent with the dignity and importance of this nation. Mr. President, it is not necessary that we should provide buildings in the various cities in order that the Government shall be represented in style. It is represented in style now and will continue to be represented in style, even if we do not provide buildings. Even if we refuse to erect or provide proper buildings for the residences and offices of the ambassadors, there will be great buildings occupied by ambassadors, great spectacular displays, great ostentation, and

there will be everything which will be on as grand a scale as we may desire on the part of the ambassadors of this country. That is the condition now. Because nobody will be ambassadors except these millionaires, and they will, at their own expense, continue to rent palaces and live in ostentation and splendor. But instead of its being so that any man who may have a moderate competency may, if he has the proper qualifications, represent this Government in these high and important positions, it will continue to be, as it is now, that they will be debarred, and only the millionaires can afford to be ambassadors. I do not recognize the correctness of the argument that it is consistent with democratic institutions that we should so parsimoniously arrange for our representation abroad that only a few favored men can hold these offices. That is the truth of the present situation.

Mr. President, when Mr. Franklin represented this Government in France, when Mr. Jefferson represented this Government in France, everything was upon a very different scale. It is true that was in the days of the old Confederation.

The salaries enjoyed by those distinguished gentlemen have been stated, but then Senators immediately thereafter were getting four or five dollars a day, and now they are getting over \$20 a day.

Mr. LODGE. The Senator is referring to the days of the Confederation. I have just been reminded that under the Confederation the house occupied by John Adams, who was our minister to the Low Countries, was owned by the United States.

Mr. BACON. I do not design to detain the Senate, although a great deal more can be said upon this line. I merely want to say one thing in regard to the expense in keeping up an extensive house. The expenditures are not proportioned, as might be thought, to the value of the house. The expenses of a gentleman in his home are practically the same, whether he is in a small house or a large house, so far as his private living is concerned. The size of the house for an ambassador is not that he may have so many living rooms, although he must have a proper number, but the large part of the house is necessarily devoted to public needs. It does not involve any great expense in keeping it up after the house is properly furnished, and so forth. But there must be large apartments for the receptions of the public, upon occasions when it is impossible, however simple and democratic our representative may desire to be, to avoid the reception of the public. And, aside from that, the large part of the value of a house in a great city is represented in the value of the land.

Another point I will briefly allude to is this: It is a difficult thing, by reason of the fact I have just mentioned, to get a house in one of these cities which is adapted to the uses of the representative of the Government. For instance, in the city of Paris, where our present ambassador has been for two years, while there are plenty of houses which would suit him as a private residence, it has been impossible for him to find a house which has such arrangements for public official entertainments and for the receptions of the public as would be at all suitable to the purposes; and after a year's effort he has succeeded in getting a house which, while it was sufficiently spacious, was dilapidated. There can be no higher evidence as to the difficulty of obtaining a suitable house than the fact that at last he had to get a house that was so dilapidated that he had to spend \$30,000 in putting it in such reasonable repair as to enable him to receive in that house the representatives of other governments and the large colony of Americans who are in Paris and the large number of American tourists who annually visit there.

The question, as suggested by the Senator from Colorado [Mr. TELLER] indicates that he has not accurately informed himself as to the provisions of this proposed appropriation. It is not \$400,000 for a house, and after that is to follow an appropriation for equipment, but the amount named here covers everything.

Mr. TELLER. I understand that.

Mr. BACON. I then misunderstood the Senator. I understood the Senator to indicate that after the house was purchased there would have to be an additional expenditure for equipment. I am glad to know that I misunderstood the Senator.

Mr. TELLER. This bill contains an appropriation not only for the purchase of the house, but for its equipment.

Mr. BACON. And furniture.

Mr. TELLER. Yes. The house may cost \$400,000.

Mr. BACON. No.

Mr. TELLER. I think the appropriation would justify the purchase of a house to cost \$400,000.

Mr. BACON. I think not. I think the Senator is mistaken about that.

Mr. CULLOM. No particular property is mentioned in the bill.

Mr. BACON. No property is mentioned in the bill.

Mr. TELLER. I understand there is no specific property named, and they can go out and pay \$400,000 or \$395,000 and have \$5,000 or \$2,000 or \$1,000 left. I am not finding fault with that. I do not know that you can do any better. If we are going to buy a house, I want the Government to buy one consistent with our standing and our wealth. I do not think \$400,000 is an immense sum for a house in Paris.

I only want to have it understood that we are entering upon a policy which will require us not only to buy houses for our foreign representatives, but to equip them; for if we do, in my judgment—I am confident it will be found to be true—we will be compelled either to increase the salaries or else to provide sufficiently for the support of the ministers, as we provide for the support of the White House.

Mr. BACON. It is not simply Paris. The only reason we take one place and limit our recommendation to that now is because it is more easy to accomplish something in that way than it would be to try to do it all at once. But it does seem to be very remarkable that Senators should be unwilling to go to an expense of this kind when large sums of money are voted here for other purposes with comparatively little consideration. Here is the agricultural appropriation bill, which we have had under consideration, in which there is an appropriation of over \$3,000,000 for the service connected with forestry, and we are told that that expenditure is to be made for purposes in the nature of improvements and things of that kind. Three million dollars. And yet the Senate is content, when that \$3,000,000 appropriation is under consideration, with the simple statement that most of it will be used for permanent edifices and things of that kind for the protection of the forests, and nobody asks for details. The same amount will furnish embassies for the American ambassadors in all the principal countries in Europe. The money will not be lost, but the property will belong to the United States and increase in value, whereas you will never again hear of the \$3,000,000 you spend on the forest reserves. Yet the latter is freely voted without any details.

Now, in regard to what other nations do, there is not a government which has not in Paris a building worth a great deal more than this one would cost, and many times more. In this city, where property is not worth one-fifth of what it is in Paris, the French Government is now proceeding to erect an embassy, and it has already voted \$250,000 for it, and the purpose is to spend a million dollars for a proper and suitable embassy.

Mr. TELLER. So far I have heard nobody complain of the price of the building. The only question is whether we want to enter upon this policy.

Mr. BACON. I may have misunderstood the Senator.

Mr. TELLER. If we do want to enter upon the policy, I do not suppose anyone will question the price of the property.

Mr. BACON. If it is simply a matter of policy, then, as a policy, we ought to make arrangements by which every ambassador, when he goes to a foreign capital, will be able to live in the same state that his predecessor lived, and have the posts open to men of all gradations of wealth and not simply open to a few multimillionaires.

If the amount stated in this amendment is too large, then reduce it to a proper amount. What I am concerned about is that we shall determine what kind of embassies we shall have at the European capitals, and that when we have so determined we shall provide them and require our ambassadors to live in them, so that all of our ambassadors may appear upon an equal footing. I am not willing that one ambassador shall, because he is a millionaire, live in a royal palace, and have his successor at the same post, because he is a poor man, live in a mean house which will painfully contrast with the palace which was occupied by his predecessor.

Mr. CULBERSON. Mr. President, at the outset of the consideration of this bill—it has not been considered more than an hour—I suggested, and the suggestion met the approbation of the distinguished Senator from Colorado, that in instituting an entire change of policy on the part of the Government, from renting embassies to purchasing them, there ought to be at least a general consideration of the subject.

I call attention to the fact that there is not a fourth of the Senators on the floor while this bill is being considered.

Mr. BACON. I rise to a point of order.

The VICE-PRESIDENT. The Senator from Georgia will state his point of order.

Mr. BACON. The Senator from Texas has suggested the absence of a quorum.

Mr. CULBERSON. I desire to state it was not my purpose to suggest the absence of a quorum in the parliamentary sense of the term.

Mr. BACON. The Senator did it, nevertheless.

The VICE-PRESIDENT. Debate is out of order. The absence of a quorum has been suggested, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

PRESENT.

Allison	Clay	Hale	Richardson
Ankeny	Crane	Hemenway	Scott
Bacon	Culberson	Hopkins	Smith, Md.
Bankhead	Cullom	Lodge	Smith, Mich.
Beveridge	Daniel	Long	Smoot
Bourne	Depew	McLaurin	Stephenson
Brandege	Dick	Milton	Stone
Brown	Dillingham	Money	Sutherland
Bulkeley	Dixon	Nelson	Taliaferro
Burkett	Flint	Newlands	Taylor
Burrows	Foster	Owen	Teller
Carter	Frye	Overman	Warren
Clapp	Fulton	Paynter	Wetmore
Clark, Wyo.	Gallinger	Perkins	
Clarke, Ark.	Guggenheim	Piles	

The VICE-PRESIDENT. Fifty-eight Senators have responded to their names. A quorum of the Senate is present.

Mr. CULBERSON. Mr. President, when the call of the roll was directed by the Presiding Officer I was stating that at the outset of the consideration of this matter I made a suggestion that there ought to be fuller consideration of this question before we entered upon this change of policy. There being a disposition to vote upon the matter without, as it seems to me, such a consideration as I think it deserves, I raise the point of order that the appropriation is out of order under this provision of Rule XVI:

No amendments shall be received to any general appropriation bill, the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law.

Mr. LODGE. Mr. President, this amendment, I think, is clearly in order under the first clause of the rule:

No amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation—

Which is this case—

unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the Departments.

The amendment is moved by direction of the Committee on Foreign Relations, and was submitted to the Committee on Appropriations, as the next paragraph of the rule requires, more than twenty-four hours before the bill was reported.

Mr. CULBERSON. I submit the point of order to the Chair.

The VICE-PRESIDENT. The Chair is of opinion that the proposed amendment is not in contravention of the provision in the first clause of Rule XVI, cited by the Senator from Massachusetts [Mr. LODGE], and for that reason overrules the point of order.

Mr. CULBERSON. I submit that the amendment is in contravention of the third paragraph of Rule XVI:

No amendment which proposes general legislation shall be received to any general appropriation bill.

Mr. LODGE. Mr. President, I think this is clearly not general legislation. It is a new item of expenditure, germane to the bill. The very next amendment to it, providing for the purchase of a legation building at Tokyo, was adopted by the Senate, and very properly. This amendment contains an item of appropriation for the purposes of the bill. It is a new item.

The VICE-PRESIDENT. The Chair is of opinion that the amendment does propose legislation in the nature of general legislation, and that it is obnoxious to paragraph 3 of Rule XVI, quoted by the Senator from Texas. Therefore the Chair sustains the point of order.

No objection has been made to the item providing for the purchase of the legation building at Tokyo.

Mr. HALE. Now, I think there is nothing further in the bill to bring to the attention of the Senate.

The VICE-PRESIDENT. If there are 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 amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MEMORIAL ADDRESSES ON THE LATE SENATORS FROM FLORIDA.

Mr. TALIAFERRO. Mr. President, I ask for the consideration of the resolutions I send to the desk.

The VICE-PRESIDENT. The Senator from Florida submits resolutions, which will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow of the deaths of the honorables STEPHEN R. MALLORY and WILLIAM JAMES BRYAN, late Senators from the State of Florida.

Resolved, That as a mark of respect to the memory of the deceased Senators the business of the Senate be now suspended to enable their associates to pay proper tribute to their high characters and distinguished public services.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and transmit a copy thereof to the families of the deceased Senators.

The VICE-PRESIDENT. The question is on agreeing to the resolutions submitted by the Senator from Florida.

The resolutions were unanimously agreed to.

Mr. TALIAFERRO. Mr. President, the late distinguished Senator, STEPHEN R. MALLORY, of Florida, died at Pensacola, his home, on Monday morning, December 23, 1907, in the sixtieth year of his age. He was born in Columbia, S. C., November 2, 1848, but very soon thereafter was taken by his mother to Key West, Fla., where his boyhood days were spent. In the fall of 1864, when only 16 years old, he entered the Confederate army, but after a brief service, or in 1865, was transferred to the Navy, serving as a midshipman on the *Patrick Henry* until the war ended.

Soon after the surrender, or in November, 1865, he entered Georgetown College, District of Columbia, and graduated therefrom in June, 1869. The fortunes of the family having been sapped by the four years' struggle, he had to bend his efforts of body and mind to the serious affairs of life, and, having made a fine record in college, he applied for and obtained a chair in his alma mater and taught there for two years. In June, 1904, this institution conferred upon him the degree of doctor of laws. The hours not filled by his duties at college were diligently spent in preparing himself for the practice of law. Later he removed to New Orleans and, while still reading law, supported himself by teaching school. In 1873 he was admitted to the supreme court of Louisiana and in 1874 removed to Pensacola and began practice.

From his early life he took an active interest in government and politics, and especially in the herculean struggle being made to free Florida from the corrupt control of political adventurers. In 1876 he was elected, as a Democrat, to the lower house of the Florida legislature; was elected to the State senate in 1880 and reelected in 1884, his services covering in all a period of ten years. His record was excellent in every way and inspired his people with such confidence in his integrity and ability that he was sent to represent his district in the Fifty-second and Fifty-third Congresses.

In 1897 the Florida legislature balloted many days for many men for United States Senator in one of the most exciting contests of the history of the State and finally elected Senator MALLORY to succeed the Hon. Wilkinson Call. He was actually not a contestant for the place, but believed that the honor would go to one of the declared candidates then in the field. Indeed, it is said that he had no notice of any purpose to propose his name earlier than twenty-four hours before his election.

Senator MALLORY's career in this body shows him to have been a careful thinker and a conservative statesman. He was not opposed to reform, but first satisfied himself that a change was needed and that the new order would be better than the old. He thought that the basic principles of this Government were sound; his respect for the Constitution was profound, and his abiding faith was that through the study of the Constitution the broadest and best principles of government could be learned. In his will he left a sum to Georgetown University to be invested and the proceeds used to provide medals to be awarded from time to time for the best essays upon the Constitution of the United States.

Senator MALLORY's mind was essentially judicial and his sense of justice true and correct. He was of the Catholic faith and loved his church, but I submitted a case to him once in which the church was largely interested, and, after giving it careful study and thought, he decided that the contention of the church, while possibly correct in equity, had no standing in the law.

While he was grateful to those who had brought about his election to the Senate from the deadlock of the Florida legislature in 1897 and loyal to the men who led in that contest, yet his gratitude and loyalty were not allowed to extend beyond the bounds of what a correct conscience told him was right. In his first term in this great deliberative body Senator MALLORY

made an excellent record, and upon the strength of it had no opposition for a second term, his election by the legislature in April, 1903, being unanimous.

I had known Senator MALLORY as a lawyer in Florida, as a member of the legislature, and as a Representative in Congress, but my home was in Jacksonville and his in Pensacola, cities wide apart, and because of the infrequency of our meetings our acquaintance was only casual. In 1899 I came to the Senate, and it was then that our real acquaintance began. The sturdy excellence of the man caused me to admire and esteem him, and I was soon glad to number him among my strong and steadfast friends. It is largely upon the intimacy with him here in this body that I base my views and judgment of his character.

He was the son of a distinguished man, but this did not spoil him or cause him to seek prominence or adulation. He fought his own fight with a definiteness of purpose that was commendable and showed the sterling stuff of which he was made. He attained, but the honors he won were worn with touching modesty. His career shows steadfastness of character and purity of principle. His record here—in all his life, indeed—displays a patriotic and abiding faith in the principles of our Government, a correct sense of justice, and a deep and generous sympathy for those who struggle for the betterment of themselves and their children. He believed that the foundation of a wise and enduring Government was the education of its people, and if there was one cause more than another which appealed to his sympathy and enthusiasm it was education.

Child-labor legislation, compulsory education, the organization of the public school system of Florida, and the reorganization of school matters in this city all bear the impress of his zeal in behalf of thousands of children whom he could never know. But the children whose pitiful condition touched him most closely were those in the naval reservation off Pensacola, in sight of his own home. There were 500 or more of these children, many of them descendants of workmen who were long ago induced to go there under the promise of homes in peaceful security. The State had no jurisdiction or control of this reservation, and therefore no power or authority to supply schools, and the children were growing up in comparative ignorance. The first Congressional provision for their relief was introduced by Senator (then Representative) MALLORY. Since then he worked untiringly in every Congress of which he was a member for free school facilities for these children. In the Fifty-ninth Congress he introduced a bill in the Senate for the establishment and maintenance of public schools on the naval reservation. Finally, certain, because of his fast falling health, that he could not live long, he arranged for a place on the Committee on Naval Affairs (exchanging with his old friend, Senator Blackburn, who went to the Committee on the District of Columbia), one of his purposes being to further the educational interests of the neglected children of the Pensacola Navy-Yard.

Entering the portals of death, a soul whose life labors were dedicated even in part to the betterment of the condition of little children need have no fear.

A friend of Senator MALLORY, a friend of education, and especially of neglected children of the naval reservation, has suggested that no more enduring monument could be erected to his memory, no more fitting tribute of love and veneration could be laid upon his grave, than for this great body to assume the work of providing the little neglected protégés of the nation with the educational advantages which should be assured to all.

Senator MALLORY was the son of Stephen Russell Mallory, who was a Senator from the State of Florida in this body from 1851 to 1861, when he retired to follow the fortunes of his State, which had seceded from the Union to become a part of the Confederate States of America. The elder Mallory was secretary of the Confederate navy, which placed upon the seas the first fighting ironclad the world had ever seen—an ironclad which ended the era of the wooden vessel and revolutionized the naval architecture of the world.

The elder Mallory was born in Trinidad on his father's vessel, sailing from Bridgeport, Conn., famed as the home of mariners and shipbuilders. The junior MALLORY also was reared within the sound of the sea. Indeed, his early boyhood days were spent at Key West, an island in the sea, some miles distant from the mainland of Florida. Reared in such an atmosphere and descended from the sturdy mariner folk of Connecticut, it is but natural that he should love the sea, its vast air of freedom, the grandeur of its storms, the music of its murmurs, and its mysteries. The Spanish blood in his veins, a heritage from his mother, produced in him, as the strange chemistry of the Latin admixture usually produces, a

perhaps more intense love of the beautiful in poetry and art and nature than the Anglo-Saxon seems to hold, and especially in nature, which he looked upon as the open book—the ideal—of both poetry and art.

For many years preceding his death Senator MALLORY had been an invalid. During much of that time he was compelled to rest in a sitting posture. He bore his troubles silently and without complaint even to his most intimate friends. He has appeared in this body more than once with the tell-tale flush of fever on his face and suffering bodily pain to participate in some important debate or to advocate some measure of interest to the people of his State and the nation. Nor did he measure the sum of his duty by the interests of his State alone.

When he came to die the Senate was sent a message—one of his last—requesting that there be no official funeral. He wished no pomp or display, but merely to be laid quietly away by his own people at his own home with the simple service of the Catholic prayers for the dead. He asked too that there be no eulogy, but Father Fullerton, who conducted the funeral, felt "that a life so modest, so full of lessons for the living, warranted a disregard of part of this request at least." He said that Senator MALLORY "had died as he had lived, a courageous man, religious without pretense, and a faithful soldier of the cross. There was no complaining or repining in the long fight against sufferings which were a martyrdom. He showed us how to live, and when he could not longer show us that, he showed us how to die."

On the north face of the Confederate monument at Pensacola there is a legend selected by Senator MALLORY and chosen perhaps because it was the lode star of his own life:

'Tis not in mortals to command success. We'll do more, Sempronius—we'll deserve it.

And I may add, Mr. President, that the success which my lamented colleague achieved he well deserved.

Mr. MILTON. Mr. President, the electric spark never flashed a more grievous message to the people of this country than that sorrowful announcement that went over the wires on the 22d of last March that the noble heart of WILLIAM JAMES BRYAN had ceased to beat forever.

I confess, sir, at the outset, my inability to do justice to the character and merits and achievements of this extraordinary young man who so lately sat among you, a resplendent figure, superbly endowed by nature with all the charms of a fine physical presence and with an intellectuality of the highest order. Ever since his mortal remains were laid to rest I have carried with me each hour of the day the most poignant sense of bereavement and acute sorrow that accompanies the loss of a dear personal friend, and beyond that the knowledge of the affliction that has come to the people of his State and mine, in the passing of one who had but stepped upon the threshold of a career that would unquestionably have brought him lasting fame, as it would have resulted in good to his State and country.

A youthful giant, he was cut down by an inexorable destiny in the blossom time of his existence, ere yet the perfect fruit had come to maturity. The youngest Senator save one who ever occupied a seat in this Chamber, I do not conceive it to be the language of exaggeration that proclaims him to have been the greatest man of his years that this generation has been privileged to know. The heights he would have reached had his life been spared can only be surmised, but those of us who knew him best and had followed his developing genius from the days of his boyhood are confident that his fame would have ultimately filled the continent and that he would have left an imperishable record on the pages of his country's history.

Mr. BRYAN made no claim to high patrician lineage or aristocratic ancestry, and yet he was of no plebeian origin. His father, Hon. John M. Bryan, now living at an advanced age, is a Floridian by birth, and for many years has been one of the most useful and honored citizens of the State. Conscientious, high-minded, and full of zeal, he prompted the welfare of his native Commonwealth. The sire instilled into the plastic mind of his son at a tender age those elementary principles and honorable aspirations which were so magnificently developed in him we mourn. Born in Orange County, Fla., October 10, 1876, WILLIAM JAMES BRYAN passed much of his boyhood days in the open air, acquiring a fine physique in the work of a farmer boy. He learned fruit culture and breeding of cattle, and the practical knowledge thus acquired was of much service in his subsequent career.

After finishing his course at the local high school, he entered Emory College, at Oxford, Ga., and was graduated from this noted institution with honor. Still later, he pursued his studies at Washington and Lee University, Lexington, Va., where he ranked among the most earnest and successful students, taking his degree in June, 1899.

His next step was the carrying out of his long-cherished ambition to take up the practice of the law as his regular life work. Admirably equipped for this exacting and greatest of all professions, his success was so immediate and conspicuous at the bar of the metropolis of the State that in 1902, three years after leaving the university, he was overwhelmingly elected to the office of county solicitor. From that time on his progress was rapid and brilliant. Still youthful to the point of boyishness, he met the veterans of the bar on equal terms, asking no odds, and winning battle after battle in lawsuits of the highest importance, until he became recognized from one end of the State to the other as one of the shining lights in his profession. He went into the trial of a case only after the most thorough preparation, studying it in every phase, with the diligence of his old student days. In addition to the mastery of detail, he possessed the gift of eloquence, and the personal magnetism that appealed to juries with irresistible force. With such an equipment, it is no wonder that in the few years of his practice he attained a prestige any man might be proud of acquiring in the course of an ordinary lifetime. His older associates were astonished at the scope and profundity of his legal attainments, and at the skill he displayed in the handling of every case. To sum up, he was a lawyer of the first rank, ever loyal to the interests of his clients, and scrupulously honorable in and out of the court room. This quality endeared him to his legal brethren, as it did to the public at large.

Neither as a private citizen, a professional man, nor the holder of an office, was the integrity of his conduct, or the purity of his motives ever brought into question. He was likewise as magnanimous as he was honest, ever willing to concede honor to all who deserved it, and never making unreasonable demands for personal aggrandizement.

It was inevitable, however, that a man of his temperament and qualifications should be drawn into the political arena. Seemingly born to assume a leadership of men, he plunged into the memorable Broward-Davis gubernatorial campaign, ranging himself with the forces that followed the banner of the successful candidate. Following this, he was, in 1904, a candidate for delegate at large to the national Democratic convention, with the result that he was chosen by the largest vote given any man on the ticket. This lead of more than 1,000 votes was the spontaneous tribute of the masses of Florida's Democratic voters, who believed in this young chieftain for their cause and in the attainment by him of a splendid destiny. He was even then the hero of his people.

On the day when he was notified of his appointment to succeed the late Senator STEPHEN RUSSELL MALLORY, Mr. BRYAN issued the ringing public statement from which I take the following extracts, as showing the virile qualities of his intellect and the buoyant optimism of his nature. Among other things, he said:

From among those who are candidates for the nomination of United States Senator, I believe that he should be chosen who can best serve the people of Florida in crystallizing their Democratic faith into national law. It is purely a question of service. That Democrat can render the best service who is really and sincerely in heart and mind in accord with the principles and beliefs of the rank and file of Florida's Democracy and has been so in season and out, whether a candidate, a private citizen, a public official, a lawyer, doctor, editor, farmer, or what not, regardless of his local habitation. * * * I am, by birth, education, and intense conviction, identified with the State of Florida, and hope to contribute of the strength of vigorous manhood and an unflinching courage of a firm believer in the righteousness of his conduct to the State in which my people, having been of pioneer families in the period of settlement and development, so wholly belong. I shall accept the Governor's commission, and I propose to justify his action in the minds of all fair-minded Democrats by an earnest, energetic, and unflinching devotion to the interests of the people of Florida. * * * I have planned a whirlwind campaign already, that will give courage to my friends in the coming primary election.

In this very human and positive announcement the gallant spirit of BRYAN makes itself felt. It was like the man—earnest, straightforward, devoid of all guile and pretense. He took the people into his confidence, and there was never a time in which they did not trust him implicitly. He said he had planned a whirlwind campaign. There are few who do not believe that he would have been successful by the verdict of the people had he lived to carry through his fight for a full Senatorial term. Although he was contending against able and popular men, in his own mind there never came a shadow of doubt of his triumph. As with many of his type of inherent greatness, he was a firm believer in his own destiny. But let it be understood that this conviction had no effect whatever on the natural sweetness of his disposition or upon the amiability of his bearing.

He was always the courteous, unaffected gentleman, ever considerate, never arrogant, never vain or conceited. His appearance here might well have turned the head of a man of less balance, for it was a proud distinction that he enjoyed to be seated among men of national repute, most of whom were so greatly

his seniors. Yet he took his place with that modest, serene air which sat so well upon him and which stamped him as one of nature's noblemen. The favorable reception which he met, and the kindness shown him by every Senator on both sides of this Chamber, would have been a precious memory throughout all the years of his earthly pilgrimage. Not only did he win the instant favor of his associates in this body, but the most cordial and sympathetic relations were established between him and the leading officials of the Government, including the Chief Executive of the United States. Upon their first meeting the President of the United States recognized the young Southerner's innate nobility of character, his high purpose, and chivalrous principles, and immediately they became friends. Evidence of this was seen in the beautiful compliment paid by President Roosevelt to Mr. BRYAN's memory, when in accordance with the latter's wish he decreed that one of the new battle ships should bear the name of *Florida*. How pathetic it was that he who was instrumental in bringing this about could not have lived to see the bestowal of the name on the occasion of the great ship's christening.

After all, Mr. President, perhaps WILLIAM JAMES BRYAN did not live so short a life, when we come to consider how full of action were his days, how crowded with worthy deeds, how much of good he wrought, and what a deep imprint he made on the history of his time. The record that he left will endure, and for generations to come it will serve as an inspiration and a stimulus to other young men of the Southland.

In speaking of his capacity for deep study and investigation and of his profession and boyhood I have but barely alluded to his engaging qualities as a man or of his irreproachable conduct as a husband, son, and brother. In the long days of illness that preceded his departure from life he was sustained by the presence of the devoted woman upon whom he lavished the utmost affection of his knightly soul and that of the loyal brother, who was also his truest friend. But outside of his family circle he drew to him a multitude of men, from the humblest to the highest, for he took as keen an interest in the welfare of the poorest farmer as in that of the most influential and aristocratic of his compeers, for, with the great poet of Scotland, he believed that "A man's a man for a' that," and he never knew how to "bend the pregnant hinges of the knee that thrift might follow fawning."

He did not court the favor of the rich and the great, but always he stood forth as the champion of the rights of the people. However, there was no taint of the demagogue or the political charlatan. He took no stock in the doctrines of the radical or the Socialist, and his programme was conservative, not revolutionary. He prosecuted a trust with vigor and to successful conclusion, not pandering to public prejudice but to avenge a violated law. There was naught of malice in his temperament, but he believed that laws were made to be enforced and that the violators of laws should be punished.

That the world is better because WILLIAM JAMES BRYAN lived in it there can not be a doubt. He did not burst upon our vision like a blazing comet, attracting all eyes by the strangeness of its advent and luster of its fire; instead, he rose like a star, moved steadily in his appointed orbit, and melted off into the light of heaven.

Mr. GALLINGER. Mr. President, a singularly conscientious and devoted public man of the very best American type has been lost to the Senate and the nation in the death of STEPHEN R. MALLORY, of Florida. His splendid character was manifest in the very aspect of his face and form—in the refinement of his well-remembered features and the dignified and courteous bearing of the well-born, cultivated gentleman. He was a worthy heir to one of the historic names of the South, the second of his family to adorn this Chamber. This is a distinction rare in the annals of the Republic. Not often in our bustling, aggressive democracy are the public honors of a father transmitted to a son—nor were these honors in this instance merely transmitted as a matter of right, in the aristocratic Old World way, from the older to the younger MALLORY. Rather were they achieved anew by the younger man, in our good American way, by dint of sheer ability, ardent endeavor, and high personal deservings. Fortunate is he who inherits a distinguished name, but still more fortunate is he who, inheriting it, leaves that name all the more illustrious because of the manner in which he has borne it throughout his life and of honest and beneficent work in the service of his country.

It was the fortune of Senator MALLORY to have lived during the most stirring and dramatic period of our national career. These are the years spanned by the lives of the majority of the older men now in this Chamber. As a lad he saw the final intensifying of the sad and bitter estrangement between North

and South, that consummate tragedy of America, the transforming of brethren into deadly enemies—a tragedy which we are mourning still, but, fortunately, one which heals and fades so swiftly in these present years that to our children's children it will be a thing incredible.

Young MALLORY not only saw this tragedy. Like tens of thousands of brave and ardent boys, South and North, he was himself a part of it—both witness and actor in its heroism, grief, and suffering. As a young officer of the Confederate navy he bore his share in the final scenes of the drama, and it happened that his own rôle was of the most difficult and discouraging character. It is a matter of history that the little, improvised Confederate fleet was outmatched almost everywhere by the overwhelming resources of the Federal Navy, and that it was only the solitary commerce destroyers, free and far on the ocean, some of which never saw Confederate waters, that could make any headway against the tremendous maritime power of the North. Yet peculiarly hard and disheartening as was the service of the Confederate navy in the work of home defense, it proved to young MALLORY to be an admirable school of manly courage and endurance. What is more, it helped to give him that unusual interest in and knowledge of the affairs of the sea which, strengthened by his long residence at a historic Southern seaport, made him so useful afterwards in House and Senate in the consideration of important matters of ocean trade and navigation. On all these things he spoke among us here with rare information and authority.

But Senator MALLORY was a well-rounded man. Nothing of concern to the nation or his State found him indifferent or forgetful. The great war had broken in upon his school years, as it broke in upon the student life of so many of the wisest and best men who have sat here and in the other House of Congress. But when there was opportunity he turned again resolutely to his education and gathered an excellent equipment in the law. His habit of mind was exact, logical, and fair. He would have made a great and able judge. Indeed, his temperament was naturally the broad and philosophical one of judge and arbiter rather than of sharp, uncompromising partisan advocate. But his honored name, the ripeness of his scholarship, and his notably attractive personality marked him out for an active political career. The people of Florida were proud of his qualities of mind and heart, and proud of the distinction of being represented by a man like this at Washington.

Senator MALLORY in his later day and generation recalled some of the best traditions of those earlier and fortunate years before the slavery feud had rent North and South asunder. He was of a distinguished race, long identified with the most important public service. The power of leadership and of statesmanship were with such men a matter of instinctive habit and inheritance. They knew their people and were absolutely trusted by their people, and they held to lofty ideals of the obligations and the powers of government. Even those who differed with them never dreamed of doubting the sincerity of their logical conclusions and their disinterestedness of purpose.

Senator MALLORY endeavored, in his long and valuable public service here in Washington, to approach every public question with entire openness of mind. His manner of discussion was always candid and philosophical. He respected his honest adversaries and commanded respect from them. He was one of those rare public servants who could be both fair and firm—for beneath his kindness and courtesy there was always manifest the bed rock of deep and strong individual conviction.

Out of many years of pleasant associations with Senator MALLORY in the general service of the Senate, I can not but recall especially the most faithful and considerate performance of his duties a few years ago as a member of the Merchant Marine Commission. This was a difficult and thankless labor, involving as it did much journeying and long and weary sessions in the heat of summer and the crowded year of a Presidential campaign. Senator MALLORY was not at that time in robust health. The additional duties of the work of the Commission were sure to prove a severe tax upon his physical strength and to rob him of a well-earned and needed leisure. Yet, instinctively recognizing that his own personal knowledge of maritime conditions made his presence and participation of the utmost value, he loyally undertook the task, traveling, studying, and laboring to the very limit of his physical capacity, personally arranging for and presiding over several of the Commission's sessions of inquiry in the far South, and aiding materially in the final drawing up of the recommendations of the Commission to Congress. On every point where he could consistently agree with his Republican colleagues Senator MALLORY fully and unhesitatingly agreed, just as on other points he firmly and courteously differed.

But he made it his business to seek points of agreement rather than of disagreement, and if this question of our merchant marine, long such a contentious and almost hopeless question in the American Congress, is now, as I believe, somewhat further along toward a fair, friendly, and satisfactory solution, the credit for it must be held to be in a large measure due to the untiring industry, the breadth of temper, and the devoted patriotism of my good friend and keenly missed and well-remembered associate, the late Senator from Florida.

But for the ill health which so unfortunately hampered the activities of his later years, Senator MALLORY would have left a far longer record of personal achievement. Yet all of us who knew him here know well how great a contribution to the vast work of legislation was his conscientious service on his committees and his close attention to the business of the Senate when he was not debarred by sheer lack of physical strength or by physical suffering. The keenness of his well-trained intellect drove right to the heart of a complex and baffling problem. Able as he was, earnest and devoted, he had that all-essential quality often lacking in men of really great ability and high purpose, and that is that fine, strong, human talent for working harmoniously and effectively with his fellow-men.

Such a public man as this—intellectual, learned, patriotic, high-souled, generous—is sure to inspire affection among all with whom he meets and works in the great and important responsibilities of the American Senate. We who knew Senator MALLORY think of him to-day with admiration and gratitude—aye, but with something even warmer than that, more human and more enduring. He was distinguished as a Senator, and he was also lovable as a man. So it is with a grief deep and personal, and not in any mere ceremonious way, that we meet here to-day to speak of him, to recall his vanished face and form, his gracious words and noble work, and to do honor to a dear and sainted memory.

Mr. BACON. Mr. President, in a body so limited in its membership as is the Senate, with so long a term of service and with daily associations, it is readily appreciated that the personal relationship between Senators is naturally intimate and close. When death removes one of our number, it nearly touches each one of us. It is almost as when one is fatally stricken in the family circle. During the term of my service here many Senators have died while in office. The roll is long and includes many honored names. Almost all of them have been old men—men who at the close of long public careers have laid down their work when fully done.

There is at such times solace in the thought that in such cases, with rare exceptions, life has been closed as it was designed; that its duties had been performed, its pleasures enjoyed, and its honors won. The day with them had run its course. For them there had been the rosy dawn, the morning bright with its preparation and its hopes, the noontide quick with its struggles and its activities, and the evening rich in contentment and in the recompenses which their labors had gathered. And then, when the full-orbed and undimmed sun had sunk in the west, there had come to them the restful night, and they had laid down to pleasant dreams.

Mr. President, the attention and the interest of the whole nation were most pleasantly excited when, in January last, a youth entered this Chamber bearing the commission of the State of Florida to represent her as an ambassador in this high council of the States. Barely beyond the limit of the age prescribed by the Constitution, he was with scarcely an exception the youngest man who had ever become a Senator of the United States. In securing at his age so exalted a station a great fortune had come to him. The honor that men strive for through long years in the hope that they may attain it as the reward of unwearied struggle had been bestowed upon him at the very outset of his career. His early morning was in very aglow with the promise to him of the fortunes and honors the most coveted by them. Contemplating the fortune which had crowned his youth, to the older Senators it was a long retrospect to the day, when at his age, they had looked forward in the distance, and when the hope was then born to them that in what then seemed the far future they might through weary years of effort reach a place in the Senate. At the point where their hopes had begun his success had been achieved.

He was handsome in person, modest in his demeanor, and without demonstration quietly cordial in his address. The brevity of his service here gave no opportunity for the demonstration in this arena of his mental abilities, but the reputation of his achievements in other fields left no doubt that as opportunity offered he would measure up to the full stature required in the high and responsible station to which he had come. It is a fact which will be recognized by all here that as the days

passed he grew steadily in the favor and esteem of Senators, and with this growing favor and esteem our interest deepened in the personality and the fortunes of one so rich in such unusual opportunity and so fitted for its improvement.

How dearly he loved and cherished his native State and her fame is shown in the letter which he addressed to the Secretary of the Navy, February 14, 1908, asking that the name of *Florida* might be given to one of the future battle ships, and when the ship which will bear that name goes into commission it is fitting that she shall forever thereafter wear some appropriate memorial to Senator BRYAN.

Singularly and by accident, in the selection of seats upon his entrance here, his was adjoining the seat of Senator WHITE, of Maryland, and thus there sat side by side the oldest and the youngest Senators in the Chamber, the venerable octogenarian and the youth of 31. In going to and from my seat in the Chamber it was necessary for me to pass them by, and frequently in so doing I have laid a hand at once on the shoulder of each of them and inquired: "How are the boys to-day?"—a pleasantry always smilingly recognized by each, and never seeming to them to grow old with repetition. Senator WHITE, although 84 years of age, was then active physically and mentally, and Senator BRYAN was far below the meridian of life. What possible anticipation could have told that within a few short weeks, and within five days of each other, the funeral crape would be draped upon each of these two adjoining desks in token that those who had sat at them had gone out from among us forever? But so it was.

One day Senator BRYAN was missed from his accustomed seat. The report came that he was not well. Days lapsed into weeks, and still his seat was vacant, and we were told each day of the tightening grip of the illness which had fastened upon him; but when at its worst it seemed incredible that so much of youthful vigor, so much of hope and promise, could die, and we felt that surely he would recover and again be with us. But it was not to be, and on that beautiful Sabbath morning to us there came as a shock and a great sorrow the tidings that our youngest brother, our Benjamin, was dead.

Sir, in the annals of the Senate, past and future, there will never be recorded an event more pathetic than this. With the greatest of prizes within his grasp, while upon the dizzy heights from which there stretched the almost limitless scene of the years of his widening influence and power, ere his fascinated gaze could fairly view the far-reaching horizon, the sun of his life, in the early morning hour, darkened into the unending night.

Those of us who were commissioned thereto by the Senate sadly bore him back to his stricken family and friends in his loved Florida; and there within her bosom, beneath the drooping moss which shall ever mourn his untimely end, and amid the tender spring flowers which in their waking from their winter sleep told of the new life which shall again come to him, they laid him to his final earthly rest.

Mr. DANIEL. Mr. President, within the space of less than one year Senators MORGAN and PETTUS, of Alabama, LATIMER, of South Carolina, PROCTOR, of Vermont, WHITE, of Maryland, and both MALLORY and BRYAN, of Florida, have been removed from the scene of their labors by the Omnipotent One who wills the coming and going of His creatures.

These losses, in proportion to numbers, are greater than the average number killed in a great and fierce battle.

They show that we walk in our daily ways as soldiers under fire, and none may tell who next will lie amongst the fallen. The oldest Senator and the youngest are enrolled amongst these dead, and neither youth nor age can wear a shield against the dart that struck them down.

MORGAN and PETTUS were recently commemorated by their colleagues in this body on the same day. At that time such an event was without precedent, but the precedent has been speedily repeated, and to-day our farewell tributes are bestowed upon MALLORY and BRYAN, who passed away in swift succession.

STEPHEN RUSSELL MALLORY was an able man, a learned man, a patriotic and a good man. He made an excellent Senator, and of his useful service the records of the Senate bear witness.

In conduct and character he realized Blackstone's ideal of a good citizen, for he "lived honestly, hurt nobody, and rendered to every man his due."

He was punctilious in the discharge of every task. The whole Senate respected him highly, and by his intimates he was beloved.

He was always modest and unobtrusive, neither provoking nor giving offense, and he had no enemy amongst his colleagues. He was as manly as he was modest, and in debate was as firm and assertive as became the dignity of his personality and of the

body to which he belonged. A certain refinement, both of appearance, manner and speech, indicated the instincts which make the character of the gentleman. The cleanness and clearness of his mind were illustrated whenever he spoke in argument upon this floor. His positions were chosen with wisdom, his views were uttered with precision; whatever he thought was so succinctly and forcibly expressed that none failed to understand his meaning or to be impressed by the force and earnestness of his nature. No man could ever question either the propriety or the integrity of his course, and his good name was as precious ointment.

His father, Stephen Russell Mallory, was the fourth Senator of the new State of Florida, and served ten years. Our late colleague was the fourteenth Senator elected by that State and served an equal time. His father became secretary of the navy of the Confederate States, which when he assumed the office was only a name, but he made a navy. Little and makeshift as it was, it held its position on the James River as long as Lee held his lines on land, and, as war is a great teacher, its history and achievements will be studied and those who study them will find a lesson taught, which will appease anxiety as to this country being ever overrun by an enemy in war.

The younger MALLORY was born in 1848. He became the bearer of arms in the Confederate army in the autumn of 1864, and was soon made a midshipman in the Confederate navy, and served on the *Patrick Henry* in the James River fleet until war speedily ended. It was at a time when, as Grant said, the Confederates had robbed the cradle and the grave for their recruits, and the dissolution of the Confederacy, of which their very presence was a sign, was soon fulfilled.

As the South dropped the sword it picked up the pruning hook, seized the plow handles, and opened anew its neglected books. The steps by which MALLORY advanced to fields of large usefulness and honor are indicated by his successive occupations.

We find him at Georgetown College in 1865; a graduate of that institution in 1869; a professor of Latin and Greek in the service of his Alma Mater; again a student, teaching himself the law; at New Orleans a practitioner of the supreme court of Louisiana in 1873, and then, in 1874, settling down in his old home in Pensacola beginning practice.

It is in the legislatures of the States that many of our most distinguished statesmen have learned something of the art of legislation. In 1875 he was in the house of representatives of Florida. He was elected to the State senator in 1880 and again in 1884. A little later his capacities were so developed and were so well recognized by his constituents that he was sent in succession for two terms to the House of Representatives of the United States. In 1897 he was chosen to the United States Senate. When he died he was in the second term of a ripe experience and of a service valuable in all its connections with the interests of his State and country. He had been a member of all the legislative bodies known to the administration of the governments of the State and of the United States, and in each of those bodies he had well performed his part and left a memorial of his labors.

Amongst other measures with which Senator MALLORY was identified was one which he offered in the Fifty-ninth Congress looking to the enlarged usefulness of the Public Health and Marine-Hospital Service. He realized what we all know, that the pestilence which wasted at noonday is far more destructive and terrible to the human race than is battle, and that more perish from disease in war than by the bayonet, the bullet, and the sword.

Mr. MALLORY was for years troubled by a physical ailment which was to him a source of constant impediment and suffering. How patiently and uncomplainingly he bore his burden all of us know. Christian by faith and by profession, his life was the best insignia of his devotion. A soldier of the cross and a bearer of the cross, he fought the good fight without display of banners, and he closed his life the real conqueror who had conquered and subdued himself.

He had scarce reached three score. To one of his simple life, his strong nerve, his prudent and well-ordered disposition, a score or more of years might have been reasonably anticipated as his portion; but it was not so ordered.

The acclaims of the multitude, the conspicuous display of public honors, the dazzling badges of distinction, the resounding speech of eulogy, and the printed page; all these things which flatter the vanity and stiffen the pride of man have their place even in the just economy of life's ambitions, which urge on and measurably reward men in their best endeavors.

MALLORY had no burning ambition for these things. He lived on the work that was for him to do, and he bore to the grave that highest of earthly comforts that God has ever vouchsafed

to the workers of His will—the calm repose of the spirit which holds itself in peace to all others and so goes its way to that peace which passeth all understanding.

Scarce had he died at his own home, on December 23, 1907, than a new name took its place by the appointment by the governor of Florida on the Senate roll, and WILLIAM JAMES BRYAN, with the freshness of youth, stepped into the Senate. Only seventy-three days was he here, and over thirty of them were spent in the weariness and affliction of a mortal malady, of which he died on the 22d day of March, 1908.

Painfully did he illustrate the lines:

Life can little more supply
Than just to look about us and to die.

He was a native of Florida and of a family notable in its private worth and in its honest and useful service. He was himself tall, slender, straight, and handsome, an athlete and a student, a graduate of Emory College, Georgia, and then of Washington and Lee University in Virginia. A recognized orator and debater amongst the young men who were his fellow-students, a lawyer who was soon chosen as solicitor in his community, a successful practitioner, with the beckoning rewards and honors of his profession swiftly extended, no young man could have had a more auspicious or promising position amongst his people.

Added to these things were his happy marriage to Miss Allan, of Lexington, Va., a daughter of Col. William Allan, a man who had won the honors of war as the chief of ordnance in Jackson's corps, and the honors of peace as a writer of history and as a professor in Washington and Lee University.

On Christmas day came to BRYAN a commission to the Senate of the United States. His bearing here fulfilled the expectations of those who saw in him the making of a long, honorable, and useful career.

He heard his days before him and the trumpet of his life.

But those days were not to be fulfilled.

He had barely time to become acquainted with and on easy terms with his associates when came the lingering sickness which afflicted him, and then the solemn repose of death.

The names of MALLORY and BRYAN will ever linger in the memories of those who knew them here. They will long be cherished in their State and honored by them whom they honored. They may remind us of the flickering and how soon extinguished is the flame of life, but in the generous economy of that Providence which permits nothing to be lost, their lives intermingle with the meditations of those who come after them, repressing unworthy things, inspiring virtuous deeds and aspirations, and cheering the column of humanity as it moves in its successive generations of toll and conflict, of achievements and disappointments, of sickness and sorrow, and pain and death to—

That one far off divine event,
To which the whole creation moves.

Mr. CARTER. Mr. President, in conformity with an ancient practice of the Senate we again meet to pay a last sad tribute of respect to a former member of this body. WILLIAM JAMES BRYAN took his seat in the Senate on the 9th day of last January, appointed by the governor of Florida to fill a vacancy caused by the death of the lamented STEPHEN R. MALLORY.

When he reported at the desk to take the oath of office Mr. BRYAN presented a perfect picture of fervid youth and manly form. He had not reached his thirty-second year and he appeared younger. To all who gazed upon his tall and slender, but strong and athletic form, his clearly defined and classical features, the impression was irresistible that a Senatorial career had just begun which was destined to be long continued, well sustained, and highly honored.

That he was a man of exalted character and distinct intellectual endowments was made manifest by every feature of his appearance. Gentle breeding, kindly disposition, keen perception, self-restraint, and dignified poise were conspicuous characteristics of his individuality. Sedate and thoughtful demeanor subdued the ordinary impressions of youth associated with one of his age.

As though by some strange design of fate in seeking to bring forth striking contrasts he was assigned to a seat in the Senate nearby the venerable Senator WHYTE of Maryland. WILLIAM PINKNEY WHYTE had been a conspicuous figure in State and national affairs for more than thirty years before Mr. BRYAN was born. The oldest Senator and the youngest Senator side by side in the Chamber furnished subjects for reflection, but not for doubt, as everyone knew that the venerable Senator from Maryland must soon, in the natural order of events, surrender to their final impulses the hovering powers of life, but as to the young Senator from Florida speculation was not

indulged, because all rested secure in the confident belief that there would be vouchsafed to him, according to the same order of nature, an indefinite period of activity.

The material of history again shows how vain are human calculations, for before the spring had fairly opened the Senate was called upon to suspend its labors while consigning to their last long resting place the Senator from Maryland, its oldest member, and but a few days later the Senator from Florida, its youngest member. For the death of the aged we were prepared, and the grief inseparable from sundered ties was assuaged by the knowledge of a long life, well rounded out with splendid deeds; but for the youth stricken down at the very threshold of a career of great promise and superb opportunity such consolation was denied.

WILLIAM PINKNEY WHYTE had lived beyond the allotted span of life, and all his capacity for achievement had been accorded ample scope. WILLIAM JAMES BRYAN, on the other hand, was called away from the field of endeavor when inviting opportunity bade him remain to render just account for the high moral and intellectual treasure committed to his care. That he lived up to the full measure of his opportunities and accomplished more than is ordinarily given to man to accomplish in the opening years of an active life is recorded, known, and cherished by those who knew and loved him, but what he might have accomplished had his span of life been projected into the unknown future must always remain a sad and an unsolved mystery. We do know that his frank and manly demeanor not only challenged the respect of the Senate, but also attracted the attention and called forth the approval of the President of the United States.

The customs of the Senate are so established and its orders of business are so arranged that Senators new in service feel naturally inclined to abide the maturing and ripening process preparatory to entering upon the direction of public affairs with a degree of self-assertion requisite to the presentation of all the elements of which strong individuality is composed. Naturally modest and unobtrusive, Mr. BRYAN yielded to the ancient custom, and thus it came to pass that in his brief service of about sixty days no fitting occasion appeared to him for presentation to the Senate of his general views on public questions. But notwithstanding that fact, the membership of this body, trained to observe and quick to detect worthy elements of character, had quietly formed such an opinion of this young man as to bring with his death a sense of great loss.

To the Senate his manliness was captivating and the possibilities of his character were interesting. In the language of Denham—

Youth what man's age is like to be doth show;
We may our ends by our beginnings know.

From the first fruits of a tree we may learn what is to be expected in the future, and thus we may well believe that WILLIAM JAMES BRYAN, the youngest Senator of the United States ever consigned to the tomb, gave promise of a career of great usefulness.

To the Commonwealth of Florida, which tendered his services to the nation, to his neighbors, friends, and political associates, we may send messages of condolence, but to the stricken and sorely afflicted little family, whose pride and comfort and support he was, no adequate measure of solace or sympathy can be embraced in words. We can only suggest the illuminating hope of the Christian world by saying:

God gave, He took, He will restore, He doeth all things well.

Mr. NELSON. Mr. President, we all know, especially those who have been for a long time members of this or other legislative bodies, that the most effective work leading to material results in the way of legislation is not always accomplished by those who are regarded as great orators or great debaters, but rather by that other class of legislators who are not much given to debate or oratory. This class is made up of those men who do the hard and substantial work of the legislative body. They are usually the men who are active participants in the work on committees and who prepare and formulate legislative measures and who put them in practical and effective shape. To this class of industrious, unobtrusive, and quiet workers belonged our late colleague, Senator MALLORY. I became intimately acquainted with him soon after he made his first appearance in the Senate, and during his entire service in this body we were associated on one of the most important committees, and frequently during that time we were thrown together as members of important subcommittees which had under consideration many important and far-reaching measures, and in such committee work I found him to be one of the best-equipped, one of the most industrious, and one of the most efficient of Senators.

He seemed to grasp intuitively, as it were, the full importance and scope of every important measure that was under consideration, and if the measure had come to the committee in a crude and imperfect form he always seemed to know how to prune, correct, and improve it; and he never allowed a spirit of partisanship to control or warp him to any extent. Senator MALLORY was a most excellent lawyer, well grounded in the fundamental principles of constitutional and common law, and hence was always able to determine the true legal scope and constitutional validity of any pending bill or proposition.

He was barely old enough to serve in the Confederate army and navy during the last two years of the civil war, and his army and naval service no doubt left its impress on his physical constitution, so that he was not as strong and rugged as he otherwise might have been if he had not been engaged in such service; but this service, in connection with his legal training, seemed to have equipped him for the important duties of a legislator in a very high degree. And he was as loyal and faithful to the welfare of our entire country in all his public duties as though he had never at any time borne arms against her.

While he may not have been regarded either as an orator or a great debater, nevertheless he would on occasions discuss important measures in a clear, succinct, and instructive manner. He never spoke for the mere sake of making a speech. He was never given to posing as a legislator for mere show or to attract attention. To him the work of legislation was a serious matter and he was always serious and in earnest in respect to any proposition or measure that he had in charge or advocated. He was in no sense a radical, but rather inclined to be conservative, prudent, and careful in all his legislative efforts. Whenever he spoke in this body he was always listened to and always gave the Senate valuable information and demonstrated that his judgment was sound and that he was possessed of the true conservative spirit.

A legislative body composed of men like Senator MALLORY would not be apt to make mistakes, but would move along safe and conservative lines and never drift into slipshod legislation and never pander to public clamor. He took a broad and national view rather than a mere local view of great legislative problems, and never seemed to be a creature of, or tied down to, mere local environment. He was always a faithful attendant upon committees and upon the sessions of the Senate, and never sought to shirk his duties and his work in any direction. I served with him on important subcommittees when I knew his health was poor and that he was hardly in a condition to work, and yet he would stick to his task as faithfully and as thoroughly as though he were in the prime of life. He was a true son of the South, typical of all that is bravest and best among the Southern people, and while his heart and his spirit were with his State and his people, his legislative vision extended to the entire country, whose welfare he had at heart as fully and to as great an extent as any member of this body.

His State never had a more earnest, a more hard-working, or a more faithful representative in this Senate. He was a most kind hearted and lovable man, as companionable, and as ready to form true and real friendships as any man with whom I have ever come in contact. As a member of the committee on which we were so long associated I miss him very much, and I know all his colleagues in this body feel his loss most keenly.

The generation of men who participated in the great civil war are rapidly passing away, and in a few years more none of them will be left; but when they have finished their task and finally passed away and finally surrendered to that inexorable fate that awaits us all, the verdict of history will be that they, both of the North and of the South, were big enough and great enough to unite and cooperate in the great and noble task of healing the wounds of the war and recementing the bonds of the Union and of placing it upon a more permanent and enduring basis than ever, and of zealously cooperating to extend, fortify, and perpetuate the moral and industrial greatness of our common country; and it will redound to his glory and be something that his descendants may look back to with pride that Senator MALLORY was one of the prominent members of this class.

In the latter years of his life he was in poor health; but in the midst of his afflictions, and in spite of them, he struggled along bravely and heroically with his Senatorial duties, always aiming to do his share of the work and never complaining; but I have no doubt that in the midst of it he often felt like exclaiming in the language of Father Ryan:

And I am restless still; 'twill soon be o'er;
For down the west
Life's sun is setting, and I see the shore
Where I shall rest.

Mr. OWEN. Mr. President, I had hardly taken my seat in the Senate of the United States before the State of Florida sent to that body the noble young man whose death we mourn to-day, WILLIAM JAMES BRYAN.

Adjacent to my seat in this Chamber, at this session, sat the oldest and the youngest Senator, and by some inscrutable act of Providence each was taken from my side—Senator WHYTE, of Maryland, the oldest, and Senator BRYAN, the youngest.

Senator WHYTE had rounded out a long and honorable public life and was ripe in years. Senator BRYAN, at the very early age of 32, had come to the Senate full of the buoyancy of youth, full of life, full of the earnest desire to be of service to his State and to the people of the United States.

I was greatly drawn to him and immediately there was established between us a sense of comradeship, of affection, and regard. It had not seemed possible to me that his summons could come so suddenly.

I recall the pleasure I had in discussing with him, among other interests, his athletic sports, his games of football, in which he showed the keen zest of the athlete delighting in vigorous exercise in the open air.

He was an athlete not only on the ball ground, but he was also an athlete intellectually, with a mind whose thoughts were as clear and as brilliant as the light of a diamond. A more vigorous specimen of a young man could never be found, tall, erect, sinewy, and strong; with a graceful carriage and a splendid pose, he presented the picture of physical perfection.

I have never seen a finer head—a high and noble brow, features as finely carved as a perfect cameo. An artist hand could not have improved the perfection of that face. It was the handiwork of the master artist, the Maker and the Creator of men.

Mr. President, the physical beauty of this young man was but the outer form of a spirit more noble and beautiful within, an intelligence of the first magnitude, a spirit whose purity and whose high moral purpose had already fitted him to become one of the archangels of God.

Mr. President, I am not one of those who believe that death is an evil. I am not one of those who believe that death is to be deplored. Indeed, Mr. President, it seems to me that death is but the laying aside of the mortal frame in preparation for the higher form of spiritual life, where the activity of the soul and of the mind are engaged in a more exalted sphere.

The human senses which receive impressions of material matter are but clumsy instruments with which to comprehend the higher forms of life. The sense of hearing fails to perceive the higher vibrations of sound; the sense of sight fails to receive the higher forms of vibration of light; and we are constantly admonished in our daily experience that none of the organs of the body are requisite or necessary to the sensations of the soul.

When our bodies are receiving the reparation of complete repose, when the body lies inert and senseless in profound slumber, then the soul is nevertheless awake, unguided, however, as an untrained child entering in new fields of inexperience and without the power of self-direction, receiving impressions as various and as strange as fall upon the sight of a newborn babe opening its eyes and receiving impressions of things not understood in a new and strange world.

With the eyes of the human body closed, and in the dark, without operation of the optic nerve, nevertheless we see. We see nature in every form, we see vividly and clearly a thousand objects of every form and color, and without the use of the nerves of the body we exercise every function of sight, of hearing, of taste, of smell, of speech, without using those muscles or nerves by which physical impressions are received during our waking hours. Men say they dream and think no further, and do not realize that the soul is acting, is seeing without eyes and hearing without ears; that the soul does not need the optic or the auditory nerve in exercising the sense of sight or of hearing.

Nor is there any truth in the theory of philosophers who say that these sensations experienced by the soul are but the impressions of things which have been revived by memory.

Mr. President, the great Creator who made the beautiful form of our departed friend and brother, WILLIAM JAMES BRYAN, and who made his more beautiful soul, inflicted no evil upon him when He transferred his spirit into its sphere of higher service.

This glorious young man was prepared for greater purposes. He had served with great usefulness among his fellow-men. He had set a shining example to the young men of our country as a physical athlete, as a student, as a scholar, as a man of practical affairs, as a patriot, as a vigorous public servant, as a good citizen. He had demonstrated to every young man how great a degree of distinction is possible within a few short years of virtuous and honest effort. What he has done other

men may do, and he has greatly served his country in setting an honorable and a high example to the young men of our beloved Republic.

Mr. President, it is not with me merely a sanguine opinion or a pleasing hope when I express the conviction of my soul that what we call death is merely a transition into a higher form of spiritual life.

In that great and new sphere of activity this splendid young son of Florida will carry with him the same high purpose which he exhibited in this life and will be found among the angels of our Lord serving his Maker and the spirits of the blest in his new sphere with the same noble zeal which caused for him great preferment in this life, which brought to him in this life the admiration, the affection, and the love of all who knew him. May he be doubly blessed in his divine pathway through the stars.

Mr. CLAY. Mr. President, my first acquaintance with the late Senator MALLORY began in March, 1897. We began public life in the Senate at the same time. He was elected to the United States Senate by the legislature of Florida for the term beginning March 4, 1897. I was elected by the legislature of Georgia for the term beginning the same time. We served continuously together in the Senate for nearly eleven years, and about half of that time we were members of the Committee on Commerce, and I knew much of his services as a public man and Senator. We were warm personal friends, and I will not be accused of exaggeration when I say that Senator MALLORY had the respect, the confidence, and esteem of every Member of the Senate with whom he served. He had held many positions of trust and honor in his own State before he was elected a member of this body. He had served in both branches of the legislature of Florida with honor and distinction, and had served two terms as a Member of the Lower House of Congress. Mr. MALLORY was elected to the United States Senate when he was not a candidate, and his services for the first term were so valuable and satisfactory to his constituents that he was returned a second term without opposition. Had his life been spared he doubtless would have been elected for a third term, for he constantly grew in popularity with the people of Florida. When Senator MALLORY first came to the Senate he was in wretched health, but, notwithstanding this fact, he was diligent and attentive in the discharge of his public duties, and especially devoted to his work on the Commerce Committee, where he was so valuable in securing the necessary appropriations to develop the waterways and protect the coast of his State. All of his associates recognized him as a very valuable member of this body.

He possessed an analytical mind, reached his conclusions slowly, but when he formed an opinion his associates rarely questioned the soundness of his views. He was genial, lovable in all the relations of life, was modest, sincere, and hated every form of wrong and loved justice. His life was dominated by the highest moral purpose. His ideals were lofty. I am sure he lived for that which was noble, pure, and uplifting. He made one of the most valuable members of the Committee on Commerce. He took deep interest in the development of our waterways, and his opinions on any subject before that committee always carried the greatest weight. He served on subcommittees in solving the most important problems before the Committee on Commerce, and he was diligent in his attendance and untiring in his efforts to faithfully discharge his duty. His intellect was of the highest order, grasping every phase of a subject, overlooking no detail, going to the core of the most complicated problems. In investigating public questions he was actuated by the purest of motives. He sought to know the very right of things. He was a man of positive convictions, and was always moved by those convictions. Convince Senator MALLORY that a proposition was right and no power could move him from supporting the right. While positive and firm in supporting his views on public questions, he was kind and gentle, "tender as a woman and guileless as a child," and sincere and loving in his friendships.

Florida lies adjacent to Georgia. The people of my State have always been deeply interested in the growth and progress of our sister State. I knew of Senator MALLORY as a public man before he became a member of the Senate, and of his high character and standing in Florida. His growth was a steady one. Each day he grew stronger in the confidence and affections of his associates. During the eleven years that I served with him in the Senate I have never heard an unkind word spoken of him. Both his friends and foes in political life in Florida recognized in him a man of ability, of sterling integrity, and the broadest patriotism.

No man can gain and retain the public esteem and affections of the people of his State as he held them without having rare qualities of mind and heart. Partisan considerations and prejudices never warped his judgment, but with an even temper, an impartial mind, he was found where justice and equity prevailed. Everyone who knew him and watched his career pointed to him as an upright man, an able, conscientious, and honest public official. No one ever questioned his integrity, and his private life was without a blemish. Few men possessed and enjoyed the confidence of their associates as did Senator MALLORY. The distinguished chairman of the Committee on Commerce, representing with distinction and ability his State in the Senate for more than a quarter of a century, recognized Senator MALLORY as one of the most valuable members of his committee. This high opinion of the deceased was entertained by every member of that committee. He loved his native State. He diligently studied to advance the interests of that State; but he not only loved Florida, but was devoted to the entire country. No one ever heard him speak disparagingly of any section of his country. He recognized that the Republic was composed of States and that the Senator who assaulted any section of his country assaulted the Republic. He acted upon the theory that a Senator who was the enemy of any section was the enemy of his country. Sometimes we are swayed by partisan considerations and are inclined to criticize one section of the Republic in comparison with another. But our dead friend loved Maine, Massachusetts, Florida, Georgia, New York, Virginia, and every State in the American Union. He had studied the history of his country. He had watched with pride the rapid progress we had made, and his statesmanship was of the highest character, recognizing that it was the duty of a Senator not only to represent his own State, but to advance in every possible way the interests and welfare of the entire nation.

His life is a lesson to the American youth. Although in wretched health, a constant sufferer, he struggled and triumphed over difficulties. He rose step by step in the estimation of the community where he lived and won one victory after another and at last honorably reached one of the highest places of public life, where his usefulness was recognized by the entire country.

How did he achieve success? Why is his memory held in such high esteem by his countrymen and associates in this body? The answer can easily be made. He led an honest, industrious life, was faithful in the discharge of every duty, and such a life is always properly rewarded. We can say to the American youth: "Follow in his footsteps—lead an honest, industrious life, be faithful in the discharge of every duty, and success will crown your efforts."

Illustrious and sterling honesty will always be rewarded. Temporary success gained by undue advantage and dishonorable conduct will always end in ruin and disgrace. The future of the Republic depends upon the education and training of the American youth. Most of the education and the training we acquire comes from contact with others. Education by association and example is a powerful factor in forming character. Association with the intelligent, the industrious, and the good tends to elevate and build up. Association with those who lead an indolent, dishonest, and immoral life tends to corrupt and degrade. A life of continued exhibition of high morals, purity of soul, and Christian charity is a source of strength and elevation to any community. The young men of a community respect, honor, and follow such a life.

Senator MALLORY was not sensational. He possessed none of the arts of the demagogue. He was not a meteor in the political firmament. He never sought notoriety. He gradually built himself up in the confidence and esteem of the Senate by real, genuine worth. Each day he grew stronger and more useful.

But, Mr. President, his work is finished, but his influence will never die.

Mr. President, I have been a member of this body eleven years, and the mortality of the Senate during that period has been remarkable. Senators who have been members of this body since March 4, 1897, will recall those of our number who have gone to the world beyond. The Senators who have died during this period are as follows:

Alabama.—John T. Morgan, Edmund W. Pettus.
 Connecticut.—O. H. Platt, J. R. Hawley.
 Florida.—STEPHEN R. MALLORY, WILLIAM J. BRYAN.
 Iowa.—J. H. Gear.
 Maryland.—Arthur P. Gorman, William Pinkney Whyte.
 Massachusetts.—George F. Hoar.
 Michigan.—James McMillan, Russell A. Alger.
 Minnesota.—Cushman K. Davis.
 Mississippi.—Edward C. Walthall.
 New Jersey.—William J. Sewell.

South Dakota.—James H. Kyle.
Ohio.—Marcus A. Hanna.
Oregon.—John H. Mitchell.
Pennsylvania.—Matthew S. Quay.
South Carolina.—Joseph H. Earle, A. C. Latimer.
Tennessee.—William B. Bate, Isham G. Harris.
Vermont.—Redfield Proctor, Justin S. Morrill.

Four Senators who died after ceasing to be Senators were:

Donelson Caffrey, of Louisiana; Stephen M. White, of California; Edward O. Wolcott, of Colorado; George G. Vest, of Missouri.

Mr. President, the same modesty which characterized the entire life of Senator MALLORY was exemplified in his death. The custom has long prevailed in this Senate, when a Senator dies, to appoint a committee of Senators and Representatives to attend his funeral. But Senator MALLORY desired a simple, plain burial, "dying as he lived—an honest, self-respecting gentleman."

I repeat, Mr. President, that Senator MALLORY's growth was a steady one, the result of a modest, sincere, and studious life. In Washington, after becoming a Member of Congress, he lived the same plain, temperate, economical life. His influence was not derived from social functions, but from work and worth. No scandal was ever connected with his name in either private or public life. He was not the representative of any trust, combine, or special interest, neither was he ever engaged in the advancement of his own schemes, using his office as a means to an end. He was a plain, straightforward, unassuming gentleman, a sound thinker, a fearless advocate of what he believed to be right. Senator MALLORY was a staunch friend of honest, clean, economical government. He sought in every possible way to elevate the standard of our civilization, and by precept and example to prepare and qualify our young men for the highest possible standard of citizenship. He abhorred every form of hypocrisy and deceit. He left no doubt upon the minds of those who heard him as to the earnestness of his convictions. Those who differed with him knew he was both honest and sincere. He did his own thinking, formed his own conclusions, and sought diligently to reach conclusions that were just and right. He believed that a Senator should be under no personal obligations to any power and that a Senator should do his own thinking. He formed high ideals and lived up to them. No man is perfect. Doubtless Senator MALLORY had his faults; but if so, I was never able to discover them. I am glad that such a man lived, and I am sure his influence will never die. I most cheerfully place upon the records of the Senate my tribute of affection and admiration for the memory of the deceased.

Mr. CLARK of Wyoming. Mr. President, born in the centennial year of the great Republic, endowed with all the graces of mind and body, entering as a Member of this Senate at an age which gave full promise of a long and illustrious public life, our young Senator was stricken at the very threshold of his career. He had seemed marked from the beginning as one destined to serve his State and nation by natural gifts and immediate opportunity given to few. Young in years and just from his books, he was called to serve his native State in high position in her chief city, and at once addressed himself to the duties of county solicitor in such a way as to promote in the greatest degree the law and order, and the moral upbuilding of the community whose servant he was. Enjoying the full confidence of his fellow-citizens, having performed his every duty as a civil officer, and by his services having given full proof of his high sense of public duty, Governor Broward on Christmas day, 1907, tendered to him the appointment as Senator of the United States from the State of Florida, and on the following day the appointment was made in legal form. Thus, at the early age of 31 years, we find him clothed with the highest legislative honor in all the world. It is not for us to know the pride, both to himself and to his young wife, that this appointment brought. The youthful enthusiasm, the generous ambitions, and the patriotic aspirations of his heart we can well imagine.

During his brief service here his personal appearance, his modest bearing, and the interest and ardor with which he entered upon his work gave him a most friendly standing at once; but it was not given him to serve his country long. His sun set while it was yet day. What he was, the love in which he was held by those who knew him best, bears witness. What he might have been, had his life been spared, may, perhaps, be read in the hearts and hopes of those who loved him best, and whose prophecies reached far out into the years to come. To them he has left a memory redolent with the fragrance of youth, and in them will always rest the reasonable and comforting assurance that had he not been called away in his youth his future years would have reached and reaped the highest honors of his native land.

It was my mournful privilege to accompany his funeral train to the city of Jacksonville, and seldom have I seen one more sincerely mourned. Only words of love and affection were heard, and it seemed as though the multitude who paid him last sad tribute thought more of his private virtues than even of his great public position; and from all the expressions of sorrow, from all the tributes of friends and neighbors I could but think that if it could ever be justly said of any man, it could be said of WILLIAM JAMES BRYAN that—

He wore the white flower of a blameless life.

Mr. PERKINS. Mr. President, the South has been more than fortunate in the men she has sent to represent her in the Senate of the United States. They have been selected from among the ablest and best of her citizens, and have brought to this Chamber an influence for honest and conscientious endeavor that has comported with the high standards set by the greatest of those who have preceded us. We have recently had cause to mourn with her for great and irreparable losses which she has sustained. Some of the most distinguished Americans of this generation who have occupied seats here have been lost to us through death within a year, and among them are numbered some of the South's greatest men. Of these is STEPHEN RUSSELL MALLORY.

My acquaintance with Senator MALLORY began when he first became a member of this body in 1897. I was instinctively attracted to him by reason of his honesty and sincerity, and soon my admiration was awakened through the recognition of those great powers which he possessed, but which his modesty prevented him from displaying, except on such occasions as specially demanded their exercise. But it was not long before his ability was fully recognized here, and he took a place among the foremost men of the Senate. I was associated with him on the committees of Naval Affairs and of Commerce, and there had the opportunity to learn his peculiar fitness for such matters as came before us. He was unusually well equipped for the discussion of such business as arose, by reason of his early experience in maritime affairs which excited within him an interest that never flagged. He was the son of the secretary of the navy of the Confederate States, and in his early youth he was appointed a midshipman in the Confederate navy, and though his service was short on account of the end of the war, he imbibed the spirit which naval training and following the sea gives, and which is one of the most valuable possessions which a man can have. However short may have been a man's connection with a fighting sea force, there will inevitably be born within him an ambition to emulate the deeds of bravery and self-sacrifice which illuminate all maritime history.

The men who sail the seas, whether in an armored vessel of a navy or on a merchantman or fishing schooner, have experiences which toughen the moral fiber, which cultivate self-reliance, which promote unselfishness, which cultivate generosity, and promote honesty in the dealings of man with man. And the traditions of the sea, which will always be of vital interest to one who has once been connected with it, transmit and perpetuate all these influences which make for courage, honesty, and sincerity. Senator MALLORY came within these influences, and in him they contributed to the formation of that strong character which commanded the respect of all who knew him. His devotion to public duty was untiring, and no constituency has ever had a representative here whose interests were more carefully studied. He loved his native State with the ardor which characterizes the affection of all Southrons for the State of their birth. The glamor of romance and adventure which was cast over that fair land by the search by Ponce de Leon for the fountain of perpetual youth, and the name which he gave the unknown region when he saw it brilliant with the flowers of a Palm Sunday nearly four centuries ago, undoubtedly have had their influence in strengthening the devotion which is felt for it by all who claim Florida for their native State or adopted home. That of Senator MALLORY was sweet, simple, and sincere, as was his own character. That devotion accentuated his firm belief in the doctrine of States rights, which more than once he ably expounded before this body, and his education in the law and his training in the courts made him a powerful champion of the principle that the States are the possessors of every power not delegated to the Federal Government by the Constitution of the United States.

Senator MALLORY began his public career early, and has been conspicuous in State and national affairs ever since. After the war he attended Georgetown College, graduating in 1869. He studied law and was admitted to the bar in Louisiana in 1873, and in 1876 was elected to the lower house of the Florida legislature, from which he passed successively to the State senate, the House of Representatives of the National Congress, and in 1897 to the Senate. His political career presents a record of

clean, honest, efficient work, which gained for him the respect of all people and all parties.

Those who knew him admired him for his sterling integrity and his genial companionship. He was always true to himself, to his convictions, ideals, and his conceptions of the best public good. His heart went out to all that was good and noble in others, for he looked upon the manifestations of high character as of inestimable value as examples.

Example—

He once said—

is the most potent of preceptors. The object lesson is the most impressive method of reaching the understanding and shaping the inclination of the young, and the oftener we can present to their plastic minds authentic illustrations of character which of itself conquers adverse environment, rises to eminence by its innate merit, and wins the respect and esteem of good men and women, the greater the probability of our inspiring those who are to follow us with a zealous purpose to emulate such virtue.

This reveals his view of life, its duties, and its responsibilities, and we all know how closely he lived up to that high standard.

In his work in Congress he had ever before him the examples of the great men who in years gone by made this body illustrious, and he strove to reach their high level of pure statesmanship. And when he saw that the end of life was near he again exhibited that honest simplicity of character which endeared him to all who knew him. He wished that in the last duties which should be paid to him there should be that absence of even a suspicion of ostentation that had always characterized his acts in life. His wishes were respected, and he was quietly laid to rest by the friends he loved.

As one by one of our colleagues fail to answer the roll call in the Senate and we realize that we will never again hear their eloquent or persuasive voices, may we not well ask ourselves the question—

Oh why should the spirit of mortal be proud?
Like a fast-fitting meteor, a fast-flying cloud,
A flash of the lightning, a break of the wave,
He passes from life to his rest in the grave.

Mr. STONE. Mr. President, I was one of a committee appointed by authority of the Senate to represent this body at the funeral of Senator BRYAN. In company with my colleagues I went to Florida and was present at the obsequies which marked the closing scene in his history, and I wish now to pay a brief tribute to his memory—an imperfect tribute, I know; but, none the less sincere. My acquaintance with Mr. BRYAN was of short duration. I never knew him until he came to the Senate on the appointment of the governor of Florida as the successor of Senator MALLORY. As we all know, he was here but a few weeks before he was stricken with the fatal malady which terminated his life. I can not speak of him, therefore, as one who knew him intimately or well. Nevertheless, during his service here I came to know him well enough to appreciate his sterling qualities and to regard him with high esteem. His service here was unhappily too brief to afford an opportunity for him to demonstrate his capabilities. Still, if I may judge, as well I may, by the beautiful things I hear said of him on every hand, I am safe in saying that all who knew him here felt, as I did, that his fine qualities of head and heart made him one not only to be loved and trusted, but one who gave great promise of the highest usefulness in the public service. That he was a man of unusual force is sufficiently attested by his achievements. When sworn in as a member of this body he was barely past the constitutional age of eligibility, and was one of the three youngest men who ever sat in the Senate. But before that he had in the exercise of his native powers forged his way to the front and had taken a high place among the leading men of his Commonwealth. He was ranked among the able lawyers of the Florida bar, and was universally esteemed as one of the potential men of the State. And so, when a vacancy occurred in the Senate by reason of the untimely fall of the lamented MALLORY, notwithstanding the comparative youth of Mr. BRYAN, there was no occasion for surprise or criticism when the State's executive selected him for the succession.

During his brief service here he impressed all with whom he came in contact as being a man of the finest type and of great promise and as one in every way worthy to wear the high honor conferred upon him. He was cast in that mold which produces men of lovable character and capable of great achievement. He was genial, companionable, and unpretentious; but then, Mr. President, the bravest are the tenderest, and modesty is to real manliness what courage is to chivalry. He was a man of fine intellectual endowments—a man of high ideals—a student and thinker, sensitive, high-strung, and honorable alike in thought and purpose and deed. His qualities were those which

commanded respect and inspired confidence, and his equipoise, conservatism, and sound judgment marked him as one whose counsels would be characterized by wisdom and whose leadership would be distinguished by sagacity. Few men of his age have risen to such heights; and though his career is not without parallels, it was nevertheless rare and exceptional. Mr. President, while none rail against the inscrutable decrees of Providence, it does seem pitiful that a man of this kind, who while still little more than a youth had risen to a place so conspicuous among the leading men of a great State and who was just entering upon a new career with splendid promise in a larger field, should be stricken down. When venerable men like our late colleagues from Alabama, Vermont, and Maryland are summoned to take their places in the silent halls of death, however sensible we may be of loss or however much we may lament, the event when it comes is not unexpected nor the shock so acute. Such men have climbed life's rugged way to the summit and have "sounded all the depths and shoals of honor." They have run their course, lived out their lives—long, honorable, and useful lives—and when at last they fall as falls some lordly oak which has bared its naked arms to a hundred winters and shaken its green banners in the sunshine of as many summers, no matter how great the deprivation, we are conscious that it was something natural, inevitable, and expected.

But to see a young man like Senator BRYAN, already eminent, and yet with all his highest hopes and best opportunities before him, standing in the morning light with undimmed eyes uplifted to green hills and to loftier peaks beyond, suddenly stricken with the shriveling pain of death is something so terribly pathetic that it staggers even the strongest. It is a note struck on the chords of life so discordant that it puts the whole world out of tune, and we can not help pausing to wonder and to question. But wonder and question as we may, what answer will come to us? We can not answer for ourselves. In the presence of such a tragedy no unaided mortal wisdom can soothe the heart's tumult or silence the mind's protest. But this I know, that somewhere in the far-off summerland we have mothers—mothers who taught us to lisp a prayer in childhood days. Sometimes we fancy we can see their sweet, benignant faces smiling down through the shadows. If they could give answer to our questioning, they would tell us with that simple, sublime, submissive faith with which they comforted in the long ago, "It is God's will." And, after all, that old, familiar saying embodies all that Christian men can know concerning the stupendous mystery of death.

Nevertheless, Mr. President, to see the expanding light of this young life snuffed out as might have been the flickering blaze of a candle was pathetic. To see a young man like this cut down at the very inception of a career so full of promise was pitiful. Yet such tragedies come all too often to startle and appall us, and we are powerless to stay them. All we can do is to give sepulcher to the dead and enshrine them in our memories. And so it was with this splendid young son of Florida. We carried him back to the State he loved and to the people who trusted and honored him. Back to Florida—back to the home he had left so recently to enter upon his high duties here—back to the land of the everglade, the land of the magnolia and orange bloom, we bore him, tenderly and reverently. A great concourse of his countrymen, those who knew him best and loved him most, came to honor his memory. With gentle hands they laid him to rest and covered him with flowers, rare flowers, beautiful and sweet, in great profusion. And that was the end of this remarkable man and of his impressive career. With that his book of life was closed and clasped with a clasp, save that the work he did, his achievements, and his character will stand forever as an example and inspiration to the youth of Florida. And for this alone we know that WILLIAM JAMES BRYAN did not live in vain. The world is better that he lived, because he wrought for his country's good and the uplifting of mankind.

Mr. MILTON. Mr. President, I have not the gift of language nor of eloquence to fittingly portray the character and attainments of Florida's distinguished son, STEPHEN RUSSELL MALLORY, whose life, character, and public services we now pause from the customary duties of the Senate to commemorate and commend.

My reason for speaking on this occasion is not that I think I can do him justice, but these words of commendation, veneration, and eulogy, though weak and halting, come from a friend and are the only tribute he can pay. As flattery to the living is unjust, so fulsome praise of the dead seems mockery; therefore I speak of him as I think and feel.

More than twenty years ago I met STEPHEN RUSSELL MALLORY, and so impressed was I with his worth, pure character, integrity of heart and mind, and nobility of soul that whether

he was in the shade of temporary political defeat, or crowned with the laurels of success, I was always his friend, admirer, and political follower. His friendship was an honor of which I feel justly proud.

Mr. MALLORY was a true type of a Southern gentleman and statesman, modest, courteous, wise. He was the worthy son of a great sire, and his life work was full and active, replete with Southern sentiment and instinct, but of national breadth and force in its statesmanship. He was born November 2, 1848, as the war clouds were gathering over this great land. His father was a member of this body from 1851 to 1861; therefore he was reared in the midst of the activities and battles of intellectual arguments which preceded the conflict of giant brothers.

At the age of 16 he entered the Confederate army of Virginia, and later became a midshipman in the navy of the South, freely risking his life fighting in that titanic struggle for what he deemed to be right then and believed to be right to the day of his death, the sovereign rights of a sovereign State.

At the close of the war he completed his education and began the practice of law. But his State, like other Southern States after the war, was suffering from the rule of ignorance, vice, and robbery. Thinking it his duty to again serve his country, he entered heartily in the struggle of the people of Florida to redeem her government from negro and carpetbag domination and in 1876 was elected a member of the Florida legislature. He was elected to the State senate in 1880 and returned again in 1884. In her legislative halls so ably did he serve the people that, feeling his abilities and usefulness should not be circumscribed by State bounds, he was elected to the National House of Representatives, and served two terms.

While here he so well represented the interest of Florida and so favorably impressed the citizenship of his State that in 1897, when the most momentous and bitter strife among Florida Democrats was waged, the representatives of the people turned to MALLORY as the only man who could properly represent them; and although he was not a candidate for the honorable position, he was elected to the United States Senate and reelected in 1905.

Here for nearly eleven years he gave to the service of his country the benefit of his ripened intellect. At the age of 59, while in the prime of life and the activity of his intellect, and while he bade fair to still give years of service to his country, he was mowed down by the grim reaper, Death.

As a soldier he was brave and gallant, bearing cheerfully the hardships necessarily imposed by reason of his impoverished country. He followed the flag of the lost cause with the same zeal, devotion, and self-sacrifice, which characterized the hero soldiers of the Confederacy.

As a citizen he was law-abiding, diligent in the discharge of his duties, and worked for the advancement of good government. He was modest and unassuming, but courageous and bold in the pursuit of and in the path of duty and never swayed by fleeting public opinion from the right, as he saw it.

As a friend he was honest, loyal, and true. He trusted and could be trusted. His conversation was pure, chaste, and full of kindness. His ambitions were noble and his aims and aspirations high. He was such a friend that time and separation mattered not; his friend knew at all times that he could be depended on and that he would only do what was right.

He was a lawyer of wide information and knowledge of law. He was faithful to the interests of his clients, and he won the confidence of all by his high ideal of justice and right. His well-trained mind was analytical, his reasoning logical, and his conclusions just. He was an able lawyer, a credit to the bar, and an honor to his profession.

As a Christian he was baptized and had an abiding faith in the wisdom, justice, love, and mercy of his Maker. He well performed his duty to his neighbor and in his life exemplified the golden rule:

Do unto others as ye would they should do unto you.

As a public man he was broad in his views and had a ready grasp of national affairs. He was no demagogue, but at all times a loyal advocate and an outspoken champion of the principles for which he stood. No selfish ambition ever kept him silent or made him swerve from his duty to his people. His character and mind were well balanced, conservative, but bold. If he had one trait of character that impressed one more than another, it was his strict integrity. MALLORY'S honesty was known, admired, and esteemed throughout the length and breadth of Florida.

A prince can mak' a belted knight,
A marquis, duke, and a' that,
But an honest man's aboon his might.

STEPHEN RUSSELL MALLORY was an honest man, the noblest work of God.

As a citizen, a soldier, and a statesman he freely gave to Florida and the nation his best efforts. He was earnest, diligent, and faithful to every trust reposed in him. His spotless life and character without stain is his best monument, and to succeeding generations will illuminate the path to duty and to honor.

And now that his life work is over, his body rests beneath the sod of his loved Florida. The Southern sun, which warmed his heart to love of his native State and filled it with patriotism, now with each returning springtime kisses into life and bloom the flowers that lovingly adorn his grave, and its too warm rays to them as tempered by the soft, balmy Southern breezes from across the Mexic Sea, which he loved so well, and his slumber is soothed by the requiem of its rippling waves; for he is not dead, but sleepeth, his pure soul having risen, until resurrection's dawn, to rest on high in realms of eternal bliss with his Maker, for—

Death's but a path that must be trod,
If man would ever pass to God.

Mr. TALIAFERRO. Mr. President, WILLIAM JAMES BRYAN, late a Senator from the State of Florida, died in the city of Washington, Sunday, March 22, 1908. He was born October 10, 1876, near Fort Mason, Fla., and on his next birthday would have been but 32 years old. Only one Senator, I understand, began his career in this body at an earlier age, and none, I believe, with a promise of a more brilliant and useful future.

He was the son of Hon. John M. Bryan, a native of Hamilton County, Fla., who went in 1868 as a pioneer to Orange County, then a country without railroads, sparsely settled and devoid of many advantages, but which, under the influence of the sturdy pioneer, has since become one of the most prosperous and promising sections of the State. The father has filled many offices of trust in Florida, was a member of the legislature and a member of the railroad commission, and all his career has been marked with integrity and ability. Senator BRYAN'S mother was descended from the Huguenots—a people who gave up their native land and all of its ties and associations of home and kindred to find an asylum where they might worship God in their own way. Brave types were these. Each had a history of hardship, toil, peril, and privation, and the son of such a union could not fail if he toiled and endured in keeping with the ambitions and traditions of his ancestors.

Senator BRYAN was reared on his father's farm, and his early education was acquired in the Osceola High School at Kissimmee, near his home. He soon took rank as a faithful, diligent, and ambitious student. His vacations, as a rule, were spent in study, and he thus equipped himself for college. He entered Emory College at Oxford, Ga., at an early age, graduating with the degree of bachelor of arts. In his junior and senior years he was one of the ablest members of the debating team of the college, his election to the team being an unusual honor for one in his junior year. Having won his degree at Oxford, he taught school for a year at Monticello, Ga., and, after school hours, continued his studies, particularly in the law, which had become the guiding star of his ambition.

At the end of this period he entered Washington and Lee University, where his ability as a debater was quickly recognized, and he was chosen for the high honor of representing the university in the intercollegiate debate at Lexington, Va.

In June, 1899, he graduated from Washington and Lee with the degree of LL. B. and the proud distinction of completing the two years' course in one. Considering the double duty he thus exacted of himself as a student, it is a remarkable fact that he also won distinction among the champions in the athletic field, demonstrating thereby that he was still under the healthful spell of the woods and prairies of his Florida home.

Three months after graduating from Washington and Lee University he removed to Jacksonville, where he established himself in the practice of law and won at once the esteem and confidence of the people. He was regarded as an earnest worker and a clear and safe counselor, learned both in the law and the practical common sense of his father's fireside. His life was upright and correct. When he first went to Jacksonville he was practically a stranger, but soon made fast and firm friends and was especially popular among the young men. He joined their organizations and went into their athletic sports with zeal and enthusiasm. He won their confidence and held it throughout his short career in his adopted home.

Three years after his first going to Jacksonville he entered the political field as a candidate for county solicitor, and, after a vigorous and tireless campaign, won an overwhelming victory over his opponent, carrying every election precinct in the county

Crawford	Goulden	Littlefield	Prince
Davenport	Griggs	Livingston	Pujo
Dawes	Hackett	Lorimer	Ransdell, La.
Denby	Haggott	Loudenslager	Rauch
Douglas	Hammond	Lovering	Reid
Dunwell	Hepburn	McCreary	Reynolds
Durey	Hitchcock	McGavin	Riordan
Edwards, Ga.	Hobson	McHenry	Sabath
Edwards, Ky.	Howard	McMillan	Sulzer
Fairchild	Huff	Malby	Talbott
Fassett	Hughes, W. Va.	Mondell	Taylor, Ohio
Favrot	Hull, Iowa	Moore, Pa.	Tirrell
Fitzgerald	Jackson	Moon, Pa.	Underwood
Focht	James, Addison D.	Mouser	Vreeland
Fornes	Kimball	Mudd	Waldo
Foss	Kitchin, Claude	Murdoch	Wallace
Foulkrod	Kitchin, Wm. W.	Olcott	Wanger
Fowler	Lafean	Olmsted	Watson
Fulton	Lamar, Fla.	Overstreet	Webb
Gaines, Tenn.	Lamb	Parsons	Weems
Gardner, Mass.	Lassiter	Patterson	Weisse
Gardner, Mich.	Leake	Peters	Wiley
Gardner, N. J.	Lee	Pou	Willett
Gill	Legare	Powers	Williams
Godwin	Lilley	Pratt	Wolf
Goldfogle	Lindsay	Pray	Young

So the motion was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. BENNET of New York with Mr. FORNES.

Mr. BRADLEY with Mr. GOULDEN.

Mr. SHERMAN with Mr. RIORDAN.

Mr. BUTLER with Mr. BARTLETT of Georgia.

Mr. WANGER with Mr. ADAMSON.

Until further notice:

Mr. WATSON with Mr. WILLIAMS.

Mr. WALDO with Mr. WILLETT.

Mr. VREELAND with Mr. UNDERWOOD.

Mr. TIRRELL with Mr. TALBOTT.

Mr. PRINCE with Mr. SULZER.

Mr. PARSONS with Mr. SABATH.

Mr. OVERSTREET with Mr. REID.

Mr. MOON of Pennsylvania with Mr. RAUCH.

Mr. MALBY with Mr. RANSELL of Louisiana.

Mr. McMILLAN with Mr. PUJO.

Mr. MCGAVIN with Mr. POU.

Mr. LOVERING with Mr. PETERS.

Mr. LOUDENSLAGER with Mr. PATTERSON.

Mr. LORIMER with Mr. LINDSAY.

Mr. LAFEAN with Mr. LEE.

Mr. ADDISON D. JAMES with Mr. LEAKE.

Mr. HULL of Iowa with Mr. LAMB.

Mr. HUGHES of West Virginia with Mr. CLAUDE KITCHIN.

Mr. HEPBURN with Mr. HUMPHREYS of Mississippi.

Mr. GARDNER of Michigan with Mr. HITCHCOCK.

Mr. OLCOTT with Mr. HAMMOND.

Mr. FOCHT with Mr. HACKETT.

Mr. DUNWELL with Mr. GOLDFOGLE.

Mr. COOPER of Pennsylvania with Mr. GAINES of Tennessee.

Mr. CALDERHEAD with Mr. FITZGERALD.

Mr. CALDER with Mr. FAVROT.

Mr. BURKE with Mr. DAVENPORT.

Mr. BATES with Mr. CRAWFORD.

Mr. ANTHONY with Mr. CARLIN.

Mr. ALEXANDER of New York with Mr. ALEXANDER of Missouri.

Mr. REYNOLDS with Mr. WEBB.

Mr. BURTON of Delaware with Mr. LASSITER.

Mr. FOULKROD with Mr. MCHENRY.

Mr. DOUGLAS with Mr. LIVINGSTON.

Mr. HILL of Connecticut with Mr. GLASS.

Mr. MOORE of Pennsylvania with Mr. COCKRAN.

Mr. BINGHAM with Mr. LAMAR of Florida.

Mr. OLMSTED with Mr. WEISSE.

Mr. FAIRCHILD with Mr. GODWIN.

Mr. DENBY with Mr. FULTON.

Mr. ROBERTS with Mr. BROUSSARD.

Mr. HAGGOTT with Mr. WILLIAM W. KITCHIN.

Mr. MUDD with Mr. WALLACE.

Mr. BENNETT of Kentucky with Mr. EDWARDS of Georgia.

Mr. COUDREY with Mr. HOBSON.

Mr. MCCREARY with Mr. HOWARD.

Mr. BOUTELL with Mr. GRIGGS.

Mr. TAYLOR of Ohio with Mr. WILEY.

For the day:

Mr. POWERS with Mr. PRATT.

Mr. CARY with Mr. WOLF.

For the balance of the week:

Mr. FASSETT with Mr. RYAN.

Mr. GARDNER of New Jersey with Mr. GARRETT.

Until Tuesday:

Mr. COCKS of New York with Mr. GILL.

The result of the vote was then announced as above recorded. The doors were opened.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill, with Mr. DALZELL in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill. The Clerk will read.

Mr. TAWNEY. Mr. Chairman, as I recall the situation, last evening just before the committee rose there was a point of order reserved by the gentleman from New York [Mr. PERKINS]. I do not think that he withdrew the point.

Mr. PERKINS. Yes, Mr. Chairman, I withdrew the point of order in view of the statements made by the chairman of the committee.

The Clerk read as follows:

For recording every assignment, agreement, power of attorney, or other paper of 300 words or under, \$1; of over 300 and under 1,000 words, \$2; and for each additional thousand words or fraction thereof, \$1.

Mr. MANN. Mr. Chairman, I reserve the point of order on that. Is this an increase in the cost in the Patent Office for furnishing copies?

Mr. TAWNEY. It is.

Mr. SMITH of Iowa. It is not for copies; it is for recording.

Mr. MANN. That is the recording of applications?

Mr. SMITH of Iowa. Assignments.

Mr. TAWNEY. Certified copies of patents.

Mr. SMITH of Iowa. Assignments of patents.

Mr. TAWNEY. Assignments, I should say, of patents. I will say to the gentleman that when the present statute was enacted assignments of patents covered only a very few pages, if it covered more than one. The character of patents and the importance of patents has so changed and the documents used in the assignment of patents have so increased that the Government of the United States to-day is paying for the work of making these certified copies at least 100 per cent more than the people who receive these certified copies of patents pay for the service.

Mr. MANN. This is not for certified copies, I will say to the gentleman. What is now paid for recording and assignment of patents?

Mr. SMITH of Iowa. The same rates as these, except there is a maximum of \$3, no matter how big it is.

Mr. MANN. Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

Depredations on public timber, protecting public lands, and settlement of claims for swamp land and swamp-land indemnity: To meet the expenses of protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; of protecting public lands from illegal and fraudulent entry or appropriation, and of adjusting claims for swamp lands, and indemnity for swamp lands, \$500,000, to be immediately available, of which sum \$250,000 is for the purpose of bringing up the work of the General Land Office hereunder so as to make the same current: *Provided*, That agents and others employed under this appropriation shall be selected by the Secretary of the Interior, and allowed per diem, subject to such rules and regulations as he may prescribe, in lieu of subsistence, at a rate not exceeding \$3 per day each and actual necessary expenses for transportation, including necessary sleeping-car fares.

Mr. MANN. Mr. Chairman, I make the point of order on the proviso in this paragraph. I have no objection to that part allowing the per diem in lieu of subsistence.

Mr. TAWNEY. Mr. Chairman, the part I suppose the gentleman objects to is allowing the Secretary of the Interior to appoint these agents.

Mr. MANN. Instead of having them appointed in the regular way.

Mr. TAWNEY. Under the civil service. They are all appointed now by the Secretary of the Interior.

Mr. MANN. Is there any special reason why that should be so?

Mr. TAWNEY. It always has been done, and because of the fact that the Department is not able to secure men possessing the qualifications that are necessary in the examination of these land questions. These special agents have always been selected in this way.

Mr. MANN. Mr. Chairman, I know they have always been selected in this way, and that is what I am complaining about. They have become political appointments instead of appointees selected for efficiency. They may be of value to some few Members of Congress, for aught I know.

Mr. TAWNEY. I can not agree with the gentleman's statement that they are political appointments. I know personally they are not.

Mr. MANN. When I said they might be of value to some few Members of Congress I made a mistake. I think they are usually, so far as they do political work, in opposition to the Members of Congress from various districts. But they apply only to a few Congressional districts. These men ought to be experts as a rule. Some of them, at least, ought to be forestry experts. There are a number of forestry schools in the country from which it is easy to secure first-class men in reference to such matters.

Mr. TAWNEY. Well, the gentleman from Illinois [Mr. MANN] must necessarily know that the work of these special agents, who are appointed to make the investigations in regard to fraud upon the public domain, must necessarily be done by men not only of some legal attainments, but they must have some experience and some tact in order to conduct and transact the business for which they are employed. It requires a peculiar fitness, and it requires more or less experience in the administration of the public-land laws in order to qualify a man for the discharge of the duties in this position.

Mr. MANN. That is exactly it.

Mr. TAWNEY. And it is because of this fact that these agents have never been classified, and have always been appointed by the Secretary of the Interior. It has been found absolutely necessary in the experience of the office in the administration of the public-land laws to have men appointed in this way.

Mr. MANN. So far as the men who are now in the service are concerned, if it is desired to retain them in the service, that can be done in a very simple way by the President covering them into the classified service, which undoubtedly would be done and done properly. The Secretary of the Interior himself is a former Commissioner of Civil Service. He does not believe in this system of political appointments, and I can see no reason why Congress should force him to make appointments in a way that he does not believe he ought to exercise.

Mr. TAWNEY. If the gentleman will permit me, Congress is not forcing him. He has asked for this authority, and he asked it, notwithstanding his experience as a former Commissioner of the Civil Service. He asks it because of his knowledge of the qualifications of men obtained through the Civil Service Commission, and his knowledge of the necessary qualifications of men capable of performing this particular service. Now, if the gentleman will permit me, the Land Office is very much in arrears in the investigation of these claims. What they want and what the Secretary of the Interior recommended was this increase of appropriation for general purposes. In the judgment of the committee they thought that this additional force should be limited to the work that has now accumulated, and when the work is up current then the size of the force of special agents will again drop back to where it has always been and where they can keep the work up current hereafter. They are to be employed on the work that is now awaiting the action of the Interior Department. When before the committee the Secretary said this:

A special agent now must be a man of vigor, for he very often has to walk on the trail 25 or 26 miles a day if he can not get any other way of transit. If he is not in a country that is wooded, he may be able to get a buggy, and there he may have to drive 50 miles a day and put up with discomfort. We want men learned in the law so far as possible, because they have to appear before registers and receivers and conduct these cases. Then we must have men who are gentlemen, because there is nothing that hurts the service more than to get hold of a man who is a bulldozer, one who may go up to a homesteader and say, "You can not get your claim." That hurts the service and we do not stand for it. We are trying to get a class of young, bright, active fellows.

Now, those are some of the reasons why the Secretary of the Interior recommended that he be permitted to appoint these men. Then he can select from among the applicants, knowing the character of the service, knowing the duties they will have to perform. Knowing these things, he is far better qualified to make an examination as to the fitness of the applicants than the Civil Service Commission; and it is in the interest of the public service that this discretion be given to the Secretary in the matter of the appointment of these men, whose employment is absolutely necessary to get the work up current in order that the homesteaders now waiting for the final adjustment of their claims may secure their titles.

Mr. MANN. Does the Secretary of the Interior state that in his opinion he can not secure proper officials in the ordinary manner of appointment through the Civil Service Commission?

Mr. TAWNEY. I do not know that he states specifically that he can not get the men. I infer from statements that they can not. My statement is based also upon the fact that while employees in every branch of the public service have been covered into the classified service, these men, because of the

peculiar character of their work, have never been classified. This, I infer, would have been, had it been believed the men required could be obtained through the civil service.

Mr. BONYNGE. Are you certain that is true as to the men who are now in that service?

Mr. TAWNEY. The special agents are not now in the classified service.

Mr. BONYNGE. Are not those now in that service in the classified service?

Mr. TAWNEY. No; they are not, and never have been in the classified service.

Mr. MANN. Does the gentleman state there is any difficulty in securing the number needed from the classified service?

Mr. TAWNEY. It has not been possible heretofore, or it has been believed to be impossible, to get men from the classified roll, in the judgment of those who have it in their power to classify the men if they see fit to do so.

Mr. MANN. Oh, the gentleman knows as well, or better than I do, that there is a tendency on the part of Government officials everywhere where they can appoint special agents to travel around, to try to make special appointments.

Mr. SMITH of Iowa. It has been carried in this way for about ten years.

Mr. MANN. I know, and I made the point of order on this nearly ten years ago, and it went out on the point of order. It went over to the Senate and it came back with this on it, and it was agreed to by the committee.

Mr. TAWNEY. And by the House.

Mr. MANN. Agreed to because—well, I will not say that is the reason, but probably would have been agreed to by the House anyhow. Now, some Members may be interested in some of these agents; I do not know, I doubt that, but that is no reason why the Government should be constantly put in a position, and the House be constantly put in the position of requiring a civil-service reformer—and I say that with all respect, because I have a very great admiration for the Secretary of the Interior—to violate everything he has ever said on the subject, in the appointment of some special agents when you can get all you want by civil-service examination. The Commissioners could ask the Secretary of the Interior to prepare the examination questions, to prepare all of the information that is to be furnished by the applicant, the character of the application, and yet they say they want Congress to assume the burden of violating the sentiment and morale of the law.

Mr. TAWNEY. I hope the gentleman from Illinois [Mr. MANN] will take into consideration the fact that the character of this service is temporary. It is not intended to keep these men employed regularly, but they have got behind with their work.

The CHAIRMAN. The gentleman's time has expired.

Mr. MANN. I ask unanimous consent for five minutes more.

Mr. TAWNEY. I think 180,000 cases.

Mr. MANN. Does the gentleman from Minnesota [Mr. TAWNEY] say that this is temporary work—

To meet the expenses of protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; of protecting public lands from illegal and fraudulent entry or appropriations—

Is that temporary work as long as we have the public domain?

Mr. TAWNEY. Why, no; I do not say so, but I do say this, that, "of the sum appropriated, \$250,000 is for the purpose of bringing up the work of the General Land Office hereunder so as to make the same current." Now, that language was put in there by the committee for the special purpose of their not hereafter coming to Congress after the work is up current and claiming that they had so much the year before and therefore they must have this much next year. Now, we want to give them what service is necessary to bring their work up current, and then when that work is brought up current Congress will have the power to again reduce their appropriation.

Mr. MANN. I would be willing to make an agreement with the gentleman, if this temporary—and that is all the gentleman is figuring about, namely, to have these appointees for the temporary appropriation made by the Secretary of the Interior—I would be willing to make an agreement to withdraw the point of order if next year, when the temporary appropriation goes out, the authority to make appointment for the permanent work is also taken away from the Secretary of the Interior.

Mr. TAWNEY. I will say to the gentleman—

The CHAIRMAN. The gentleman's time has again expired.

Mr. TAWNEY. I ask unanimous consent that the time of the gentleman from Illinois [Mr. MANN] may be extended five minutes.

Mr. MANN. The gentleman from Minnesota [Mr. TAWNEY] had the time.

The CHAIRMAN. The gentlemen had five minutes apiece, and it is all gone.

Mr. TAWNEY. It is not intended that this authority shall apply to any except those that are necessary to bring the work up current. That is all.

Mr. MANN. Mr. Chairman, I do not like to put my judgment in this particular matter up against the Committee on Appropriations, although I want to say I think it is simply rotten that Congress should be constantly called upon to require Department officials to make appointments outside of the civil-service law when those same officials are constantly criticising Congress for its attitude in opposing civil-service reform and holding themselves up as high and mighty prophets of civil-service reform. I think that if the appointment of men under the civil-service law is good for one branch of the service under John Smith, it is good for another branch of the service under John Jones, and there ought to be no distinction made. But, in view of the particular temporary character of this work, as explained, I will withdraw the point of order. [Applause.]

The Clerk read as follows:

Examinations of desert lands: The unexpended balance of the appropriation of \$1,000 made by the act of Congress approved March 3, 1905, to enable the Secretary of the Interior to examine, during the fiscal year 1906, under such regulations and at such compensation as he may prescribe, the desert lands selected by the States under the provisions of section 4 of the act of Congress approved August 18, 1894, is hereby continued and made available for expenditure in such examinations that may be made during the fiscal year 1909: *Provided*, That if such examinations be made by detailed clerks or employees of the Department, they shall be entitled to actual necessary expenses of transportation, including necessary sleeping-car fares, and not exceeding \$3 per day in lieu of subsistence.

Mr. MANN. Mr. Chairman, I move to strike out the last word. May I ask the gentleman whether this paragraph refers to examination of desert lands selected under the Carey Act?

Mr. TAWNEY. Yes; those are the examinations made under the Carey Act. This reads:

Provided, That if such examinations be made by detailed clerks or employees in the Department, they shall be entitled to actual necessary expenses of transportation, including sleeping-car fares.

And so forth.

Mr. MANN. How much is the appropriation? One thousand dollars?

Mr. TAWNEY. One thousand dollars; yes.

Mr. MANN. Did the gentleman's committee take into consideration the adequateness of this appropriation?

Mr. TAWNEY. There has been practically nothing expended under the appropriation for the last two or three years.

Mr. MANN. Well, that is very likely. Mr. Chairman, the State of Idaho has already received 1,000,000 acres under the Carey Act, and they brought a proposition before Congress to give that State 2,000,000 acres more under the Carey Act, with the proposition to give various other States a large amount of acreage under the Carey Act. No Government official knows whether the Carey Act is being observed by the State of Idaho or the other States or not. There is no examination made by the Government to ascertain whether this desert land turned over to these States is being irrigated in accordance with the provisions of the Carey Act or not.

Now, it seems to me that when the Government is carrying on great irrigation works on the one hand itself, and then offering to turn over lands which will become of great value since irrigation has become a known success, turning over great quantities of acreage of land to States on the basis that they shall in some way cause the land to be irrigated, the Government ought to have an examination to ascertain whether these laws are being carried into effect or not. When the State of Idaho or any other State may be making contracts with some corporation for the sale of some several hundred thousand acres of land for irrigation, we ought to know whether the land is being irrigated before we vote additional acreage.

Here is an unexpended balance of \$1,000 proposed. No portion of it has been expended for several years for the Government to ascertain whether this enormous acreage of land now proposed to be taken from the Government is taken under conditions which the Government intended to have fulfilled.

Mr. TAWNEY. Mr. Chairman, I am in entire sympathy with the gentleman in regard to the administration of the Carey Act. I believe that there should be some investigation by the proper committee of the House having jurisdiction of public lands and public-land laws and their honest administration. I will say, further, that if it is not done before the Committee on Appropriations considers this estimate again it will be done by that committee.

I want to call the attention of the gentleman to the fact that when before the committee the Secretary said in reply to this inquiry:

The CHAIRMAN. You omit the item for examination of desert lands? Mr. GARFIELD. I found out about that to-day. It simply asks for the reappropriation of the unexpended balance. The thousand dollars has not been expended that was appropriated in 1906. It is for desert-land entries under the Carey Act. So far it has not been needed within the last two years. There are some Carey Act cases coming in, and we may need that during the next year, so if you will leave the reappropriation of the unexpended balance, striking out the brackets, simply as it was last year, we will be glad.

As a matter of fact, they had recommended dropping this item entirely until the attention of the Secretary was brought to the fact by the committee at the time of the hearing.

Mr. MANN. If the gentleman will permit, since these bills were reported in giving to Idaho 1,000,000 acres additional as passed by the Senate, reported to the House to give the State of Idaho 2,000,000 acres more, various other States it is proposed to give large acreage to. I have made some casual investigation as to what the Department is doing in reference to it, and my information has been that the Department has made no examination as to whether these States are carrying out the Carey law, because they have no money to begin with. A thousand dollars, of course, would be a mere bagatelle.

Mr. TAWNEY. There is nobody to blame except the Department for that. They got all they estimated for.

Mr. MANN. I am not criticising the Committee on Appropriations, but calling the attention of the committee to this proposition, which is a pretty live wire, that we are asked to turn over a million acres of land to a half dozen or more Western States, in which we are carrying on at great expense irrigation plants, in order to permit these States to turn over to corporations as much as 100,000 acres of land, when we will not turn over more than 160 or more than 40 acres to one individual. It strikes me it is something that is worthy of attention.

The Clerk read as follows:

Restoration of lands in forest reserves: To enable the Secretary of the Interior to meet the expenses of advertising the restoration to the public domain of lands in forest reserves, or of lands temporarily withdrawn for forest-reserve purposes, \$12,000.

Mr. PERKINS. Mr. Chairman, I reserve the point of order to that paragraph in order to ascertain what it means.

Mr. TAWNEY. I will read what Mr. Dennett said when before the committee, on page 330 of the hearings:

The chairman asked him this question:

The next item is "Restoration of lands in forest reserves." Your current appropriation is \$2,000, and you ask for \$8,000 for the next year. You had a deficiency appropriation of \$10,000 for the current year.

Mr. DENNETT. We have now pending in the office 1,000 lists, applications for homesteads within forest reserves. That takes about \$8 a list. We will use up all of the \$10,000 that you gave us in January, and I presume it is reasonable to suppose that we will have over 1,000 next year. We could use the smaller appropriation and then come in for a deficiency, if you think that would be better.

Now, under the law these homestead entries are made within forest reserves, and the advertising that this appropriation is intended to provide for is directed by law to be made.

Mr. PERKINS. At the same time I would like to ask the gentleman in reference to the next item, \$18,000, for the furnishing of transcripts.

Mr. TAWNEY. This is for the Land Office.

Mr. PERKINS. What are they taken for?

Mr. TAWNEY. They furnish a transcript and record, and it is furnished to persons who buy the land, or for the use of the Government. It produces an amount that is more than the amount expended by the Government.

Mr. PERKINS. I withdraw the point of order.

The Clerk read as follows:

For surveys and resurveys of public lands, \$425,000, at rates not exceeding \$9 per linear mile for standard and meander lines, \$7 for township, and \$5 for section lines: *Provided*, That in expending this appropriation preference shall be given, first, in favor of surveying townships occupied, in whole or in part, by actual settlers and of lands granted to the States by the acts approved February 22, 1889, and the acts approved July 3 and July 10, 1890; and, second, to surveying under such other acts as provide for land grants to the several States and Territories, except railroad land grants and such indemnity lands as the several States and Territories may be entitled to in lieu of lands granted them for educational and other purposes which may have been sold or included in some reservation or otherwise disposed of, and other surveys shall be confined to lands adapted to agriculture and lines of reservations, and lands within boundaries of forest reservations, except that the Commissioner of the General Land Office may allow for the survey and resurvey of lands heavily timbered, mountainous, or covered with dense undergrowth rates not exceeding \$13 per linear mile for standard and meander lines, \$11 for township and \$7 for section lines, and in cases of exceptional difficulties in the surveys, where the work can not be contracted for at these rates, compensation for surveys and resurveys may be allowed by the said Commissioner, with the approval of the Secretary of the Interior, at rates not exceeding \$18 per linear mile for standard and meander lines, \$15 for

township and \$12 for section lines: *Provided further*, That in the States of California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming, the Territories of Arizona and New Mexico, and the district of Alaska there may be allowed, in the discretion of the Secretary of the Interior, for the survey and resurvey of lands heavily timbered, mountainous, or covered with dense undergrowth, rates not exceeding \$25 per linear mile for standard and meander lines, \$23 for township and \$20 for section lines; the provisions of section 2411, Revised Statutes of the United States, authorizing allowance for surveys in California and Oregon, are hereby extended to all of the above-named States and Territories and district. And of the sum hereby appropriated there may be expended such an amount as the Commissioner of the General Land Office may deem necessary for examination of public surveys in the several surveying districts, by such competent surveyors as the Secretary of the Interior may select, or by such competent surveyors as he may authorize the surveyor-general to select, at such compensation, not exceeding \$6 per day, except in the district of Alaska, where a compensation not exceeding \$10 per day may be allowed one such surveyor and such per diem allowance, in lieu of subsistence, not exceeding \$3, while engaged in field examinations, as he may prescribe, said per diem allowance to be also made to such clerks who are competent surveyors who may be detailed to make field examinations, in order to test the accuracy of the work in the field, and to prevent payment for fraudulent and imperfect surveys returned by deputy surveyors, and for examinations of surveys heretofore made and reported to be defective or fraudulent, and inspecting mineral deposits, coal fields, and timber districts, and for making, by such competent surveyors, fragmentary surveys and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States: *Provided further*, That the sum of not exceeding \$25,000 of the amount hereby appropriated may be expended by the Commissioner of the General Land Office, with the approval of the Secretary of the Interior, for the purchase of metal monuments to be used for public-land survey corners wherever practicable.

Mr. MACON. Mr. Chairman, I make the point of order against that part of the paragraph just read, commencing with line 24, page 73, and extending down to and including line 16, on page 75. It extends special privileges to certain States in so far as special prices for surveys will extend them.

The CHAIRMAN. Will the gentleman from Arkansas kindly state his point of order?

Mr. MACON. The paragraph makes a change in existing law.

Mr. TAWNEY. I suggest that the gentleman's point of order ought to extend only from line 24, on page 73, to line 13, on page 74, to the word "district." The balance of it is not subject to a point of order, while that part that I have mentioned undoubtedly is, because the rates allowed there are in excess of the statutory rates. The reason for the excess is stated in the paragraph. If the gentleman includes all that he has stated, I shall oppose the point of order.

Mr. MACON. As I understand it, the whole paragraph is subject to a point of order. If there are any parts of it that are based upon existing law, then the chairman of the committee can offer such parts as an amendment to the bill; but all being together, and being a part and parcel of the whole, with the illegal features embodied in it, the whole paragraph, as I understand it, becomes subject to a point of order.

The CHAIRMAN. Does the gentleman make the point of order against the whole paragraph?

Mr. MACON. I make the point of order against the part of the paragraph beginning with line 24.

Mr. TAWNEY. Beginning with the words "*Provided further*."

Mr. MACON. Beginning with "*Provided further*," on page 73, and extending throughout page 74, down to and including line 16, on page 75.

Mr. TAWNEY. I submit that the point of order is not well taken against that part of the paragraph. The gentleman does not make a point of order to the entire paragraph, and the point does not lie against that part to which he has made the point, for the reason that after the word "district," in line 13, the Chairman will observe that there is a limitation upon the expenditure of the appropriation for surveying:

And of the sum hereby appropriated there may be expended such an amount as the Commissioner of the General Land Office may deem necessary for examination of public surveys in the several surveying districts, by such competent surveyors as the Secretary of the Interior may select, or by such competent surveyors as he may authorize the surveyor-general to select, at such compensation, not exceeding \$6 per day, except in the district of Alaska.

And then follows the rate of compensation which he shall not exceed. Then the proviso at the end of the paragraph—

Provided further, That the sum of not exceeding \$25,000 of the amount hereby appropriated may be expended by the Commissioner of the General Land Office, with the approval of the Secretary of the Interior, for the purchase of metal monuments to be used for public land survey corners wherever practicable.

Now, these surveys are authorized by law. Also the monuments are authorized by law, but the character of the monument is not described. This appropriation is made for the purchase and establishment of metal monuments, instead of the monuments that have heretofore been used. It would be entirely competent to make a specific appropriation for these monuments. Instead of doing that, however, we segregate so

much of the appropriation and make it available for the purchase of these metal monuments, which are authorized by law. So I say that from line 13 to the end of that paragraph it is not subject to a point of order.

Mr. MACON. Line 13 on what page?

Mr. TAWNEY. Pages 74 and 75. From line 13 to the word "district," on page 74, including all of page 75, is a limitation on the total appropriation, and the other part is an appropriation of money which the law authorizes.

Mr. MANN. How far does the point of order of the gentleman from Arkansas go?

Mr. TAWNEY. He extends it clear from the bottom of page 73 to the end of the paragraph, on page 75.

Mr. MACON. To the end of the paragraph, on page 75, including line 16.

Mr. MANN. Does the gentleman desire to prevent the use of metal monuments in place of the stone monuments? That is the last proviso.

Mr. MACON. The part of it which I mainly contend against is contrary to existing law. Beginning with "*Provided further*," at line 24, on page 73, it reads:

That in the States of California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming, the Territories of Arizona and New Mexico, and the district of Alaska there may be allowed, in the discretion of the Secretary of the Interior, for the survey and resurvey of lands heavily timbered, mountainous, or covered with dense undergrowth, rates not exceeding \$25 per linear mile for standard and meander lines, \$23 for township and \$20 for section lines; the provisions of section 2411, Revised Statutes of the United States, authorizing allowance for surveys in California and Oregon, are hereby extended to all of the above-named States and Territories and district.

If that is not a change of existing law, then I do not understand what it would take to make a change of law. It extends opportunities for surveying lands in certain States that they do not have under existing law, and hence must be a change of existing law.

Mr. MANN. If the gentleman from Arkansas will permit. The gentleman from Minnesota concedes that that portion which the gentleman from Arkansas has just read is subject to a point of order. May I inquire whether he cares to make the point of order on the balance of the paragraph?

Mr. MACON. Beginning on line 13, page 74, the paragraph reads as follows:

And of the sum hereby appropriated there may be expended such an amount as the Commissioner of the General Land Office may deem necessary for examination of public surveys in the several surveying districts, by such competent surveyors as the Secretary of the Interior may select, or by such competent surveyors as he may authorize the surveyor-general to select, at such compensation, not exceeding \$6 per day, except in the district of Alaska, where a compensation not exceeding \$10 per day may be allowed one such surveyor, and such per diem allowance, in lieu of subsistence, not exceeding \$3, while engaged in field examinations, as he may prescribe, said per diem allowance to be also made to such clerks who are competent surveyors who may be detailed to make field examinations, in order to test the accuracy of the work in the field, and to prevent payment for fraudulent and imperfect surveys returned by deputy surveyors, and for examinations of surveys heretofore made and reported to be defective or fraudulent, and inspecting mineral deposits, coal fields, and timber districts, and for making, by such competent surveyors, fragmentary surveys and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States.

So it is not necessary for me to point out to one who is so well informed as the present occupant of the chair that this is a change of existing law. I insist on the point of order.

Mr. TAWNEY. I want to call the attention of the Chair and also of my friend from Arkansas to the fact that this paragraph appropriates \$425,000 at rates not exceeding \$9 per linear mile for standard and meander lines, \$7 for townships, and \$5 for section lines. Here is an appropriation of \$425,000, under which the Secretary of the Interior, or the Commissioner of the General Land Office, will make these public surveys. If you strike out the language as proposed by the gentleman from Arkansas, there is no limitation whatever on the amount that the Secretary of the Interior can pay to these people that are employed by him in making these surveys authorized and appropriated for. The language that the gentleman proposes to strike out, from line 13 to the end of the paragraph, removes every possible limitation that the paragraph places upon the expenditure of the total sum appropriated for making public surveys. I do not think the gentleman from Arkansas wants to increase the discretion of the executive officers in the expenditure of \$425,000.

Mr. MACON. Mr. Chairman, after the statement of the chairman I will withdraw the point of order as to all that part beginning with the word "and," in line 13, page 74, to the end of the paragraph.

Mr. MANN. Let me call the attention of the gentleman from Arkansas in that connection—I think the gentleman's point of order is well taken as to the whole paragraph—but the gentle-

man will notice that line 6, page 74, the provision in reference to the payment for services in certain States and Territories is at a rate not exceeding \$25 per linear mile.

Now, it goes without saying that the cost in making a survey over a mountain is more per linear mile than it is for making a survey over a prairie. As I understand the law, there is no limitation now upon the amount that the Secretary of the Interior may pay for these mountain surveys, and here is the total of the appropriation, a sum appropriated; and while I think it subject to a point of order, I fully agree with the gentleman about that, still this is, in fact, a limitation upon the amount which the Secretary of the Interior may pay for this mountain service.

Mr. MACON. It allows greater pay for surveying in these States than is allowed for surveys in other States.

Mr. MANN. That is because the conditions are different; it is a mountainous condition. I think this provision only applies to the States where are situated the Rocky Mountains. They are named in this way merely as a matter of convenience, because it is a better description to name certain States than to say in States where the Rocky Mountains prevail, and it is intended to be not an extension of authority to the Secretary of the Interior, but a limitation of the amount which he may pay. I know that if I am correct in that view, and the gentleman from Arkansas should concur in that view, he would think that the provision ought to be in the bill and not go out.

Mr. MONDELL. Mr. Chairman, I think there is some question whether these provisions are subject to a point of order, but I hope in any event that the gentleman from Arkansas will not insist on the point of order. I will say to the gentleman that this provision has been in the bill for many, many years, and that, without this provision, the Secretary of the Interior has authority to let contracts, without limit as to cost, and the expense might be much greater in some cases than provided for in this paragraph. If he has not that authority, then it would be utterly impossible to get the service in a mountainous country. These higher prices are very rarely paid, but it is necessary to pay them in some instances in order to have surveys executed in a very rough, mountainous country.

Without this provision a contract let for the survey of a township some portion of which might be level would stop at the base of the mountains and the township would be left partially unsurveyed if there was no opportunity for increasing the rate for the survey of such land. I think there have been few cases where it has been claimed that an excessive price has been paid for public-land surveys. I have heard of few such complaints. I think the public-land surveys which are executed under competitive bids are generally executed at low rates, and the gentleman does not certainly desire to leave the statute in such form that it would be impossible to execute necessary surveys. If there had been any improper payments or extravagancies under this provision, it seems as though there might be some reason for striking it out; but I think the gentleman has heard of none such. I certainly have never heard any complaint, and when it is stricken out it is a question whether or not the Secretary may not pay in a given case a still higher rate.

Mr. MACON. Mr. Chairman, what the gentleman says appeals to me, but I notice that provision is made in a part of this paragraph which precedes the part I make the point of order against, which provides for survey or resurvey of lands heavily timbered, mountainous, or covered with dense undergrowth for a higher pay than for ordinary land surveys. On page 73, line 11, beginning with the word "except," we find the following language:

Except that the Commissioner of the General Land Office may allow for the survey and resurvey of lands heavily timbered, mountainous, or covered with dense undergrowth rates not exceeding \$13 per linear mile for standard and meander lines, \$11 for township and \$7 for section lines, and in cases of exceptional difficulties in the surveys, where the work can not be contracted for at these rates, compensation for surveys and resurveys may be allowed by the said Commissioner, with the approval of the Secretary of the Interior, at rates not exceeding \$18 per linear mile for standard and meander lines, \$15 for township and \$12 for section lines.

That provides for a survey of mountainous lands. That provision allows the Commissioner to contract for surveys at a special price, but this proviso that I object to goes on to state that in the States of California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming, the Territories of Arizona and New Mexico, and the district of Alaska, there may be allowed, in the discretion of the Secretary of the Interior, for the survey and resurvey of lands heavily timbered, mountainous, or covered with dense undergrowth rates not exceeding \$25 per linear mile, for standard and meander lines. That extends a special privilege in the matter of the survey of the lands in these particular States.

The CHAIRMAN. The gentleman's time has expired.
Mr. MACON. Mr. Chairman, I am addressing myself to a point of order, but the Chair, of course, can say when my time for doing that has expired.

Mr. MONDELL. Mr. Chairman, I hope the gentleman will reserve his point of order for a moment. I want to call his attention to the fact, as did the gentleman from Illinois [Mr. MANN], that the States named are mountainous States.

Mr. MACON. But this provides for surveys in mountainous territory where the timber is heavy and the undergrowth is thick.

Mr. MONDELL. It provides for the survey in the ordinary mountainous regions of the country.

Mr. MACON. But it does not say the ordinary mountainous regions of the country.

Mr. MONDELL. This other provision Mr. Chairman, the gentleman must know is intended to cover those exceedingly rough mountainous regions that occur only in the Rocky Mountains, and there are some lands included in surveys that can not be surveyed even at these rates profitably, and yet if you do not allow for these extremely difficult conditions it may be utterly impossible to complete the survey of a township.

The gentleman understands, of course, that these rates are not paid over all the territory included in any contract, but only where the field notes of the surveyor, made under oath, and the report of the Government examiner following him, made under oath, are to the effect that the conditions referred to in this paragraph exist. In other words, conditions where it is almost impossible to carry a chain, where it is almost impossible under ordinary conditions to project a line, and so difficult are some of these surveys that efforts have been made in the past to secure legislation allowing the projection of a line by other methods than by chaining, but Congress has not seen fit to do that. But you reach oftentimes in a survey, a survey coming within the first classification, a limited territory where it is utterly impossible to survey except at the high rate.

Mr. MACON. Then, if the gentleman will permit me, I will state that I do not think that character of territory worth surveying, and for that reason no price ought to be paid for it. If it is so impossible to survey land as that, a band of surveyors with chain carriers and so on can hardly get over the territory to be surveyed, I do not see how it can be utilized after it is surveyed.

Mr. MONDELL. A condition of that kind may exist only for a mile or two or three miles, and then territory is reached of a character that can be surveyed at lower rates, at the minimum or intermediate rates; and, surely, it is not economy to drop a survey at a point like that and then take it up from another direction at extra expense and carry it on.

Mr. MACON. Let them take the bad with the good. We all have to do that, no matter what kind of a task we are performing.

The CHAIRMAN. Does the gentleman from Arkansas make the point of order?

Mr. MACON. Mr. Chairman, I make the point of order beginning with line 24, page 73, and ending with the word "district," in line 13, on page 74.

The CHAIRMAN. The Chair thinks that portion against which the point of order is made, beginning with the word "provided," line 24, on page 73, and ending with the word "district," line 13, page 74, is a substantive proposition, and the point of order would lie against it without destroying or taking out the remainder of the paragraph. The Chair further thinks that that portion of the paragraph against which the point of order is made is subject to the point of order, and therefore the point of order is sustained.

Mr. TAWNEY. The point of order is only from the beginning of the proviso to the word "district," in line 13, page 74.

The CHAIRMAN. Yes.

Mr. MACON. That is all, Mr. Chairman.

The Clerk read as follows:

UNITED STATES GEOLOGICAL SURVEY.

Office of the Director of the Geological Survey: For Director, \$6,000; chief clerk, \$2,500; chief disbursing clerk, \$2,500; librarian, \$2,000; photographer, \$2,000; three assistant photographers, one at \$900, one at \$720, and one at \$480; one clerk of class 2; three clerks of class 1; one clerk, \$1,000; four clerks, at \$900 each; four copyists, at \$720 each; watchman, \$840; four watchmen, at \$600 each; janitor, \$600; four messengers, at \$480 each; in all, \$35,340.

Mr. TAWNEY. Mr. Chairman, I have been requested by several Members to pass the remaining paragraphs under the head of United States Geological Survey, and I therefore ask unanimous consent that they may go over until Monday immediately following the House going into the Committee of the Whole House on the state of the Union.

Mr. NORRIS. Extending how far?

Mr. TAWNEY. All appropriations under the title of the United States Geological Survey.

Mr. MANN. Commencing with "Scientific assistants of the Geological Survey."

Mr. TAWNEY. Yes; down to "Miscellaneous objects, Department of the Interior," on page 80. It begins with line 17, page 76, and goes to the top of page 80, including lines 1 and 2.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that that portion of the bill included between line 17, page 76, and line 3, on top of page 80, having reference to the Geological Survey, be passed until next Monday. Is there objection?

Mr. UNDERWOOD. Mr. Chairman, I would like to ask the gentleman from Minnesota if that will be taken up as soon as we go into the Committee of the Whole House on Monday?

Mr. TAWNEY. That is what I said.

Mr. NORRIS. That was the request the gentleman from Minnesota made, that it be taken up immediately after going into the Committee of the Whole House.

Mr. TAWNEY. Immediately upon the House resolving itself into Committee of the Whole House on the state of the Union for the consideration of the sundry civil bill.

The CHAIRMAN. The first thing on Monday. The Chair adds that to the request of the gentleman from Minnesota.

Mr. MANN. That will include all amendments relating to the Geological Survey, examination of structural materials, and so forth?

Mr. TAWNEY. All are included in that.

Mr. MANN. And will come up at that time.

Mr. TAWNEY. All are included in that reservation.

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

Mr. MONDELL. Mr. Chairman, I was necessarily absent from the House when the items of deprecation on public timber, and so forth, page 69, were discussed, and I ask unanimous consent that I may have ten minutes to discuss that paragraph.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that he may proceed for ten minutes.

Mr. TAWNEY. Mr. Chairman, I do not know whether the gentleman's request would take the committee back to that paragraph. If it is for the purpose of offering an amendment—

Mr. MONDELL. I have no intention of offering an amendment; I simply desire to discuss the question. Mr. Chairman, I ask unanimous consent to discuss that paragraph.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The gentleman from Wyoming is recognized for ten minutes.

Mr. MONDELL. Mr. Chairman, in the last Congress, in a discussion of this item, I opposed an increase of the appropriation above \$250,000. This item provides for agents and others employed to protect the public timber, examine deprecations on public timber, for the protection of public lands from illegal and fraudulent entry, and so forth. I have not opposed the increase of appropriation this year, and have, in fact, favored it, for the reason that I am assured that the increase is a temporary one, and that it is necessary to clean up the cases now before the Land Office. Mr. Chairman, had a sane and reasonable policy been pursued with regard to the public lands in the past this increase of \$250,000 would have been entirely unnecessary; but, unfortunately, several years ago it was the policy of the Department to suspend land entries on the most flimsy pretext. The slightest suggestion, whether of a character entitling it to consideration or not, has been quite sufficient to suspend land entries by the thousand.

The slightest whisper wafted into the General Land Office or to a special agent, anonymous communications of all sorts and kinds, have been considered sufficient to suspend the entries of settlers, and the Department now declines to pass these cases which arose before the administration of the present Secretary until there can be a special examination in the field of the cases which have been thus suspended. Of course it will develop that 95 per cent or a greater per cent of these complaints have no foundation whatever, that they are the result of spite or pique, or of the effort of Government agents themselves to perpetuate their employment by raising questions as to the validity and legality of entries. But those of us who live in the public-land States have grown weary of constantly and continually importuning the Department to make examinations and relieve entries from suspension, and inasmuch as the Department has assured us that if given this additional fund it will be used for the purpose, not of attempting to create new cases, but to settle the old cases, and inasmuch as we are confident that the present Secretary of the Interior is honestly anxious to clean up the old cases, to relieve them from suspen-

sion, and does not desire to continue the policy of his predecessor of suspending entries upon the slightest pretense, the slightest suspicion as to their legality, we feel that the increase ought to be had, and we hope that we will not be disappointed as to the manner in which it will be used.

Those who do not live in public-land States can not understand how trying are the conditions existing in regions where settlers are attempting to secure titles from the Government and where, though an entryman may have complied with all the provisions of law, his title may be withheld one year, two years, three years, or indefinitely, upon an absolutely unsupported or anonymous communication wafted into the Land Office, or some malicious whisper coming to the ear of an overzealous official of the Government. We want to have these cases cleaned up, and we do hope that the men appointed to that work will not attempt to perpetuate their service by creating new cases with as little foundation as the majority of the cases that now stand upon the books of the General Land Office.

Mr. Chairman, while discussing this matter I want to refer very briefly to the provisions contained at the bottom of page 75, providing for special surveys in Utah. I wish simply to say that I have no doubt that those surveys are necessary, and I certainly do not desire to raise my voice in opposition to that appropriation. I hope that the committee in the future will not continue this practice of dividing the survey appropriation. I believe that it is a very unwise practice. If this is to become the rule, then every Member of Congress from a public-land State must become engaged in a scramble for surveys for his own State and district. The appropriation for land surveys should all be contained in the one lump-sum appropriation, and should be divided in accordance with the necessities of the situation by the Commissioner of the General Land Office, under the law, among the States containing public lands and requiring surveys.

The Clerk read as follows:

Yosemite National Park, California: For protection and improvement of the Yosemite National Park, and the construction of bridges, fences, and trails, and improvement of roads, other than toll roads, \$30,000.

Mr. TAWNEY and Mr. ENGLEBRIGHT rose.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. TAWNEY].

Mr. TAWNEY. Mr. Chairman, I ask unanimous consent to return to page 80 for the purpose of offering an amendment to the following:

Education in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for the education and support of the Eskimos, Aleuts, Indians, and other natives of Alaska; for erection, repair, and rental of school buildings; for text-books and industrial apparatus; for pay and necessary traveling expenses of all persons employed hereunder outside of Washington, D. C., including general agent, assistant agent, superintendents, teachers, physicians, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, \$175,000: *Provided*, That any person or persons employed hereunder as special agents or inspectors, or to perform any special or unusual duty in connection herewith, shall not receive as compensation exceeding \$200 per month, in addition to actual traveling expenses and per diem not exceeding \$4 in lieu of subsistence, when absent on duty from their designated and actual posts of duty.

I was not on the floor for a minute, and did not notice that we had passed it. I ask unanimous consent to return for the purpose of offering a committee amendment.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 80, strike out all after the word "of," in line 21, down to and including the word "including," in line 23; and on page 81, after the word "duty," in line 9, insert:

"*Provided*, That of the sum hereby appropriated, not exceeding \$7,000, may be expended for personal services in the District of Columbia."

Mr. TAWNEY. That is in relation to the appropriation for education in Alaska. Heretofore they have had \$10,000, and the committee omitted the item entirely, but upon investigation it was found they will need \$7,000 of the amount carried in the amendment for the appropriation for education in Alaska.

The CHAIRMAN. The question is on the amendment of the gentleman from Minnesota [Mr. TAWNEY].

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

Mr. ENGLEBRIGHT. Mr. Chairman, I desire to offer an amendment.

Mr. NORRIS. While the gentleman from Minnesota [Mr. TAWNEY] is still on page 80, if the gentleman from California [Mr. ENGLEBRIGHT] will yield, I want to ask a question of the gentleman from Minnesota. I wanted to inquire of the chairman about the provision made for the purchase of fifteen copies of volume 3 of the decisions of the—

Mr. TAWNEY. Lawyers' Cooperative Publishing Company? Mr. NORRIS. That is the name of a company. I will say to the gentleman that since I have looked it over again I see what the point is.

The CHAIRMAN. The gentleman from California [Mr. ENGLEBRIGHT] offers an amendment, which the Clerk will report. The Clerk read as follows:

Page 82, line 19, strike out "thirty thousand" and insert "fifty thousand."

Mr. ENGLEBRIGHT. Does the chairman of the committee accept that?

Mr. TAWNEY. No; the committee can not accept it. The amount recommended by the committee, after full investigation, is all that the committee felt Congress would be justified in appropriating for the Yosemite Park for the next fiscal year. I might say, respecting all these various national parks, that in view of the condition of the public revenue the committee thought if there was any one place in this bill where new construction and increased expenditure might properly be delayed it was here, and many of the items of the estimates for this park are of such a character as to be very doubtful about the wisdom of our making the improvements at any time. But, in any event, the committee felt that we would not be justified in going into elaborate expenditures for purposes that are not essential to the maintenance and administration of these parks.

Mr. ENGLEBRIGHT. Mr. Chairman, I desire to call the attention of the committee to this item. I do not desire to take up time to extol the beauties of Yosemite Park or the grandeur of its scenery. Ever since you were children you have read of the beauty and the grandeur of that place. Of all the places in the known world, Yosemite Valley stands unequalled for the grandeur of its scenery. For a long time this park has been almost inaccessible. But a year ago a railroad was completed to a point within 14 miles of the center of the valley, so that it is now easily accessible; and there is going to be a great deal of travel and a great many visitors to that valley, so that it certainly is the duty of the United States, when we are in possession of such a great natural wonder, to improve it for the use of the people of the United States.

Now, as a practical matter of business, the people of the United States in large numbers go to Europe for no other purpose than to enjoy themselves and to see scenery; and it is stated by people who are well posted on the subject, that there is somewhere from one hundred to two hundred million dollars spent annually in Europe by tourists from the United States. There is no reason why a large amount of this money should not be kept at home, and I consider it the duty of the United States Government to spend some money to properly make the great national parks accessible, so that they will be attractive, and keep the money that is going to foreign lands right here with us.

The Secretary of the Interior made a personal visit to Yosemite Park last year. He had reports made by engineers. Without my going into the merits of all the improvements in connection therewith, he recommended no less an amount than \$240,000 that could be expended properly in the improvement of this park.

Knowing that such an amount would probably not meet with the approval of this House, I have simply asked for a small addition.

Mr. NEEDHAM and Mr. HARDY rose.

The CHAIRMAN (Mr. LONGWORTH). The Chair recognizes the gentleman from Texas.

Mr. HARDY. Mr. Chairman, I do not know whether there is an amendment pending or not. I wish to direct attention to another matter, and therefore I yield to the gentleman from California.

Mr. NEEDHAM. Mr. Chairman, I hope this amendment will prevail. As my colleague has said, the estimates for this park for the coming fiscal year are more than \$240,000. The committee has recommended but \$30,000. It seems to me that my colleague has been exceedingly modest in asking that it be increased only \$20,000. I visited Yosemite for the third time last fall, and I want to say that the roads in that park are in horrible condition. Really, at this time it is exceedingly trying to travel over those roads. They need improvement very, very much, and this additional amount is requested for the purpose of improving principally the roads within Yosemite Valley proper. Since the building of the railroad the travel has increased perhaps three-fold to this national park, and the coming year will probably witness more people going to the Yosemite National Park than ever before in its history. It is not necessary to extol the beauties of this national park as

a playground of the nation. It is not necessary to tell the Members of this House of the beauties that can be seen there. It should be the policy of the Government to make it accessible and to make a trip there a trip of pleasure. As it is now, the roads being so bad, it detracts from the pleasure of the trip. I sincerely hope this modest amendment will pass.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

Mr. TAWNEY. Mr. Chairman, I do not know whether the committee understands exactly the situation in regard to this amendment with reference to this park. I want to call the attention of the committee to the fact that we have never heretofore appropriated for this park in excess of \$6,000, except for the current year, when the appropriation is \$30,000, which is due to the fact that the Government has taken over again from the State of California the entire area included in the original Yosemite Park.

Now, the amount allowed for the next fiscal year is the same as the amount allowed for the current year. That is for the maintenance of the roads and the various buildings in the park that are owned by the Government, and also for the salaries of superintendents and assistants and laborers; and in addition to the \$30,000 they get all the revenue derived from the concession which the Government has granted, which amounts in the aggregate to about \$15,000 a year. The committee think that if there is any branch of the Government service that can wait for extension and improvement, as proposed in the estimates of the Secretary of the Interior for this park, it is the national parks of the United States. And in refusing to allow the increase there is no danger of the property deteriorating or that the park will not be maintained in the same condition in which it has been maintained heretofore and is being maintained during the current fiscal year. I hope the amendment will not prevail.

Mr. GILLET. Did the committee consider the question of purchasing any roads in the park?

Mr. TAWNEY. No.

Mr. SMITH of Iowa. There was no such proposition before the committee.

Mr. TAWNEY. There was no such proposition before the committee and there is no authority for the purchase of any road in this appropriation.

The CHAIRMAN. The question is on the amendment of the gentleman from California [Mr. ENGLEBRIGHT].

The question being taken, the Chairman announced that the "noes" appeared to have it.

Mr. ENGLEBRIGHT. Division!

The committee divided, and there were—ayes 20, noes 30.

Accordingly the amendment was rejected.

Mr. HARDY. Mr. Chairman, I rise for the purpose mainly of making an inquiry, but I move to strike out the last word for that purpose. I see here an appropriation for the purchase of necessary food for buffaloes and salary of a buffalo keeper in the Yellowstone Park, \$2,500. My recollection is that in going nearly all over that park some years ago we saw but one buffalo, and he was fenced in on an island in Yellowstone Lake, and we paid a little commission for the purpose of seeing him to the alleged owner of the boat on the lake and of the buffalo on the island. If there are any buffaloes that belong to the Government, they must have gone there since my visit some years ago, and I do not believe they ought to be there if they are there at the expense of the Government. It is a cold climate, uninhabitable by men during most of the year, unless they are very well protected, and if this is an annual expenditure of \$2,500 for the exhibition of one buffalo on an island in Yellowstone Lake, it seems to me it is rather expensive. [Laughter.]

Mr. TAWNEY. Evidently the gentleman did not visit any other part of the Yellowstone Park than the part he has just referred to, the island. If he had, he would know that this appropriation is for the herd of buffalo near the Hot Springs reservation in the park. The buffalo that is referred to by the gentleman, I think, is a private enterprise maintained for private profit, and there is no appropriation for the maintenance of any buffalo on the island in Yellowstone Lake, but we have a large herd of buffaloes in that park, for which herd this appropriation is made.

Mr. HARDY. Is that herd away from the usual course of tourists?

Mr. TAWNEY. No, sir; it is not. The gentleman must have been asleep when he was driving up from the Hot Springs Hotel or he would have seen it, because the herd is right there in plain sight. Anybody can see it if he is awake when he drives along there.

Mr. HARDY. I must have gone by another route, but I thought I was informed that the buffalo on the island was the only gentleman of that character in the park. [Laughter.]

Mr. KAHN. Evidently the gentleman himself was buffalooed. [Laughter.]

Mr. HARDY. It has been suggested by gentlemen who do not know as much as I do about it to ask how many there are in the herd.

Mr. TAWNEY. Our information is that there are about 300 in the herd.

Mr. SMITH of Iowa. There are so many that they have asked me several times to allow a division of them, and the putting of them in different places, because there are too many to have in one place.

Mr. HARDY. I was in search of information, and I have obtained it. It was some years ago I was there, and these must have been put there since.

The Clerk read as follows:

Crater Lake National Park, Oregon: For protection and improvement of the Crater Lake National Park, and repairing and extension of roads, \$3,000.

Mr. HAWLEY. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

In line 7, page 83, strike out the words "three thousand" and insert "four thousand three hundred."

Mr. HAWLEY. Mr. Chairman, the purpose of the amendment is to increase the amount appropriated for the Crater Lake National Park in Oregon from \$3,000 to \$4,300. The reasons for that increase are as follows: First, there is a considerable travel into the park during the summer, and the present roads should be put into condition to accommodate that travel and proper extensions made. Another reason is that the roads across the land now embraced in the park have been for many years the natural outlets for central Oregon, including the driving out of stock. By making this a national park the Government has obstructed this natural thoroughfare. Since the park has been included in the forest reserve and made a national park all the maintenance of the roads devolves upon the General Government, and I was told when I was in that vicinity last summer, by gentlemen interested in business, it was difficult to get stock across, and that considerable improvements should be made. However, I am asking only a very modest amount at this time.

The committee has appropriated \$3,000; \$1,000 as salary of the superintendent, \$480 for two park rangers, \$200 for emergency expenses, and \$365 for the keep of a horse, leaving \$955 for improvements and extension of the roads and for the maintenance of bridges, many of which are, as I am told, in a dangerous condition. The sum recommended by the Committee on Appropriations is altogether insufficient. The Secretary of the Interior, who visited this region last summer, asked for \$10,845 for this park, and some of the improvements that that amount was intended to pay for are these: There should be \$400 for the improvement of a road from the south line of the park to the post-office, \$600 for improvement of the road from the west line of the park to the post-office, \$500 for improvement of the road from the post-office to the rim of the crater, and \$500 for the repairs of bridges. There is another small item of \$250 for the repair of the road within the rim of the crater. Crater Lake is located within the top of an extinct volcano and is of most imposing grandeur and one of the greatest scenic wonders of this country, but the principal reason for asking this small increase of \$1,300 at this time is for the maintenance and improvement of the roads and bridges through the park, making reasonably available a natural outlet from central Oregon, and I hope the committee will adopt the amendment.

Mr. TAWNEY. Mr. Chairman, the amount which the committee has recommended, \$3,000, is the amount that Congress has always appropriated for the maintenance of roads, trails, and bridges in this park, and for the supervision of the park, until last year we appropriated for the current fiscal year \$7,315. The four thousand additional was for new roads and trails.

Now, a detailed statement of that expenditure was submitted to the committee, and upon examination we found that \$3,000 is an ample sum for the maintenance of the park, including the maintenance of all the roads, trails, and bridges that are in the park. The park is in the State of Oregon, and is one of the smallest of our national parks in area. It contains 159,360 acres and is almost in the center of a large forest reserve. In view, as I said in answer to the gentleman from California [Mr. ENGLEBRIGHT], who offered an amendment in respect to the Yosemite Park—in view of the large amount asked for above the \$3,000, a large part of it being for new and improved con-

struction, the committee felt that we would not be warranted in recommending to the House an expenditure of this character at this particular time for the benefit of tourists. And I may say that while the number of tourists last year was greater than in any previous year, there is very little doubt of the fact that there will be a very much smaller number this coming year than there was last year.

The question was taken, and, on a division (demanded by Mr. HAWLEY), there were—ayes 15, noes 25.

So the amendment was lost.

Mr. CARTER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Insert after line 7, page 83, the following:

"Platt National Park, Oklahoma: For protection and improvement of Platt National Park, construction of fences, trails, roads, bridges, etc., to be expended under the supervision of the Secretary of the Interior, \$20,000; of this amount, the sum of \$15,000 shall be expended in the construction of a sanitary sewer through the park, with laterals to intersect with others connecting with the sewer system of the city of Sulphur, Okla.; *Provided*, That the municipality of Sulphur expend in the construction of said sewer system through the park the sum of \$15,000."

Mr. CARTER. Mr. Chairman, I see from the report that this was in the original estimate and was recommended by the Secretary of the Interior. A bridge on Rock Creek, in this national park, is one of the items included in this amendment. This bridge was placed there originally by the people of the city of Sulphur, and it was given to the Government when the Government segregated that portion of land for a national park. That bridge has become decayed and rotten, the Government has condemned it, and the people are deprived of its use. The creek is impassable at this point at times. The banks are so steep and high that only the lightest kind of vehicles can ascend and descend, so that it requires a drive of almost a mile to go from points which are only a short distance apart. It will require about \$20,000 or \$25,000 to build such a bridge as is needed.

Then there is another proposition. Platt National Park lies just south of Sulphur City, down the creek from Sulphur, and it is impossible to have any sewerage for the town unless a sewer can be run across Platt National Park. The authorities will not allow the sewage dumped in the park. So this provision for \$15,000 to construct a sewer across the park is absolutely necessary at this time, in my opinion, because the town of Sulphur is getting to be a town of three or four thousand people, and possibly more. It is necessary for them to have some kind of sanitary sewer system. The park has been set aside as a national park, and I do not think there has ever been any appropriation for this park. I would like very much to see this amendment inserted.

Mr. SMITH of Iowa. Mr. Chairman, the gentleman is right, that no appropriation has ever been made for this park, and the proposition is to appropriate more for it than for almost any of the parks in the United States. I read from the hearings:

The CHAIRMAN. The next is Platt National Park, Indian Territory.

Mr. GARFIELD. That is the Sulphur Springs Park.

The CHAIRMAN. That is a new proposition?

Mr. GARFIELD. Yes.

The CHAIRMAN. We have never appropriated for it before?

Mr. GARFIELD. The fund was accumulated formerly for the care of the park. Now we have come to the point where it will have to be cared for by the Government.

The CHAIRMAN. What are the proceeds from the sale of the land in the last fiscal year?

Mr. GARFIELD. There was an available balance of \$19,000. The expenditures have been \$12,383, leaving an available balance of \$19,000. There evidently were no sales of land last year, and I understand there will be no further revenues from the sale of property. Oh, yes; there will be one; if I can do something with the old hotel there, that I am trying to dispose of; but it is a very small amount, as I understand. Balance available July 1, 1908, \$31,851.30.

Leaving an available balance of \$19,000, that they have the right to use on this park without further appropriation, and without enlightening the House as to what are the values of this park to the country, they are asking now, with a balance on hand of about \$30,000, and with an estimated balance on the 1st day of next July of nearly \$20,000, that this House appropriate \$20,000 more for the improvement of this park.

Mr. UNDERWOOD. Will the gentleman permit a question?

Mr. SMITH of Iowa. Yes.

Mr. UNDERWOOD. I want to ask why the Secretary of the Interior asked for an appropriation, if he can use the money now available for that purpose?

Mr. SMITH of Iowa. Just as he asked for \$240,000 for the Yosemite and got only \$30,000, and just as he has asked for five or six times the amount of money that he has obtained for the improvement of other national parks, and with this new park of less interest almost than any of the rest, which has about \$20,000 on hand, or will have next July, we are asked to give \$20,000 more for its improvement.

Mr. CARTER. I would like to ask the gentleman why it is that this park is of so much less importance than others.

Mr. SMITH of Iowa. I would like to have the gentleman tell me how it compares with the Yellowstone or the Yosemite.

Mr. CARTER. It is one of the greatest health resorts and has the greatest health-giving waters of any park in the country.

Mr. SMITH of Iowa. That may be very true. There is a hotel there, but it is not a great park like the Yosemite that only got \$30,000 by a vote of the House a few minutes ago, and they have \$20,000, and now are asking us to appropriate for this park \$40,000.

Mr. CARTER. The Yosemite is an old park. I would like to ask how much has been expended on it.

Mr. SMITH of Iowa. Almost nothing by the National Government. The appropriations for the Yosemite have been \$5,000 of \$6,000 a year until within the last three or four years.

Mr. CARTER. Does the gentleman consider \$30,000 almost nothing?

Mr. SMITH of Iowa. I said \$5,000 or \$6,000 until the last three or four years. It never received \$30,000 until last year, and yet the gentleman is asking \$40,000 for this park.

Mr. CARTER. We ask only \$20,000.

Mr. SMITH of Iowa. But you have \$30,000 available now, and it is estimated there will be on hand \$20,000 in round numbers next July.

Mr. CARTER. In a few minutes my colleague, Mr. FERRIS, will read a report of the Secretary explaining that.

Mr. SMITH of Iowa. I have just read it.

Mr. CARTER. But he has a more recent one.

Mr. SMITH of Iowa. All right.

Mr. FERRIS. Mr. Chairman, in view of the statement of the gentleman, I submit that this would be a very unreasonable request, but the conditions and facts and recent report of the Secretary do not coincide exactly with the view stated by the gentleman who is in charge of the measure.

Mr. SMITH of Iowa. I read from the report in the hearings.

Mr. FERRIS. I have a letter in my hand from the Secretary of the Interior that I received this morning relative to this matter. The facts are these: The Secretary of the Interior came down into Oklahoma and segregated a large tract of land and made a national park out of it. The city of Sulphur, while quite a new city, and indeed a thriving and growing city, and quite a modern one as well, is situated in rough, broken country. Between two portions of the city is a great chasm. There is a bridge across it, which I would judge, not having the figures at hand, is in the neighborhood of a hundred or a hundred and fifty foot span.

Prior to the segregation this chasm between the two portions of the city was bridged by the citizens, who built the bridge at their own expense, independent of the Government. The Government took that into the national park. Then when they made the segregation the officials condemned the bridge, which places the citizens of Sulphur in an attitude that they neither can repair the bridge themselves nor get the Department to do it, so that they have to go around about 2 miles—

Mr. SMITH of Iowa. Can you identify that bridge for us?

Mr. FERRIS. Well, I do not understand what the gentleman means by "identify." I have seen that bridge a number of times and passed over it a number of times.

Mr. SMITH of Iowa. I mean simply this, that this estimate that was furnished to the committee showed, "suspension bridge plans and supervision" and "for supervision repairs to Davis Avenue Bridge" and "construction of suspension bridge over Rock Creek at Bromide Springs." Is that the one?

Mr. FERRIS. That is the one.

Mr. SMITH of Iowa. That is estimated to cost \$950, and it was stated that there would be \$19,000 on hand after building the bridge.

Mr. FERRIS. Oh, the gentleman means some slight repairs that are only temporary. The Department, prior to this time, has condemned the bridge, and the citizens of Sulphur were not permitted to use it for a long time. I am advised it is unsafe now.

Mr. SMITH of Iowa. Does the gentleman say, when the Department says, "For suspension bridge, plans, and supervision, \$50;" "for construction suspension bridge over Rock Creek and Bromide Springs," that that means slight repairs on a bridge?

Mr. FERRIS. Well, I have had some recent conversation with the Secretary on that subject.

Mr. SMITH of Iowa. He furnishes this testimony.

Mr. FERRIS. I am talking about the Davis Avenue Bridge.

Mr. SMITH of Iowa. Is not that the bridge you mean?

Mr. FERRIS. Mr. CARTER advises me that it is a different bridge. It is the Davis Avenue Bridge that I am referring to.

Mr. CARTER. Oh, the gentleman from Iowa misunderstands the proposition grossly. This is a different bridge entirely. The Davis Avenue Bridge is a bridge across this chasm which must have originally cost about \$4,000 and was put up very cheaply at that. The bridge at Bromide is almost a mile below there.

Mr. SMITH of Iowa. That is what I wanted the gentleman to identify.

Mr. CARTER. He possibly did not understand the question.

Mr. FERRIS. I want to state that a recent conversation I had with the Secretary was this: I went to see if the bridge could not be opened. One part of the city is absolutely cut off from the other part of the city when the Davis Avenue Bridge is out. The Secretary says that they have no funds with which to do it, but that he has recommended that \$20,000 be given, and then they would have enough to fix that up. I again wrote to him a letter yesterday or the day before, and I have received his reply, and I would like to send it to the Clerk's desk and have it read in reference to this matter. There is some mistake here evidently, because the hearing does not coincide with the correspondence I have in my hand nor with the correspondence I had before on the subject.

Mr. SMITH of Iowa. I will say that this was the official statement prepared in the Secretary's office. It was not a statement made by the Secretary on the spur of the moment, but an official statement prepared in his office.

Mr. FERRIS. If the park has \$19,000 on hand, that would be an unusual request, but this letter does not so state, and neither does the conversation which I had with him even intimate such a thing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FERRIS. I would like to ask for five minutes more so that the letter can be read.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR,
Washington, April 30, 1908.

Hon. SCOTT FERRIS,
House of Representatives.

SIR: Your letter of the 25th instant received, inquiring what expenditures will be made in the Platt National Park this year, and also the amount appropriated by Congress for that reservation.

There will be expended for improvements in the Platt National Park during the balance of the present fiscal year approximately \$3,000.

An estimate for an appropriation in the sum of \$20,000 was submitted to Congress through the channel provided by law for that purpose (H. R. Doc. No. 12, 60th Cong., 1st sess., p. 431) for certain proposed improvements in the Platt National Park, namely:

Construction of stone culvert at Sulphur Run, near Pavilion Springs	\$500
Construction of a brick barn for park horses and forage	2,000
Care and repair of buildings, fences, bridges, pavilions, and springs	2,500
For the construction of a sanitary sewer for Platt National Park with laterals to intersect with others connecting the sewer system of the city of Sulphur	15,000
Total	20,000

No appropriation for any of the purposes above set forth is contained in the sundry civil bill (H. R. 21260) reported to the House of Representatives on the 25th instant.

Very respectfully,

JAMES RUDOLPH GARFIELD,
Secretary.

Mr. UNDERWOOD. Mr. Chairman, it seems to me that this proposition is a simple one. The people out there have built a town. Through the center of the town runs a chasm. The chasm belongs to the Government. After the town is established the Government creates a national park and takes in this chasm. Now, the testimony, that seems not to be controverted at all, shows that the bridge that was originally built across the chasm is unsafe and that the people can not cross it. The people can not build another bridge because they do not own the land. The land belongs to the Government. The Secretary of the Interior has investigated the question and says a new bridge ought to be built, and he says that it will take an appropriation of \$20,000 to build a bridge.

Mr. SMITH of Iowa. He does not say that.

Mr. UNDERWOOD. That is what his letter says.

Mr. SMITH of Iowa. His letter does not say anything about that at all; but the gentleman says that he has not the money to build a bridge.

Mr. UNDERWOOD. I take it that the Secretary of the Interior would not come to Congress and ask for \$20,000 from Congress if he had money in his hands to accomplish a public improvement that he says is necessary. Now, of course he may do it, but I do not think it is reasonable for us to put that interpretation upon his letter.

Mr. GAINES of West Virginia. Has he asked for the money?

Mr. UNDERWOOD. He has, in his estimate. There is the letter received asking for it. These people can not help this. The chasm separates the town, and that belongs to the Gov-

ernment. Nobody can build the bridge but the Government, and it seems to me if we are going to continue this national park, it is our clear duty to those people to make a sufficient appropriation to let them get along with, and I can not see any other conclusion to come to, if we take the statement of the Secretary of the Interior that this is necessary, and I judge from his letter and the appropriation that it must be.

Mr. TAWNEY. I will say to the gentleman from Alabama [Mr. UNDERWOOD] that the Secretary has made no estimate of \$20,000 for the construction of a bridge.

Mr. UNDERWOOD. All the information I have is what I have heard read.

Mr. TAWNEY. If he states in the letter that there is an estimate, I have a detailed statement here. He was before the committee. He made no such statement whatever. The estimates for this year were only \$20,000, which included maintenance and everything else.

Mr. UNDERWOOD. I will ask the gentleman to let us ask unanimous consent to have the letter read in my time.

Mr. TAWNEY. You can have it read if you desire, but are you going to rely upon estimates submitted to Congress, as the law provides, or are you going to take a letter subsequently sent to Congress when the appropriation is under consideration and let it guide you as to how much should be appropriated?

Mr. UNDERWOOD. If I believed in the Secretary of the Interior, as I do, and he has made a mistake in his estimate.

Mr. TAWNEY. He does not say that he has made any mistake.

Mr. UNDERWOOD. I ask unanimous consent that the letter may be read.

Mr. GAINES of West Virginia. Before that, I would ask on what authority is the statement made that there is already appropriated and available \$19,000 for the purpose of this?

Mr. SMITH of Iowa. On the statement of the Secretary of the Interior in the hearings on this bill.

Mr. GAINES of West Virginia. Then, I think we ought to have the letter read again.

Mr. UNDERWOOD. I ask unanimous consent, Mr. Chairman, that the letter may be read again.

The CHAIRMAN. Without objection, the letter will be again read.

There was no objection.

The letter was again read.

Mr. TAWNEY. There is nothing in the letter, I will say to the gentleman from Alabama, saying he estimated \$20,000 for bridge or for sewers or—

Mr. UNDERWOOD. The letter says he estimates \$2,500.

Mr. TAWNEY. He gives the total for the proposed expenditures for the next fiscal year, aggregating \$20,000, which is the amount of his estimate.

Now, he does not say anything at all about the surplus that they will have at the end of the fiscal year, which he estimates at \$19,468, independent of the amount he will receive from the sale of the hotel.

Mr. UNDERWOOD. I take it he would not ask for an appropriation of \$20,000 if he had a surplus with which to do the work.

Mr. SMITH of Iowa. Why should he have that amount of money for the improvement of this park, which is insignificant as compared with other national parks, and especially so as compared with the Yosemite Park, for which we give but \$30,000? Here, it appears, the revenues up to July 1, 1908, will amount to more than \$30,000, and he estimates the expenditures up to the 1st of July as \$12,873, and he says he will have a balance on hand of \$19,468. And for this insignificant park, which is an unimportant park, which is a park unknown, it is claimed that you ought to spend far more money in the next year than we spend on any national park except Yellowstone.

Mr. UNDERWOOD. I take it the condition is that this chasm belongs to the Government. The people living in the town before it was made a park built a bridge, and as it is they need a new bridge. They can not build it, because the Government owns the land.

Mr. SMITH of Iowa. Why, they want the Government to build a sanitary sewer for a bridge. That is what they want—a sanitary sewer for this town, to take the place of a bridge. That is what they are asking for. There is no pretense that they need a bridge that would cost \$15,000.

Mr. HARDY. I would like to ask if they will only spend \$3,000 for that? Is that what he states in the letter?

Mr. SHERLEY. I think if the gentleman will examine the letter he will find there is to be \$3,000 expended during the remainder of the fiscal year ending July 1. The Secretary expressly says he would have for the coming fiscal year \$19,000 available. Now, that is his testimony before the committee,

Mr. HARDY. Now, what I want to get at is to understand the position. I understand the Secretary says he has got \$3,000 only this year to expend.

Mr. SHERLEY. No; the Secretary does not so state in the letter. What he stated in the letter was that he proposed to expend \$3,000 by the 1st of July.

Mr. HARDY. Let me state my proposition there; then the gentleman can go on. He then says that he asks an appropriation of \$20,000. Now, if he has made that statement in his letter, I want to know why he asks twice for this \$20,000.

Mr. SHERLEY. The gentleman will find in any number of instances estimates were made as to what can be expended; and then upon inquiry we find certain sums available. Then the Committee on Appropriations always reduces the amount asked for by the amount available. Now, the estimates are sent in by the people having charge of the park, and they are transmitted regularly by the Secretary to Congress. When he was questioned by the committee, he replied that he had \$19,000 available for the coming year, and on his statement the committee did not see why any further sum should be appropriated.

Mr. HARDY. It seems to me from his letter he did not seem to think he could use that money for bridge purposes.

Mr. SHERLEY. I did not so understand his letter. I want to say, not specially in connection with this matter, as I have no special interest in it, that I think that there is no more reprehensible practice than that which has recently grown up in the Departments sending a formal statement to the committee having charge of the matter and sending their representatives before those committees to make detailed statements, and then, when the matter comes up on the floor, to give to some Member of Congress information of a contrary condition. We had an instance here the other day of a gentleman from the Naval Affairs Committee talking about information that had been sent by Admiral Dewey contrary to an official statement over his own signature, and the fact subsequently developed that the report that he signed had been approved by the President, and yet he was having telephone communication with Members to a contrary purpose, and thereby affecting the judgment of the House against the formal and proper communication made by himself and other members of the Commission.

Mr. HARDY. That is all correct, and I would like the gentleman to give me his understanding as to this matter, and then we can get it cleared. I understand the gentleman to say that that estimate was submitted to this committee. It seems to me that there ought to be some rule if a Department has a right to expend a certain sum of money in a year and at the conclusion of the year have a sum of money on hand, that they have not expended, that that money ought to be covered into the Treasury.

Mr. SHERLEY. If the gentleman will permit me, the letter will clear up the whole situation. And before I read it I want to say that the fact that an estimate is made does not necessarily imply that the Department must have that much money. The estimate is to indicate what they think could be expended during the year; and then if it is discovered that they have an available balance that is sufficient for the estimated expenses, that covers it.

Mr. HARDY. I should like to ask if it suggested that the Secretary has a right to spend this money without any authority from Congress?

Mr. SHERLEY. I understand he has a right to expend this money and has been expending money from the same fund heretofore on this park. Let me read:

Your letter of the 25th instant received inquiring what expenditures will be made in the Platt National Park this year, and also the amount appropriated by Congress for that reservation.

There will be expended for improvements in the Platt National Park during the balance of the present fiscal year approximately \$3,000.

"The balance of the present fiscal year" means between the date of this letter, April 30, 1908, and the 1st of July.

Now he goes on—

An estimate for an appropriation in the sum of \$20,000 was submitted to Congress through the channel provided by law for that purpose (H. R. Doc. No. 12, 60th Cong., 1st sess., p. 431), for certain proposed improvements in the Platt National Park, namely—

Mr. HARDY. Does not that letter imply that the Secretary thought it was necessary to have the authority of Congress to expend this money which he had on hand, or which he did not have on hand?

Mr. SHERLEY. I do not think it implies that; but if it does imply that, the Secretary is mistaken. Now, to conclude the letter:

No appropriation for any of the purposes above set forth is contained in the sundry civil bill (H. R. 21260) reported to the House of Representatives on the 25th instant.

That is a statement of the fact and nothing more. He does not say that there ought to be an appropriation of \$20,000 carried. He does not recommend it at all.

Mr. HARDY. Your idea is that the Secretary has a perfect right to go on and build that bridge and make these improvements that he estimates for without any action on the part of Congress.

Mr. SHERLEY. I take his own statement. He has \$19,000 available for the coming fiscal year.

Mr. HARDY. The proposition is that he can do these things without authority from Congress?

Mr. SHERLEY. Unquestionably, and he has the money ample to do it.

Mr. GAINES of West Virginia. It does not appear that that money can be expended after the 1st of July, 1908, unless Congress should appropriate, and I think there is the whole question. Undoubtedly, from this statement given here on page 469 of the hearings, the sum of \$19,000 and some odd dollars is available for expenditure, and the Secretary estimates that up to July 1, 1908, he will have expended a certain amount, showing that up to that time he has a right or deems he has a right to expend money without further appropriation. It appears that this was a sum collected from the sale of property in this park prior to the time that the Government took it over. But I do not see that it necessarily follows from anything here that the Secretary would have the right to expend that sum, or any part of it, after the 1st of July, 1908, without a further authorization.

Mr. SMITH of Iowa. The existing law for the organization of the park authorizes that, without any further action.

Mr. GAINES of West Virginia. Then that settles the whole question.

Mr. FERRIS. In connection with the letter that was addressed to me, I do not want to be unfair to the Secretary, nor do I want to appear in an unfair light to the committee. I want to say to this committee that if they have something over \$19,000, it would look like an unusual request to come here and ask for more on that proposition; but I want to say to you that I have had numerous appeals from the local authorities to try and get that bridge opened, so that one part of the town could communicate with the other, and I went to the Assistant Secretary, Mr. Wilson, and made an appeal to him to rebuild and repair that bridge so that the people living in the two parts of the town could communicate with one another without going 2 or 3 miles around.

He said to me, not once, but two or three times, that he did not have money enough to rebuild and make repairs, but would submit an estimate of \$20,000. I am not trying in my statement to the committee to overthrow that statement just read by the gentleman from Iowa, and I do not contend that my letter overthrows that statement, but I do say that they claim that they have not enough money to rebuild the bridge, in fact, no money at all for that purpose.

Mr. SMITH of Iowa. Will the gentleman allow me to present one thought to him? In this estimate of \$15,000 or \$20,000 you ask for the construction of a sanitary sewer, with laterals, for the Platt National Park, and to intersect the others, amounting to \$15,000. That is your bridge, is it not? That is what the \$20,000 was estimated for, to build a sewer system?

Mr. FERRIS. The park has buildings of its own. They have a water service and they have other buildings.

Mr. SMITH of Iowa. This is to carry off all the sewage of sulphur?

Mr. FERRIS. I do not know.

Mr. SMITH of Iowa. Does not the gentleman know that the sewage of sulphur would all come through this sewer when it was built?

Mr. FERRIS. I do not know.

Mr. SMITH of Iowa. Does not the gentleman know the geography of the country, and does not he know that it would?

Mr. FERRIS. I do not know but that it would.

The CHAIRMAN. Debate on this amendment is exhausted.

Mr. CARTER. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I want to say that the gentleman from Iowa is correct in his statement that a part of the money contemplated in this appropriation is to be used for completing a sewer. I want to say that the sewer is absolutely necessary for the health of the town; and if it was not for the fact of the topographical conditions mentioned by the gentleman, this money would not have to be expended by the citizens of Sulphur. This park lies, as the gentleman has said, just adjoining the city of Sulphur on the south. Rock Creek runs southward, and you can not drain the sewage without going through the entire park. Now, it seems to me, since the

Federal authorities have placed the people of the town in this condition, cutting them off from any place to empty their sewage, that they ought to be willing to take care of the sewer through the park. Not only that, but I call attention to the proposition of which the gentleman from Oklahoma [Mr. FERRIS] has spoken, the creek dividing this town. The town originally was built upon the east side of the creek. Since then they have segregated the part where the business portion of the town originally was, and a part of the town is moved to the west side. It is impossible to pass from one part of the town to the other on account of this creek, which runs through a canyon with banks 20 or 30 feet high. Is it going to be the policy of the Government to segregate these lands and then leave the people without any means of communication? It will take about \$20,000, I take it, at least \$15,000, to build the bridge, and \$15,000 or \$20,000 to complete the sanitary sewer across the park. Being a new Member, I do not know what the policy of the Government has been in such cases as this, but it seems to me that it is the duty of the Federal Government to take care of that sewage and take it to a place where it can be dumped and at no expense to the people of Sulphur.

Mr. TAWNEY. How large a city is it?

Mr. CARTER. About 3,000 or 4,000, I think.

Mr. TAWNEY. What is the topography of the land upon which the city is located?

Mr. CARTER. It is broken and undulating.

Mr. TAWNEY. Hilly and undulating?

Mr. CARTER. Yes. It needs a sewer system and needs it badly.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken, and on a division (demanded by Mr. CARTER) there were—ayes 18, noes 44.

So the amendment was disagreed to.

The Clerk read as follows:

Wind Cave National Park, South Dakota: For the management, improvement, and protection of the Wind Cave National Park, \$2,500.

Mr. KAHN. Mr. Chairman, I move to strike out the last word. I do that for the purpose of calling the attention of the committee to a condition that prevails with respect to witnesses that have been brought here by the Government from the States of California and Oregon in the so-called "land-fraud cases." There are probably sixty or seventy of these witnesses. They are here to testify on behalf of the United States. Many of them are working people, depending upon their daily wage for their living. The Government pays their traveling expenses to and from the city of Washington on the railroads and gives them \$1.25 a day as witness fees while they are here attending the sessions of the court. This amount is entirely inadequate. Many of them have been kept here two or three weeks.

Several of these witnesses have called upon me and have attracted my attention to this state of affairs. A number of witnesses will be out of pocket as the result of coming here to testify for the Government to the extent of upward of \$100 or \$150. It is a severe strain on the means of these poor people, and I sincerely hope that the Committee on Appropriations may see its way clear to present some item in the urgent deficiency bill, which will soon be brought in here, whereby these people may be properly remunerated for the loss of time and expense to which they have been put. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Testing machines, Watertown Arsenal: For the necessary professional and skilled labor, purchase of materials, tools, and appliances for operating the testing machines, for investigative test and tests of United States material for constructions, and for instruments and materials for operating the chemical laboratory in connection therewith, and for maintenance of the establishment, \$35,000.

Mr. TAWNEY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 89, after line 19, insert:

"And the testing machines at Watertown Arsenal are hereby transferred to the Department of Commerce and Labor."

The CHAIRMAN. The question is on the motion of the gentleman from Minnesota.

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

The Clerk read as follows:

Under appropriations herein contained no contract shall be made for making or repairing concrete or asphalt pavements in Washington City at a higher price than \$1.85 per square yard for a quality equal to the best laid in the District of Columbia prior to July 1, 1886, and with a base of not less than 6 inches in thickness.

Mr. CRUMPACKER. Mr. Chairman, I reserve a point of order against the paragraph just read. It seems to me that it may be subject to a point of order, but I do not desire to make it unless after explanation I think it ought to be made.

In the first place, it seems rather strange that in determining the question of the quality of pavement we should go back twenty-two years for a standard of perfection or excellence. The Good Roads Division in the Agricultural Department in this city has been in operation for several years—some eight or ten years, I think—and it is engaged in instructing various sections of the country respecting the best method of street and highway improvement. Yet it has not been able, it seems from the provisions of this paragraph, to improve upon the character of the pavement which was laid in Washington more than twenty-two years ago.

Mr. TAWNEY. Mr. Chairman, if the gentleman from Indiana will permit an interruption, I probably can save his time and the time of the committee. This paragraph has been carried in the sundry civil appropriation bill for a good many years, and is also carried in the District of Columbia appropriation bill, and has been for many years. The standard here referred to is considered the best pavement that has ever been laid in the District of Columbia, and was laid at a less cost, and for the reason that, in the judgment of the engineers, this pavement referred to is the best pavement in the material and in the character of construction Congress has continued to use it as the standard as to cost and character of construction.

Mr. CRUMPACKER. So that if the municipalities and the counties and the townships throughout the country are left to themselves they can work out successfully the problems of road building and street construction. I hope, for the sake of appearance, at least, and for the standing and reputation of the Good Roads Division in the Agricultural Department, we will not continue this antiquated, moss-covered provision any longer.

Mr. MANN. The gentleman does not mean that the pavement of 1886 here is covered with moss.

Mr. CRUMPACKER. No; the provision in the bill, which is archaic on its face. We would improve the phraseology by saying "or as good a quality as any heretofore laid in the District of Columbia." That would go clear back to that ancient period when this standard of excellence obtained, many years ago. It does not look very well, it seems to me, in view of the wonderful improvement that has been made in the last twenty-five years, that we should go back a quarter of a century practically for a standard of excellence in road and street construction. That is away beyond the time when the Good Roads Division got into operation at all.

Mr. TAWNEY. And the Good Roads Division, since it got into operation, with all the appropriations that Congress has made for it, has never yet been able to build a piece of road or street that excels the one referred to in this paragraph.

Mr. CRUMPACKER. Then, what is the use of the Good Roads Division? What are we paying that Division for?

Mr. TAWNEY. Unfortunately, the man who is really responsible for this provision and for the construction of the street is now dead. He was formerly a Member of this House. General Ketchum, of New York, is the man who originated this provision, and it was during his service on the Committee on Appropriations that this street was constructed, and it is confessedly the best street to-day in the city of Washington, the best pavement in the city of Washington. Pavements that have been laid since this pavement was laid have all been either repaired or entirely removed and new pavements laid in their place. I think that inasmuch as the gentleman has been a Member of this House a great many years, and inasmuch as this paragraph has by some hook or crook escaped his scrutinizing eye, that he should not and will not make the point of order; but in any event the point of order does not lie against it.

Mr. CRUMPACKER. Let me say I will close this discussion satisfactorily.

Mr. GAINES of Tennessee. Mr. Chairman—

Mr. CRUMPACKER. Just a word, if the gentleman from Tennessee pleases. I assume now, from what the gentleman from Minnesota has said, that this provision is kept in as a tribute of respect to the distinguished gentleman from New York, the late General Ketchum. I concede that he is worthy of it, and that is the only reason for the provision; therefore I withdraw the point of order.

Mr. GAINES of Tennessee. Mr. Chairman, I move to strike out the last word. The point to which I desire to call the attention of the committee is this, if I can have the attention of the chairman of the committee, and I think we will have a better street after a while. I do not know much about asphaltum, nor do I know very much about pavements, but I do know how to make a good country road, because I have helped to make them. I know the difference between a good and a bad country road, and I know the difference between a good and a bad street. I think it is badly mixed in Washington, particu-

larly here where it ought to be always good on Pennsylvania avenue; but my point is this, that there is a new kind of material used in making a better street than is made out of asphaltum. That is what I started in to state. This is called "bitulithic." I do not know what gave it the name—they seem to have been a little scarce of names when it was named—but, as a matter of fact, it has been used in my city, Nashville, and elsewhere, and I have seen it made, and it is made along the lines of the asphalt pavement, and is made very hard with some black fluid that is poured between broken rock, dust, and so forth, and it is then rolled.

Mr. CRUMPACKER. But the gentleman understands they can not use that kind of street material under the provisions of this paragraph. We are tied up to the material used a quarter of a century ago.

Mr. GAINES of Tennessee. That is exactly the thing I am joining the gentleman in protesting against, and I was about to suggest some kind of an amendment here. I had one a moment ago, but I have lost the page. I would ask to insert the words "bitulithic or asphalt," or some word giving the right to select any first-class material. Now, I want to tell you how our people get along with that bitulithic street.

Mr. HAMILTON of Michigan. Will the gentleman tell the committee something about the construction of a street with this material?

Mr. GAINES of Tennessee. Yes; but it seems like the chairman of the committee is determined not to hear what I have to say, as somebody is talking to him. I would like to have his ear.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GAINES of Tennessee. Mr. Chairman, I ask unanimous consent for five minutes or just a few minutes.

The CHAIRMAN. Is there objection to the request of the gentleman that his time be extended for five minutes? [After a pause.] The Chair hears no objection.

Mr. GAINES of Tennessee. I will take only a minute or two more. You can insert here, if the chairman will permit it, "for making or repairing concrete with bitulithic or asphalt pavement." Now, the gentleman claims he wants the best, and I say to you honestly and frankly, from my observation of both kinds, that bitulithic is much better and I am told that it is cheaper. In fact, the gentleman from Missouri [Mr. BOOHER], only a few weeks ago, when I was discussing this point, said it was much cheaper. Now, I do know that the surface is rough in dry and wet weather both, at least it is much rougher in dry weather than the asphalt pavement and it does not grow very slick in wet weather. I have never seen a horse or anybody slip up on this bitulithic pavement.

Mr. MANN. I hope the gentleman does not refer to his own side of the House about not slipping up.

Mr. GAINES of Tennessee. Well, they slip up sometimes on the Republicans.

Mr. FITZGERALD. This provision does not prevent the use of bitulithic pavement, if the gentleman will permit me. The object of this provision is to prevent a greater price than \$1.85 a square yard being paid for the concrete or asphalt.

Mr. GAINES of Tennessee. Why do you say "asphalt?" I would say put in the words "bitulithic or asphalt, or other first-class material," so they may select from all kinds of material.

Mr. FITZGERALD. This is a limitation upon the price to be paid for either concrete or asphalt pavement; that is all.

Mr. GAINES of Tennessee. This is not an asphalt pavement. It is called bitulithic and is bitulithic.

Mr. FITZGERALD. There is nothing here that requires that the street be paved either with concrete or asphalt.

Mr. GAINES of Tennessee. Why do you put asphalt in there if you do not mean asphalt?

Mr. FITZGERALD. Asphalt is meant.

Mr. GAINES of Tennessee. I want us to say both asphalt and bitulithic.

Mr. FITZGERALD. If the gentleman will be patient a moment, he will see that this is to prevent an excessive price being paid either for asphalt or concrete whenever either is used. There is nothing here that requires that either one of these substances be used.

Mr. GAINES of Tennessee. Is there anything in the law, I will ask anybody, that prohibits the Department or the parties in authority from buying the bitulithic material or the asphalt material or the concrete, if they so desire?

Mr. FITZGERALD. Nothing whatever that I have any knowledge of.

Mr. MANN. Nothing whatever, except in the various District appropriation bills, in which it is frequently provided that so much money is appropriated for the pavement of a certain street with asphalt.

Mr. FITZGERALD. That may be, but under that appropriation you could not use some other material, and this does not prevent the use of any particular material, but it does prevent an excessive price, or a price in excess of the amount stated here being paid per square yard when these particular materials are used.

Mr. MANN. The gentleman from New York [Mr. FITZGERALD] is always correct.

Mr. FITZGERALD. Correct in this instance.

Mr. GAINES of Tennessee. I am glad to know that we have no general or special law that prohibits the authorities from using any kind of the best material.

Mr. FITZGERALD. If the gentleman from Tennessee will permit me, if he will examine the District appropriation bill he will find in a part of it authority to pave or repave certain streets; the amount of money is specified, and in the items authorizing the paving or repaving of streets it is generally stated the material with which the street is to be paved.

Mr. GAINES of Tennessee. That is a matter of contract.

Mr. FITZGERALD. Under the District bill it might be possible that certain authorizations have been made that require certain material to be used, but that is because the District Commissioners in submitting their estimates ask that particular materials be used for paving purposes. This item is merely to prevent in the expenditure of the appropriation made a larger price per square yard for this particular kind of pavement than specified in here.

Mr. MACON. I suggest that all the gentleman from Tennessee [Mr. GAINES] has to do is to go to work on the Commissioners and get them to use his particular kind of pavement.

Mr. GAINES of Tennessee. The main purpose of what I have said, I repeat, is to tell the committee and tell the Congress, and particularly the gentleman from Indiana [Mr. CRUMPACKER], who is inquiring, and the chairman, that I personally know that the bitulithic pavement in the city of Nashville has proved to be a longer-lived pavement and a better pavement than the asphalt. It rarely ever wears into holes, whereas, on the contrary, the asphalt is short lived and wears into holes, and is very unsatisfactory. The city of Nashville has repeatedly, I think, substituted the bitulithic for the other. I have no personal concern in the matter one way or the other. I just give the Congress the benefit of the information I have.

Mr. MANN. I suppose the gentleman from Tennessee [Mr. GAINES] is aware of the fact that asphalt pavement never wears well except the street on which it is placed is used, while the bitulithic pavement wears a great deal better where there is no traffic on the street. I would not have supposed that would apply so strongly to the gentleman's city.

Mr. GAINES of Tennessee. Our streets are narrow, and are very much used by every conceivable kind of vehicle that is known to transportation, from pleasure seeking to hauling heavy freight. They are used by the pedestrian, the equestrian, the dray, transfer lines, and automobiles. Bitulithic wears better than concrete or asphalt in Nashville. That is my observation and judgment.

Mr. ADAIR. Mr. Chairman, I move to strike out the last word. It seems that all of this discussion came from the statement made by the gentleman from Indiana [Mr. CRUMPACKER], that we were still using old methods adopted and used way back in 1886. Now, I notice from the provisions of this bill that it provides that just such a pavement as was constructed in 1886 need not necessarily be constructed at this time, but that the cost of the construction of the pavement shall not exceed what was paid at that time. This bill provides that under the contract made for making or repairing concrete or asphalt pavements in the city of Washington the price shall not be higher than \$1.85 per square yard for a quality equal to the best laid in the District of Columbia prior to July 1, 1886. It says that it must not be of a poorer quality than that laid at that time, but this bill does not provide that it shall not be of a better quality. Hence I take it that if a discovery has been made by which better pavements can be laid now than were laid in 1886, at the price specified in this bill, there is absolutely no reason whatever why we should not have better pavements than we had in 1886, if they can be laid for the price specified.

So the objection to this provision does not lie to the fact that we go back to 1886. It is not asked that the pavement laid now shall be just the same kind as was laid in 1886, but it does require the contractors to lay just as good pavement, and if a better pavement can be laid within the stipulated price, there is nothing in the provisions of this bill to prevent it.

The Clerk read as follows:

For traveling expenses of the President of the United States, to be expended in his discretion and accounted for on his certificate solely, \$25,000.

Mr. MACON. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman of the committee how much of this amount was expended last year by the President?

Mr. TAWNEY. I do not know.

Mr. MACON. Nor the year before?

Mr. TAWNEY. Nor the year before.

Mr. MACON. This is the third appropriation.

Mr. TAWNEY. This is the third appropriation. The appropriation was asked for the next fiscal year, and I assume it is needed.

Mr. MACON. I withdraw the pro forma amendment.

The Clerk read as follows:

Repairs of building where Abraham Lincoln died: For painting and miscellaneous repairs, \$200.

Mr. GAINES of Tennessee. Mr. Chairman, I offer an amendment to come in after the paragraph as a separate section.

The Clerk read as follows:

Insert as new paragraph, page 99, after the word "dollars," line 7: "That the sum of \$10,000 be, and is hereby, appropriated to aid the Ladies' Hermitage Association, of the State of Tennessee, a corporation which was in 1889 duly authorized to properly care for the Hermitage, the home of Gen. Andrew Jackson, and his tomb, and procure and preserve in the Hermitage the Andrew Jackson relics for the use and benefit of said association, which association and the State of Tennessee have spent more than \$60,000, excluding interest, in purchasing and caring for the Hermitage and a portion of said relics. The said sum, when appropriated, shall be paid to the Ladies' Hermitage Association and by it used in procuring the balance of said relics, and for no other purpose."

Mr. TAWNEY. Mr. Chairman, I reserve the point of order upon that amendment.

Mr. GAINES of Tennessee. I hope the gentleman will not make the point of order.

Mr. TAWNEY. It is one very dear to the heart of the gentleman from Tennessee, and I will give him a chance to make a speech.

Mr. GAINES of Tennessee. Well, I am forced to believe from the words just uttered by the gentleman that it is a matter near his heart.

Mr. Chairman, I am frank to say that ordinarily I would not offer an amendment, subject, as this is, to a point of order because new legislation, but this is not the ordinary or undigested amendment, but one well known to us all.

The proposition has been thoroughly discussed, both here and in the Senate. It has been thoroughly discussed before the Senate committee, and the Senate committee reported a bill for \$25,000 to aid in caring for the Hermitage. The House committee has considered a similar bill thoroughly, and has reported a bill for \$30,000 to do the same thing and also buy these relics, and they are both now pending in the House—a Senate bill and a House bill. I do not ask, Mr. Chairman, for \$25,000 to take care of the Hermitage, houses, and so forth and so on, now, but I do ask, as seriously as any request I could possibly make to this or any other Congress, that you give to the Ladies' Hermitage Association \$10,000 now to buy these relics, now, I may say, in the hands of Mrs. Andrew Jackson, jr., living in Knoxville, for which formerly \$17,500 was asked. But the good women of this association have bought about \$7,500 of them, and recently Mrs. Jackson has written to me and, in effect, said:

Mr. GAINES, I will take \$10,000 for the balance.

Now, another fact. She is a poor woman. She has three splendid young sons, one of whom, I believe, the President has tendered an alternateship to Annapolis. That good woman is selling by degrees, now and then, the remainder of these relics to get money to send her boys to school. It would be a great godsend not only to her, a widow, with these three responsibilities, one of whom I say the President is trying to help along, to buy these relics, but it would be a proper thing to buy these relics for this association. Every man should be glad to have them preserved and kept from being scattered around over the country, because I hear of them from all points of the compass in the United States. Anyone who wants these relics—and she is selling them one or two at a time, to get money to send her boys to school and care for herself. She simply sells them for what she can get, and she is struggling to hold them for Congress to buy for this association, which she thinks should have them.

Now, gentlemen, I am not here to comment on Andrew Jackson or any other man. You all know what he did, both in war and in peace; and I might say that nothing that I can say, or

anybody else can say, could make him any greater than he is, because he is as great as human flesh ever got to be on American soil.

The great State of Tennessee, in which his ashes are laid, bought the Hermitage before the civil war, for which she paid \$48,000 and issued bonds for it.

Here is the statute authorizing the purchase. Bonds were issued at that time to pay for it. The war came on, and the bonds were not paid until the interest and principal amounted to nearly \$160,000. That is the amount which the Hermitage cost the old Volunteer State, where this great general and great hero and patriot lived and where his ashes rest. In addition to this the good women, the Ladies' Hermitage Association, who have immediate control of the buildings, the tomb, and 25 acres of ground surrounding them, have, in their own sweet, beautiful, and patriotic way, collected about \$27,700, and spent that in preserving the houses, that were going into decay when they took charge of them. This is a regularly chartered organization. They have collected a great many of the relics.

They have repainted the house; they have propped up and re-roofed the log cabin where the old hero lived when he went to fight the battle of New Orleans and when he fought our Indian wars and when he was elected President of the United States. They are carrying everything back as near as possible to the exact status it was in when his glorious old spirit took its everlasting flight. That is the way we want to keep everything; but we can not get it back to that high standard of preservation without the money to buy these relics that Jackson had there, but which are now being scattered all over the world.

Here is a State whose people have expended \$160,000 plus \$27,000. What other State has done as much for one of her heroes as my State has done in this matter?

I am proud of what she has done. Was General Jackson a State character only? No; he was a national character; indeed an international character. Why, when I went over to the Philippine Islands I met a man in the island of Ceylon as black as the ace of spades, and when he found out that I was an officer of the United States Government he said:

Your greatest man was George Washington. He was first in war, first in peace, and first in the hearts of his countrymen. Thomas Jefferson wrote your Declaration of Independence.

And quoted several passages from it—

He was your greatest writer. General Jackson was one of your great men. He was one of the greatest generals in his time. General Grant and Gen. Robert E. Lee were your greatest generals in recent years.

So you can see that our ideals are well known in all the world, and amongst them is Andrew Jackson. Yet Congress has never aided the State of Tennessee to preserve the Hermitage, which Jackson built and in which he died. Not a cent has the United States ever given. General Jackson spilled his blood for his country. From the time he was 13 years old he was in public life. The grave of his mother, a heroine of the Revolutionary war, is unknown and was to him. His two brothers were victims of that war, and their graves are unknown and were to him, and the place of his father's grave is unknown and was to him; but whether Jackson's grave is left unkept by State and nation, he will live, regardless of what we do, because he was always a patriot and always stood up for the Constitution of the United States and the flag. I say as little as we can do as an American Congress, representing the American people and the American heart, would be to say, "Here, Tennessee, here, Ladies' Hermitage Association, is the tribute of the Federal Government and its offering to your great work at the Hermitage. Congress for the people has been long in giving you this, but we are glad to do it now." [Applause.]

Mr. SMITH of Iowa. I insist on the point of order.

The CHAIRMAN. The Chair has no doubt that the amendment is subject to the point of order, and the Chair sustains the point of order.

The Clerk read as follows:

Old railroad station: For a watchman for the old railroad station building at the southwest corner of Sixth and B streets NW., \$720.

Mr. DRISCOLL. I have been asked by a number of people what is to be done with this old railroad station; and if the committee have any information on the subject, I should like to have them state it.

Mr. SMITH of Iowa. This station is now the property of the United States, like any other property belonging to the Government. It is subject to such use as it may be put to by the authority of Congress. Personally I believe it is very much superior to many of the private residences and the like now used for divisions and Bureaus of the Government, and that within a short time a division or bureau of the Government ought to be

housed in the building. If such a bureau or division can be found, it ought to be placed in the building. In the meantime it is being used for storage purposes, but much of it is altogether too good in quality to be permanently used for that purpose.

The Clerk read as follows:

Improving New York Harbor, New York: For continuing improvement of Ambrose Channel (formerly known as "East Channel") across Sandy Hook bar, \$318,490.

Mr. PARSONS. Mr. Chairman, I move to strike out the last word. I would like to ask why this amount was appropriated instead of \$486,490, estimated by the engineers?

Mr. SMITH of Iowa. The engineers made that estimate originally, but they were requested to make a new estimate and give the amount that they would be able to use before next March, and they gave the amount that they could use in the meantime, and this amount was put in in accordance with the later estimate.

Mr. PARSONS. And next year the balance will have to be appropriated in a deficiency bill?

Mr. SMITH of Iowa. No; it will be carried in the sundry civil bill. Every dollar is appropriated in these river and harbor items that the engineers reported could be used before the next sundry civil bill is passed.

The Clerk read as follows:

Improving waterway from Franklin to Mermentau, La.: For continuing improvement, \$100,000.

Mr. SMITH of Iowa. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 100, after line 10, insert:
"Improving the Great Peedee River, South Carolina: For continuing the upper portion of river improvement, \$11,300."

Mr. SMITH of Iowa. That is within the authorized limit of cost, and the Chief of Engineers has reported since the bill was made up that this amount will be needed before the next sundry civil bill is passed.

The amendment was agreed to.

The Clerk read as follows:

Improving Sabine Pass, Tex.: For continuing improvement, \$190,000.

Mr. SMITH of Iowa. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 107, after line 13, add: "Improving the St. Michael Canal, Alaska, for completing improvement, \$150,000."

Mr. STEPHENS of Texas. Does this amendment affect Sabine Pass, Tex., in any way? I see it is an amendment to come in after line 13.

Mr. SMITH of Iowa. No; this is like the other amendments I have offered, reported by the engineers since making up the bill. It does not affect Sabine Pass at all; it is a separate item.

The Clerk read as follows:

Improving harbor at San Juan, P. R.: For continuing improvement, \$220,000.

Mr. LARRINAGA. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman in charge of the bill what is the basis of the \$220,000 that has been fixed upon?

Mr. SMITH of Iowa. This is that portion of the amount now authorized by law deemed necessary by the engineers which will be needed before the passage of the next sundry civil bill.

Mr. LARRINAGA. The reason of my inquiry is that the work has been proceeding there for three or four months, and all the difficulties that are generally encountered in the beginning of a work have been overcome. The work to be done the next year is easy, and as the work is paid for by the quantity every month, I anticipate that the expenditure is going to be pretty large. You can work in all the harbors of San Juan and practically in all Porto Rico every day in the year. I, myself, have been a chief engineer in charge of harbor work in San Juan, and have conducted that work for some time, and I anticipate that a larger amount will be necessary. Will the gentleman from Iowa inform me as to how these figures have been made up?

Mr. SMITH of Iowa. It was originally estimated by the Chief of Engineers that \$300,000 could be used during the next year, but subsequently he reported the amount carried in the bill would be all that could be utilized before the next sundry civil bill passed.

Mr. LARRINAGA. Did he give any reason why it should be reduced?

Mr. SMITH of Iowa. The original estimates were made by the Chief of Engineers to cover the entire fiscal year, which would be a year from next July, but he subsequently reduced his estimates to what would be consumed before the passage of the next sundry civil bill, which would be not later than the

4th of March next year. He has been allowed what he could utilize in that time.

Mr. LARRINAGA. Well, he could judge of that all right.

The Clerk read as follows:

Maintenance of South Pass channel, Mississippi River: For continuing improvement and maintenance, \$50,000.

Mr. SMITH of Iowa. Mr. Chairman, I offer the amendment which I send to the desk and ask to have read.

The Clerk read as follows:

On page 108, after line 2, insert:

"Improving harbors on the coast of Mississippi: For completing construction of dredge for use in said harbors and the channels adjacent thereto, \$125,000."

Mr. SMITH of Iowa. Mr. Chairman, that item is like the others, is authorized by existing law, but it is not included in the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

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

The Clerk read as follows:

Waterway from Pamlico Sound to Beaufort Inlet, North Carolina: For continuing improvement, \$170,000.

Mr. THOMAS of North Carolina. Mr. Chairman, I notice in the hearings that an estimate of \$350,000 is made by the Chief of Engineers for the work of improving the waterway from Pamlico Sound to Beaufort Inlet, North Carolina. Why is it that the amount was reduced to \$170,000 by the committee?

Mr. SMITH of Iowa. Because, as already stated, with reference to some other items, the Chief of Engineers has reported this reduced amount is all that is necessary to be used before the 4th day of next March.

Mr. THOMAS of North Carolina. Then there was a revised estimate?

Mr. SMITH of Iowa. There was no revised estimate, but a reduction based upon the time that he would spend on it.

Mr. THOMAS of North Carolina. According to that reduction this amount, \$170,000, would enable the Engineer Corps to carry on the work up to March 1, 1909?

Mr. SMITH of Iowa. Yes.

Mr. THOMAS of North Carolina. And then I suppose the next sundry civil appropriation bill will carry the balance of the money needed?

Mr. SMITH of Iowa. It will carry whatever is necessary for the balance.

The Clerk read as follows:

Improving Mississippi River: For continuing improvement of Mississippi River from Head of Passes to the mouth of the Ohio River, including salaries and clerical, office, traveling, and miscellaneous expenses of the Mississippi River Commission, \$2,000,000.

Mr. MACON. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Page 108, lines 22 and 23, after the word "the," in line 22, strike out the words "mouth of the Ohio River" and insert "the highlands, at or near Cape Girardeau, Mo."

Mr. SMITH of Iowa. Mr. Chairman, I make the point of order against that amendment, that it changes existing law. I will reserve it for a moment.

Mr. MACON. Mr. Chairman, I think the gentleman is mistaken about this not being authorized by existing law. The Fifty-ninth Congress passed a law specifically extending the jurisdiction of the Mississippi River Commission up to the highlands at Cape Girardeau, Mo., and when the rivers and harbors appropriation bill that followed was in this House, Mr. BURTON, the chairman of the committee, accepted an amendment extending the provision up to the highlands at Cape Girardeau. The law is very clear on the subject, and I do not think the gentleman will insist that it is not, after the statement made upon that question.

Mr. SMITH of Iowa. Mr. Chairman, I do not desire to state positively of course that the law has not been changed as indicated by the gentleman, but I have no further information, and I submit that I ought to insist on the point of order until the gentleman cites the identical law.

Mr. MACON. I can get it in a few moments.

Mr. SMITH of Iowa. What is the object of making this change, if the gentleman is correct?

Mr. MACON. Why, to extend this appropriation to projects up the river above the mouth of the Ohio. That is why—projects that are in course of progress.

Mr. HAMILTON of Michigan. It goes up to the mouth of the Ohio.

Mr. MACON. Yes; but it goes up farther on the other side. I will get the law if the gentleman will allow me. If the gentleman will allow me to return to this by unanimous consent, I will show the gentleman the law.

Mr. SMITH of Iowa. I should have to insist on the point of order at this time, because this is the language used by the Chief of Engineers, who ought to be advised if there is such a change as the gentleman thinks.

Mr. MACON. Certainly the gentleman will not insist that this is in conflict with existing law when I tell him emphatically that Congress in the last session, I believe it was the last session of the Fifty-ninth Congress, if not the first, passed a specific law authorizing the construction of levees up to the highlands at Cape Girardeau, Mo., and extended the jurisdiction of the Commission to that point?

Mr. SMITH of Iowa. I want to state I believe the gentleman is entirely sincere in the belief he has stated the law, but he has not the law to present, but simply says it was passed, and I must insist—

Mr. MACON. I said it was passed in the first or second session of the Fifty-ninth Congress, and if the chairman of the committee [Mr. PRINCE] were present, he would bear me out in the statement.

Mr. SMITH of Iowa. This is a river and harbor item.

Mr. MACON. That was a river and harbor bill that was passed then.

Mr. ADAIR. Will the gentleman from Iowa yield for a question?

Mr. SMITH of Iowa. I will.

Mr. ADAIR. Does the chairman of the committee or the gentleman think it is fair to insist upon the point of order based upon a statement that he himself does not know what the law is?

Mr. SMITH of Iowa. I certainly do; I certainly do. When gentlemen are contending that a law has been modified, they ought to produce the law.

Mr. ADAIR. They are willing to produce the law if they have the time.

Mr. SMITH of Iowa. I have no doubt they think they are stating it correctly.

Mr. MACON. The gentleman has made the point of order and says that there is no law authorizing the appropriation for that purpose, and the burden is upon him to show it. I insist that the law does exist and have only asked him to allow this to go over by unanimous consent until I can have the law brought from the library. I know that it passed. I introduced the bill, sir, and certainly we do not forget when measures of that kind which we have introduced become a law. They are too important to us. This particular proposition is too important to my section of the country for the gentleman to tell me that I do not know that it is a part of the law of the land at this hour.

Mr. SMITH of Iowa. As far as I am able to discover, if the gentleman is correct, his amendment is unnecessary; but if he is incorrect, his amendment is out of order. Now, I have no doubt on earth that the gentleman thinks he has stated this law correctly, but he has not the law before him, and he does not remember what session of Congress it passed, and I would like to see it.

Mr. MACON. The chairman of the Committee on Levees and Improvements of the Mississippi River will bear me out in the statement that the law was passed in the first or second session of the Fifty-ninth Congress.

Mr. Chairman, I have the law, and I will read it:

Improving Mississippi River, from Head of the Passes to the mouth of the Ohio River, including salaries, clerical, official, traveling, and miscellaneous expenses of the Mississippi River Commission: Continuing improvement, \$3,000,000, which shall be expended under direction of the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission as approved by the Chief of Engineers for the general improvement of the river, for the building of levees between the Head of the Passes and Cape Girardeau, Mo.

Mr. PRINCE. What is the question?

Mr. MACON. I will state to the chairman of the Committee on Levees and Improvements of the Mississippi River that I have offered an amendment here to this provision in the bill which provides for the improvement of the Mississippi River, which reads:

Improving Mississippi River: For continuing improvement of Mississippi River from Head of Passes to the mouth of the Ohio River, including salaries and clerical, office, traveling, and miscellaneous expenses of the Mississippi River Commission, \$2,000,000.

I have offered as an amendment to strike out "the mouth of the Ohio River" and to insert "highlands at or near Cape Girardeau, Mo." The gentleman in charge of the bill insists that there is no authorization for that appropriation and that the amendment is in conflict with existing law.

Mr. PRINCE. Was not the law passed at the first session of the Fifty-ninth Congress—

Mr. MACON. Authorizing an appropriation.

Mr. PRINCE. And extending the jurisdiction of the Mississippi River Commission northward about 50 miles to Cape Girardeau, as I recollect it. There is no question about that. That is the law.

The CHAIRMAN. Does the gentleman say that this work described in his amendment has already been contracted for?

Mr. MACON. I did not hear the Chairman.

The CHAIRMAN. Does the gentleman from Arkansas contend that the work covered by his amendment has been contracted for?

Mr. MACON. I understand so, sir. While in Memphis, about six weeks or two months ago, I was told that the Commission had made a contract and that the contractor had begun the construction of the levee that my bill provided for. The engineer told me that himself. I do not know anything further about it. But if there is nothing, Mr. Chairman, if no contract has been let for the construction of the work, if it is not in progress, then my amendment will not affect the matter one bit, because it will not be a piece of work in progress or in the course of construction. If they have provided for it, if there is a contract for it, then my amendment will cover the case. Otherwise it will not. Now, if the Chair will read this—

The CHAIRMAN. What does the chairman of the Committee on Appropriations say with respect to the contract for the construction of this work referred to in the gentleman's amendment?

Mr. SMITH of Iowa. I have no information on that subject. This estimate was sent down in the exact form in which it appears in the bill.

Mr. FITZGERALD. If the Chair will notice, this item is for the purpose of continuing an improvement authorized under the act of 1902.

Mr. MACON. Nineteen hundred and two? That being the case, Mr. Chairman, if the gentleman is correct about that, then, of course, a point of order would lie against my amendment, and I would like to ask unanimous consent to withdraw it so far as that case is concerned.

Mr. FITZGERALD. It may be that I am mistaken.

Mr. MACON. I do not want to do anything that is contrary to law.

Mr. SMITH of Iowa. Now, I would like to call the Chair's attention to the fact that this law under which he claims that this is authorized, while somewhat awkwardly drawn, because, no doubt, of its amendment on the floor, is as follows:

Improving the Mississippi River from the Head of the Passes to the mouth of the Ohio River, including salaries, clerical, official, traveling, and miscellaneous expenses of the Mississippi River Commission: Continuing improvement, \$3,000,000.

Now, we have, first, here an appropriation of \$3,000,000 for that purpose, and then we will find that that appropriation is also made available for certain other purposes, namely:

Which shall be expended under the direction of the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers for the general improvement of the river.

Now, that, I presume, was the end of this section as it came into the House. To that was added:

For the building of levees between the Head of the Passes.

And so forth, thus making the \$3,000,000 available not only for the plans, specifications, and recommendations of the Mississippi River Commission as approved by the Chief of Engineers, but also making that appropriation available for the improvement above the mouth of the Ohio River. But then the authorization to contract comes in, namely:

That on and after the passage of this act the Secretary of War may enter into additional contracts for such material and work as may be necessary to carry on continuously the plans of the Mississippi River Commission as aforesaid.

This act, taken as a whole, provides for a \$3,000,000 appropriation to execute the plans already approved, or thereafter to be approved, of the Mississippi River Commission, and in addition thereto for the improvement of the river above the mouth of the Ohio. But when the authorization comes it is in the language originally devised by the committee and does not extend beyond the plans of the Mississippi River Commission as approved by the Chief of Engineers of the Army. So that while the then current appropriation was made available for this improvement above the mouth of the Ohio, the authorization for further contracts does not, in my judgment, apply above the mouth of the Ohio. At any rate, there is no evidence of any contract being made.

Now, the Chief of Engineers, familiar with all these laws, sends down this estimate in this language. It is adopted by the committee. I do not think it can properly be changed. If the gentleman's theory is correct—that the authorization to ex-

pend the \$3,000,000, when appropriated, above the mouth of the Ohio River, also authorizes the expenditure of \$3,000,000 more under contract above the mouth of the Ohio—then, in my judgment, the language in the bill is sufficient to make the money available for that purpose. It is an appropriation under this section. But to allow him to make his amendment is to solve what should be the true construction of the original act and extend the use of this money to a place where, in my judgment, he did not succeed in extending it by his amendment injected upon the floor.

Now, the gentleman was somewhat indignant that I wanted to see the statute; yet when the statute is produced I find that, to my mind, it is exceedingly blind and indefinite.

Mr. MACON. If the gentleman will allow me, I will read him the statute.

Mr. SMITH of Iowa. I have the statute, and have been reading from it.

Mr. MACON. I beg the gentleman's pardon. You have the river and harbor act. Read the law. I will let you read it.

It simply corroborates the statement I have just made to the Chair, and I will read it:

Out of any funds which have been or may hereafter be appropriated by Congress for improving Mississippi River, from Head of the Passes to the mouth of the Ohio River, * * * which shall be expended under the direction of the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers for the general improvement of the river, for the building of levees between the Head of the Passes and Cape Girardeau, Mo.

What was that which was approved? In other words, it is set out in the very language in which this bill shall carry this money. Any part of it set apart for levees the Commission may see fit to use; and the gentleman is simply seeking by his amendment to make the full amount of money and not the money set apart for levees available for it. Now, the language put in the bill is to make the money available above the mouth of the Ohio for as much as may be set apart for levees, and that is all that is intended.

Mr. MACON. The part of the law that authorizes the expenditure of any money whatever for the improvement of the Mississippi River by way of construction of levees is to be found in the act that created the Mississippi River Commission. In other words, the act provides that money is to be appropriated to aid in the construction of levees, and the Commission is given authority to apportion it to the different projects along the Mississippi River. Up to the time the law was passed that the gentleman from Iowa last read, the Commission had no authority whatever under existing law to expend any part of the money appropriated for the improvement of the Mississippi River at a higher point than the mouth of the Ohio River.

The Commission saw the great necessity of improving the river farther up, on the other side, by extending the levee system 50 miles, to the highlands at or near Cape Girardeau, Mo. It therefore suggested that the original law ought to be amended to the extent that it be given authority to construct levees up to Cape Girardeau, Mo. The chairman of the Commission himself, General Ernst, was so much interested in the matter that he came to Washington from the city of St. Louis and appeared before the committee in behalf of the measure, and insisted that it was highly necessary that the bill pass; and it was passed by a unanimous vote of this House during the Fifty-ninth Congress.

Now, sir, I insist that all moneys that are to be hereafter appropriated for the purpose of improving the Mississippi River in the matter of construction of levees are henceforth to be expended, under the law as it now exists, as high up as Cape Girardeau, Mo., instead of stopping at the mouth of the Ohio River, under the original law, because the original act has been amended and authority has been extended up to Cape Girardeau. Hence, sir, the Commission ought to be given specific authority in this bill to use the money appropriated for the improvement of the Mississippi River on any project on said river between the Head of the Passes and Cape Girardeau, instead of to the mouth of the Ohio. Hence I insist that the point of order ought not to lie against this amendment.

Mr. SMITH of Iowa. Will the gentleman allow me to ask him a question?

Mr. MACON. Yes, sir.

Mr. SMITH of Iowa. This law that you have got provides that any portion of the money allotted for levees in the appropriations shall be used?

Mr. MACON. Yes.

Mr. SMITH of Iowa. Now, if you change that, the language is for continuing improvement of the Mississippi River from the Head of the Passes to Cape Girardeau?

Mr. MACON. That is all.

Mr. SMITH of Iowa. This makes it available not only for levees but the very specific thing that you want to change. That is a change that you make.

Mr. MACON. The original law makes it available.

Mr. SMITH of Iowa. This makes it only available for levees; the law you cited made it available for other purposes as well.

Mr. MACON. It makes it available for levees, and the Commission has the right to improve it otherwise.

Mr. SMITH of Iowa. Out of the appropriations for the river below?

Mr. MACON. From the mouth of the Ohio to the highlands.

Mr. SMITH of Iowa. Below that?

Mr. MACON. I do not know about below that.

Mr. SMITH of Iowa. That act makes the appropriation for improvements of the river below, and you are taking this and expending it not only on the levees, but on other improvements.

Mr. MACON. But does not the gentleman expect that money to be expended for the general improvement of the Mississippi?

Mr. SMITH of Iowa. Under the authorization of the river and harbor bill.

Mr. MACON. To do what?

Mr. SMITH of Iowa. For the improvement of navigation, not wholly for levees.

Mr. MACON. For the improvement of navigation? Do you not know it is for the improvement of the levees?

Mr. SMITH of Iowa. Not wholly so.

Mr. MACON. For what other purpose can it be used?

Mr. SMITH of Iowa. I understand it can be used for other purposes.

Mr. MACON. For what purposes?

Mr. SMITH of Iowa. The improvement of navigation.

Mr. MACON. Do you know of many improvements on the Mississippi River below the mouth of the Ohio that have been made in any other way except by the construction of levees?

Mr. SMITH of Iowa. Oh, yes; I think so.

Mr. MACON. I know of very few, and I live upon the river.

Mr. SMITH of Iowa. I insist it is perfectly plain.

The CHAIRMAN. The Chair is ready to rule. It must be borne in mind that this is not a river and harbor bill, but a bill making appropriations for improvements that have been authorized by law and placed under contract. Now, in view of the statement made by the chairman of the committee that the language of the paragraph in the bill making the appropriation is the language furnished by the Chief of Engineers, and in the absence of any evidence of a contract that would cover the improvement between the points named in the amendment offered by the gentleman from Arkansas, it seems to the Chair that the point of order ought to be sustained. But, in addition to that, the provision in the bill is for the general improvement of the Mississippi River between the points named, while the legislation to which the gentleman from Arkansas calls the attention of the Chair is for the expenditure of money allotted to levees, not to general improvements of the river between the points named. Therefore the Chair sustains the point of order.

Mr. TAWNEY. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. DALZELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 21260, the sundry civil appropriation bill, and had come to no resolution thereon.

ENROLLED BILLS 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 bills:

H. R. 15725. An act to relinquish, release, and confirm the title of certain lands in California to the Western Power Company;

H. R. 19463. An act granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent relatives of such soldiers and sailors;

H. R. 16515. An act authorizing the purchase of a steel ferryboat for use between Angel Island and San Francisco, Cal., and a steel cutter for use of immigration officials at San Francisco, Cal.; and

H. J. Res. 155. Joint resolution authorizing the Secretary of War to loan certain tents for use at the national convention of the Benevolent and Protective Order of Elks to be held at Dallas, Tex., in July, 1908.

THE CYCLONE OF APRIL 24, 1908.

By unanimous consent, the Committee on Military Affairs was discharged from the further consideration of House joint

resolution 173, for the relief of the sufferers from the cyclone which occurred in the States of Georgia, Alabama, Mississippi, and Louisiana on April 24, 1908, and the same was referred to the Committee on Appropriations.

Mr. BOWERS, from the Committee on Appropriations, reported a joint resolution (H. J. Res. 173) for the relief of the sufferers from the cyclone which occurred in the States of Georgia, Alabama, Mississippi, and Louisiana on April 24, 1908, which was read a first and second time and, with the accompanying report, ordered to be printed and referred to the Committee of the Whole House on the state of the Union.

Mr. BOWERS. Mr. Speaker, I ask unanimous consent for the present consideration in the House, as in Committee of the Whole, of the joint resolution just reported.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of the joint resolution in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. If there be no objection, the joint resolution will be considered as engrossed and read a third time.

Mr. FITZGERALD. Mr. Speaker, it ought at least to be read.

The SPEAKER. The Clerk will report the joint resolution, with the amendments.

The Clerk read as follows:

Resolved, etc., That the Secretary of War is hereby authorized to procure, in open market or otherwise, subsistence and quartermaster supplies, medicines, and medical aid, in addition to such supplies belonging to the military establishment and available, and issue same to such destitute persons as have been rendered homeless or are in needy circumstances as the result of the cyclone which occurred April 24, 1908, in the States of Georgia, Alabama, Mississippi, and Louisiana, and in executing this joint resolution is directed to cooperate with the authorities of the said States.

Sec. 2. That to enable the Secretary of War to execute the provisions of this joint resolution there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$250,000, to be expended under the direction and in the discretion of the Secretary of War.

With the following committee amendment:

On page 2, line 1, after the word "resolution," insert "and of the joint resolution on the same subject adopted April 27, 1907."

The amendment was agreed to.

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

AMENDING THE PASSENGER ACT OF 1882.

Mr. BURNETT rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. BURNETT. I rise for the purpose of asking unanimous consent to have until Monday afternoon next to file minority views on the bill (S. 5083) to amend section 1 of the passenger act of 1882.

The SPEAKER. The gentleman from Alabama asks unanimous consent to file minority views on the bill mentioned. Is there objection?

There was no objection.

INCREASE OF MEMBERSHIP IN THE PHILIPPINE COMMISSION.

Mr. CRUMPACKER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 17516) to increase the membership of the Philippine Commission by one member.

The Clerk read the bill, as follows:

Be it enacted, etc., That the number of Commissioners constituting the Philippine Commission is hereby increased by one additional member, making the Commission consist of nine members. Said additional member shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive the same salary and emoluments as is now, or may hereafter be, prescribed by law.

With the following amendment recommended by the committee:

Add another section to the bill, as follows:

"Sec. 2. That the President is hereby authorized in his discretion to create by Executive order and name a new executive department in the Philippine government, and to embrace therein such existing bureaus as he may designate in the order; and in his appointment of any Commission member he shall specify in his message to the Senate the department, if any, of which the appointee shall be the secretary."

Amend the title so as to read: "A bill to increase the membership of the Philippine Commission by one member, and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. CLARK of Missouri. I object.

Mr. CRUMPACKER. Mr. Speaker, I move to suspend the rules and pass the bill just read, with amendments.

The SPEAKER. Is a second demanded?

Mr. CLARK of Missouri. I demand a second.

The SPEAKER. Under the rule a second is ordered, and the gentleman from Indiana [Mr. CRUMPACKER] has twenty minutes and the gentleman from Missouri [Mr. CLARK] has twenty minutes.

Mr. CRUMPACKER. Mr. Speaker, the bill authorizes the addition of one member to the Philippine Commission. The

Commission is now composed of eight members, four of whom are executive officers, members, in one sense, of the cabinet of the governor of the islands. There are four administrative or executive departments of the Philippine government. The Philippine Commission constitutes the upper body of the Philippine legislature, and the four executive members of the Commission and four others who perform simply legislative functions, of course, have to consent to all bills that are passed by the Philippine legislature. Section 2 of this bill authorizes the President to create one additional executive department. It is the desire of the Commission to separate the departments of finance and justice, I understand, into two distinct departments. Those two are now combined in one. It is desired that the new member of the Commission shall also be an executive officer at the head of one of the departments.

The Commission very earnestly recommend this bill, and the Commission deem it highly important that the additional member of the Commission be provided for, not only for the reason I have already suggested, but to enable the Commission more easily to secure a quorum. It now requires five members to constitute a quorum, and the administrative and executive duties of the members of the Commission require them to be away from the capital at certain periods as long as a month or six weeks at a time, and if one member is added to the number it will be much easier to have a quorum at the meetings of the Commission.

Mr. CLARK of Missouri. How many Commissioners are there now?

Mr. CRUMPACKER. Eight.

Mr. CLARK of Missouri. How long have they had eight members?

Mr. CRUMPACKER. Since the organic act was passed, in 1902, I believe.

Mr. CLARK of Missouri. How much salary do they get?

Mr. CRUMPACKER. The executive Commissioners get \$15,500 a year, and the legislative Commissioners get, I believe, \$7,500 a year.

Mr. CLARK of Missouri. This one that you propose to add will get how much?

Mr. CRUMPACKER. Seven thousand five hundred dollars a year until the President creates another executive department and he should be appointed at the head of that department.

Mr. CLARK of Missouri. What executive department do they want to create?

Mr. CRUMPACKER. The branches of finance and justice are now combined under one department, and it is desired to separate those two, because there is no logical relation between them.

Mr. CLARK of Missouri. If they have got along as well as you say they have up to this time, what do they want to change it now for?

Mr. CRUMPACKER. They require legislation there the same as we do in this country. We have got along admirably for one hundred and twenty-five years, and yet we hardly have the time to pass what new legislation we consider necessary. It seems that the better a country gets along the more legislation it requires.

Mr. SHERLEY. What is the duty of the other Commissioners besides the one that has charge of the department of justice and finance?

Mr. CRUMPACKER. There is the department of education, the department of the interior, and the departments have the executive and administrative work of the islands distributed among them—not, perhaps, as systematically as we have.

Mr. SHERLEY. I agree with the gentleman that it does not seem logical to have the departments of justice and finance together, but it seems to me that they could rearrange these departments without creating a new office.

Mr. CRUMPACKER. They could not without legislative action, because the departments are provided for in the organic act of 1902.

Mr. SHERLEY. Who pays for this office?

Mr. CRUMPACKER. The salaries of the Commission are paid by the Philippine government.

Mr. SHERLEY. Have the Filipinos made a request for this additional Commissioner?

Mr. CRUMPACKER. I do not know about the Filipinos personally, but—

Mr. SHERLEY. They are going to foot the bill.

Mr. CRUMPACKER. Speaking in a sense confidentially, I understand the additional Commissioner is to be a Filipino.

Mr. SHERLEY. The reason I asked the question was because one of the general complaints that I heard while in the Philippines was that the government we were putting upon

these people was too expensive and too elaborate for their needs. Now, to create a new office unless the Filipinos want it—

Mr. CRUMPACKER. I will say to the gentleman that the representatives of the Philippine government in the city of Washington are for this bill. They attended the meetings of the committee when it was under consideration, and both of them favored the enactment of the bill. The Commission is earnestly in favor of it. The Secretary of War, who recently visited the archipelago and investigated the whole situation, and who was before, perhaps, more familiar with the conditions there than any other man in America, regards it as of considerable importance. I believe we ought to defer largely to the judgment of men who are charged with the responsibility of administering affairs in those islands, respecting legislation that may be necessary.

Mr. DALZELL. What committee does this bill come from?

Mr. CRUMPACKER. The Committee on Insular Affairs.

Mr. DALZELL. Is there a unanimous report?

Mr. CRUMPACKER. A unanimous report. There was no

opposition to the bill.

Mr. SHERLEY. In a general way I agree with the gentleman, and I should go slow in differing with the Secretary of War. But there has been a tendency to multiply offices, and I should like some special reason given why we should create such a high-salaried office there now.

Mr. CRUMPACKER. I appreciate the criticism the gentleman makes. It impressed me, too, that the government there, viewed from our standards, might be a little top-heavy, a little too expensive, but I think we ought to defer, as I said a moment ago, to the judgment and recommendation of the men who are on the ground and know conditions. We can not determine the demands of the Philippine Archipelago by American standards. What may be required here might not do at all there.

Mr. SHERLEY. That is just the point. We are very largely governing them from American standards, and are imposing upon them a government very much more elaborate, in my judgment, than the wealth of the country or the needs of the people make requisite. This is in direct line of elaboration of government.

Mr. CRUMPACKER. Oh, no; this is not in line of elaboration; it is in line of systemizing the government down there.

Mr. SHERLEY. That is another way of phrasing it. It is in line of creating a new office.

Mr. CRUMPACKER. And reducing administration to a business basis. That is the real situation. A couple of years ago the Commission eliminated a number of bureaus and saved about a million dollars a year of expense, and I think others ought to be eliminated and probably will be in the course of a year or two.

Mr. FITZGERALD. Will the gentleman yield?

Mr. CRUMPACKER. Yes.

Mr. FITZGERALD. Were the four departments that now exist created by act of Congress or by Executive order?

Mr. CRUMPACKER. By act of Congress.

Mr. FITZGERALD. Why not by act of Congress do the same in this instance—segregate the various bureaus into departments, that it is believed proper to have, rather than to delegate so much power to the President?

Mr. CRUMPACKER. Well, the judgment of the Commission and of the Secretary of War is that that discretion would best be left with the President; and when the Commission gets ready for the additional department, it will inform the President, and the probabilities are that he will create it. They are willing to trust that question to the discretion of the President.

Mr. FITZGERALD. I have no doubt that when the President appoints, they are perfectly willing to trust to the President the power to divide up these offices as they wish, but since the gentleman's committee believes in the first instance that Congress should determine the departments and how they should be constituted, does he not think the Congress should be convinced first that it should be done, and that Congress ought to exercise its judgment as to the manner in which the departments should be divided?

Mr. CRUMPACKER. It might, if Congress was in a position to know. In conversation with the Secretary of War only a few days ago, he said they had not finally decided that a new department should be created, but he thought it ought to be; but the question of considering the various administrative bureaus and divisions is one that will take some time, and one that perhaps Congress would hardly be competent to decide.

Mr. SHERLEY. If Congress was competent originally to separate that government into four departments, is it incompetent now to determine whether there should be four or five?

Mr. CRUMPACKER. Congress never did that originally. The Philippine Commission created the four departments and Congress enacted the work of the Commission into law. That was all that was done in the first place. I now reserve the balance of my time.

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

Mr. CRUMPACKER. I yield for a question.

Mr. NORRIS. I want to suggest to the gentleman, and then I will ask him the question; in the first place, this bill, as I understand it, leaves it to the President to establish, if he sees fit, a new department.

Mr. CRUMPACKER. Yes.

Mr. NORRIS. The gentleman tells us that it is expected to separate the department of justice from the department of finance, and have it designated as this new department.

Mr. CRUMPACKER. No; but the administration of justice and the administration of finance are in one department.

Mr. NORRIS. That is what I want to reach if the gentleman will permit. When the President designates the new department, he will call the department by something that is not now named—

Mr. CRUMPACKER. No.

Mr. NORRIS. He could not call it the department of finance, nor could he well call it the department of justice.

Mr. CRUMPACKER. Why?

Mr. NORRIS. Because we already have a department of justice and a department of finance.

Mr. CRUMPACKER. They have a department of finance and justice as one department. If a new one is created, one will be the department of finance and one will be the department of justice.

Mr. NORRIS. Then the bill ought to be amended, it seems to me, to give the President authority to change the name of the present department. Under the bill, as I understand it, he would not have any right to change the name of that department.

Mr. CRUMPACKER. Oh, indeed, it gives him the power to create a new department, and of course he would have to designate it.

Mr. NORRIS. But he would not desire to give it the name of some department that already exists, and if he can not change the name he would have to give it the name of a department that already exists.

Mr. CRUMPACKER. That part the committee did not consider. The bill was prepared in the office of the Secretary of War and earnestly recommended by the Secretary himself, and we acted upon his judgment.

Mr. NORRIS. Does not the gentleman think there should be some amendment of that kind?

Mr. CRUMPACKER. No; I do not. I do not think there is any danger of that; otherwise it would have been considered and provided for in the bill.

Mr. NORRIS. It seems to me to be apparent on the face of it that if there is one department there now called the "department of finance and justice" you could not have another department named a "department of finance" and another department named the "department of justice."

Mr. CRUMPACKER. I think so.

Mr. NORRIS. It will be very conflicting.

Mr. CRUMPACKER. Mr. Speaker, I reserve the balance of my time.

Mr. CLARK of Missouri. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Speaker, I would like to further interrogate the gentleman from Indiana. I notice in your report a statement that the government of the Philippines now comprises four departments, the department of finance and justice, the department of the interior, the department of commerce and police, and the department of education. Now, you have eight commissioners; what do the other four do?

Mr. CRUMPACKER. This Commission, the gentleman will bear in mind, has legislative as well as administrative functions, and four of its members are heads of departments and four of them simply perform legislative functions.

Mr. SHERLEY. Do you mean that only four have anything to do with the making of laws for the archipelago? The entire eight are constituted a Commission to assist in the enacting of laws; but, as I understand the gentleman, four of them, in addition to their legislative duties, are heads of departments and have executive duties to perform. If four of them can attend to legislative duties and executive duties, why could not you, instead of increasing the number, simply give the four who only have legislative duties some departmental duties and let them attend to it that way?

Mr. CRUMPACKER. I must confess I was not listening to the gentleman's question.

Mr. SHERLEY. I say inasmuch as by your statement four of them give their time only to legislative duties and the other four give their time to both legislative and departmental duties, why not let the four who are only doing legislative duties take some of the burden of the departmental duties instead of increasing the number?

Mr. CRUMPACKER. The Commission desires an increase in the number, as I said a moment ago.

Mr. SHERLEY. I understand they desire it.

Mr. CRUMPACKER. In order that it may increase the facilities for having a quorum, because the administrative officers are away from the capital substantial portions of every year.

Mr. SHERLEY. Does the gentleman think that Congress would be justified in adding to the number of this Commission on the statement that it would facilitate the having of a quorum with which to do business?

Mr. CRUMPACKER. I do, upon the statement of the men that we have sent down there to administer that important trust, men who are on the ground, men who know about conditions, men who carry the responsibilities. When they come to us and ask for legislation, if we refuse to grant it we take the responsibility, then, and relieve them from it.

Mr. SHERLEY. Unquestionably.

Mr. CRUMPACKER. Relieve them from the responsibility of success of administration in the archipelago.

Mr. SHERLEY. Unquestionably we do; but when we simply take their statement, without finding some reason for it, we are delegating our functions as legislators to them. Now, I understand what they ask, but I think the chairman of this committee or the members of this committee should give to the House some of the reasons that these people advance. Now, one of the reasons that I understand has been advanced is the fact that it will make the obtaining of a quorum easy. That may be a reason, but it is hardly a sufficient reason for adding to the number of the Commissioners. And another statement is that this is recommended by the Filipinos, and that statement would have more weight if it was not for the fact that one of the motives that might actuate them is clearly shown by the gentleman's statement that it is proposed to appoint a Filipino, though nothing is said in the law that requires that appointment to go to a Filipino. Of course it is true that they are anxious to get as large a proportion of representation as is possible, but I submit to the gentleman that the House is asked to take a good deal on faith when we have a report here that simply says there are four departments now, and four Commissioners attend to them, and the other four attend to legislative matters only, and in order to get a quorum they should have an additional member. I do not believe the House can afford, on the statement contained in this report, to create an office of that size.

Now, the danger of the English race in legislation as to their colonies is that there has always been a tendency to overlegislate and to make the standard of their civilization the standard for the colony without regard to the local conditions there; and we can very easily burden that country, which is a poor country, with a machinery of government away beyond its means and beyond its power properly to pay for it. I submit the committee is hardly warranted by the information given to vote this additional Commissioner.

Mr. ADAIR. I find that the report of the committee here states that the principal trouble in prosecuting business is due to the fact that these Commissioners are compelled to go to remote parts of the islands at different intervals and remain for a number of weeks. If a new member of this Commission is created under this law, could not this Commissioner be required, within his duties, to go to the various parts of the islands, and would it make it any more easy to obtain a quorum than it now is?

Mr. SHERLEY. That might or might not be so, according to the duties of the Commissioner.

Mr. HILL of Connecticut. Is it not true that the Resident Commissioners here from the Philippine Islands, representing conflicting political views in the islands, unite in the request for this additional appointment?

Mr. SHERLEY. I have been told that that is so, but the gentleman, who has some familiarity with the archipelago, will understand that there is of course a desire on the part of the Filipino people to have as large a representation of their own race in the office-holding class as possible, and that reason might be sufficient to warrant them in supporting this bill, but the gentleman will also know that the danger that confronts us in our treatment of the archipelago is the creation of an unneces-

sarily complicated government. And you are asking to increase the heads of that government one, to make them from eight into nine.

Mr. HILL of Connecticut. The point I want to make is this: That when the conflicting political views of the people in the islands unite in saying this is necessary for the proper administration of the government, and they pay the bill, why ought we not to consent to it?

Mr. SHERLEY. Not if the reason for it is the reason suggested by me.

The SPEAKER. The time of the gentleman has expired.

Mr. CLARK of Missouri. Mr. Speaker, I did not demand a second on this bill simply to consume forty minutes of time. I did it because of my opposition to the bill itself. I am opposed to creating any more commissions or commissioners. Congress seems to have gone daft on the subject of delegating powers and creating commissions and bureaus. Why, a short time ago there was a great hullabaloo to the effect that we wanted a tariff commission, and I am very happy to say that I thoroughly agreed with the gentleman from New York [Mr. PAYNE] and the gentleman from Pennsylvania [Mr. DALZELL] against the creation of a tariff commission.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption right there?

Mr. CLARK of Missouri. Yes.

Mr. COOPER of Wisconsin. The gentleman is aware, is he not, that the bill passed the Senate without any opposition at all?

Mr. CLARK of Missouri. With all due respect to the Senate, I say that is a very feeble argument. Here lately there has been a proposition to appoint a financial commission. I undertake to say, without the fear of successful contradiction, that you can appoint a financial commission and send it around the country, which when it gets back will know as much about the finances as Mr. HILL of Connecticut knows now.

Mr. DOUGLAS. They will be very fortunate if they know half as much as he does.

Mr. CLARK of Missouri. What are 92 Senators and 391 Representatives in Congress for? They are supposed to have information on these subjects when they come here, and if they did not have they ought not to have come here; and if they want any more information, let them go to work and dig it out.

The upshot of this performance will be that you will just simply make one good, fat office for one more man, and he will have a lot of employees, stenographers, messengers, and hangers-on. I am opposed to the creating of any more commissions, any more bureaus to get information that we all have, or can easily get, and to discharge the duties that we ourselves ought to discharge.

Now I yield five minutes to the gentleman from Alabama [Mr. CLAYTON].

Mr. CLAYTON. Mr. Speaker, I do not know that I shall use the whole five minutes. I am told that under the provisions of this measure the majority of the Philippine Commission will be Filipinos. Now, I understand that is a new departure in the administration of our insular possessions. In Porto Rico a majority of the Commissioners are not Porto Ricans, and I apprehend that the reason why the gentlemen who represent the Philippine Islands here as Commissioners favor this proposition is because it gives to the Commission one more Filipino. I suppose that is the real ground for their favoring the measure.

Then again, Mr. Speaker, it is urged that this measure ought to pass, in order to furnish a quorum in all cases. It seems to me that it is just as easy to get a quorum with the Commission as presently organized, as it would be with the addition of this new member, or if this be not true, then, the better plan would be to reduce the Commissioners by deducting one.

Then, I notice another provision in the bill, for which I oppose the measure also, that he shall receive the same salary and emoluments as are now or may hereafter be prescribed by law. I suppose that is the real reason for the passage of this measure, to create a Federal office for some other Federal officeholder, for some other pie hunter, for some other man who wants a place.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption right there? This is unanimously reported by the Committee on Insular Affairs, and I think every one of that committee will tell you, if you want to ask them, that the man who will unquestionably be appointed is a Filipino, a splendid lawyer, and a most excellent man in every way, and that his services are absolutely needed in order to—

Mr. CLAYTON. How does the gentleman know, in the inscrutable ways of Providence and of the present occupant of the White House—how can he tell who is going to be appointed?

And if you are making provision for some particular man, why not put it in your measure? Why do you not name him?

Mr. COOPER of Wisconsin. Because we do not want by legislation to name a commissioner.

Mr. CLAYTON. But you are absolutely certain that the man is already picked out for this place, and you are creating a special office for some particular individual. If you are going to create an office for a particular individual, I want to know who the man is who is going to get it. I want to help the President and the Senate in filling this office. I want to know the proposed appointee. Who is the man that the gentleman has in mind?

Mr. COOPER of Wisconsin. Well, he is the present attorney-general of the Philippines, as I understand.

Mr. CLAYTON. Has he a name?

Mr. COOPER of Wisconsin. Mr. Araneta. He is a Filipino.

Mr. CLAYTON. Is he not already doing this work?

Mr. COOPER of Wisconsin. Oh, not at all; and will the gentleman permit me just a word right there?

Mr. CLAYTON. Certainly.

Mr. COOPER of Wisconsin. Mr. Ocampo, one of the Commissioners from the Philippine Islands, represents one party; Mr. Legarde, a business man of large wealth, represents the other party. Both these gentlemen say that it is absolutely necessary, in their judgment, for the proper running of the Philippine government to have this Commissioner.

Mr. CLAYTON. I have no doubt they say it is necessary in their judgment, but in my judgment it is not absolutely necessary, and this pie brigade is already large enough, and I do not think the House ought to increase the membership now provided, by pressing new ones upon the President. Let us give the Filipinos self-government and independence and save the time of the American Congress and the tax money of the American people.

Mr. CLARK of Missouri. I would like to ask the gentleman from Indiana if he is going to use all the remainder of his time in one speech?

Mr. CRUMPACKER. I am not.

Mr. CLARK of Missouri. Then I will ask you to consume some of your time now.

Mr. CRUMPACKER. I yield to the gentleman from New York.

Mr. PAYNE. Mr. Speaker, the present Commission consists of eight members, two of whom are Filipinos, and the other six are American citizens. It is proposed to give one more, which will make nine, and of course it will be much easier to get a quorum, because it now takes five to make a quorum, and it will only take five to make a quorum when there are nine. Some of the departments are overcrowded with business, and it is necessary for the proper government of the islands that there should be one more executive department. It is necessary, as I found on my visit there, for members of the Commission to visit the outlying islands, and it takes a couple of months or more to make their visit. While they are away it is quite essential that there should still be a quorum left in Manila. We have lately added an assembly, which is the lower house of legislature, and no law can be passed unless it passes the assembly.

Formerly the Commission were the sole law making power. It would seem there is no reason why this bill should not be passed. Mr. Legarda was a member of the Commission from the time of its inception until appointed Commissioner Resident to the United States. The other gentleman representing the islands here is a gentleman well known throughout the islands, a gentleman of education, a lawyer, and a man of ability.

Mr. GAINES of Tennessee. Will the gentleman yield to me for a question?

Mr. PAYNE. Certainly.

Mr. GAINES of Tennessee. How many Commissioners did we have when all this war and bloodshed was going on over there?

Mr. PAYNE. We did not have a civil commission then; it was after the war was ended that a civil commission was appointed.

Mr. GAINES of Tennessee. Why, Mr. Taft and Mr. Luke E. Wright were Commissioners then.

Mr. PAYNE. There was a commission appointed under the War Department.

Mr. GAINES of Tennessee. How many composed it?

Mr. PAYNE. I do not remember how many there were then.

Mr. GAINES of Tennessee. I think it was five, and now you want six—one more in time of peace than you had in time of war.

Mr. CRUMPACKER. Will the gentleman from Missouri use the remainder of his time?

Mr. CLARK of Missouri. I yield the rest of my time to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, there is evidently a good deal of misunderstanding about this matter on the other side. My colleague says there are six Americans and two Filipinos on the Commission. The report says there are three Filipinos. The gentleman from Indiana states that they desire to create this new department. I asked why they do not provide for the department in the bill itself. He replies that Secretary Taft states that while he believes it should be done, it has not yet been determined that it shall be created. It seems to me that if we could go a little further perhaps we might have some more inconsistent statements about the bill. In 1902 the act ratifying the action of the President creating the Philippine Commission was enacted by Congress. It consists of twenty-one pages in the general Statutes at Large. It goes minutely into the affairs of the Philippine government; yet the gentleman from Indiana states that Congress is incompetent to determine how many departments there should be, and which particular bureau should be in each department.

Mr. CLAYTON. Will the gentleman allow me? Returning to the matter of the personnel of this Commission, will you explain your statement as to the inaccurate statement in that regard made by your colleague from New York and the gentleman from Indiana? Will you please tell the House how many of the present Commissioners are Filipinos and how many are Americans, who does the work for the Commission, or who fails to do his duty and makes it necessary to have another Commissioner?

Mr. FITZGERALD. The report says:

The proposed increase in the membership of the Commission is greatly desired by the Commissioners themselves, including its three Filipino members.

The report further states that it is desired to appoint in the place of one of the Resident Commissioners to this country a Filipino and a Filipino to this new position. If that were done, the Commission would consist of four Filipinos and four Americans. It occurs to me that perhaps the reason an additional Commissioner is desired is to prevent what the gentleman from Alabama was led to believe existed—that the Filipinos would have a majority in the Commission. If the Commission be not increased, and if there were four Filipinos and four Americans, there might be a division upon lines undesirable.

But why not, Mr. Speaker, reduce the number of Commissioners? If it is desired to avoid the possibility of a tie vote, why not, instead of increasing the Commission from eight to nine, reduce it to seven? The objection I have to this bill particularly is, however, that I do not believe that the circumstances warrant Congress in delegating authority to the Executive that should be exercised by the Congress. Is not the Committee on Insular Affairs, after six or eight years' service and investigation, able to determine just what the character of the legislation in the Philippine Islands should be, or how the various departments should be divided, or how the various bureaus should be assigned? It seems to me the committee should be able to determine these questions. I am not willing to concede that Congress is unable, as the gentleman from Indiana claims, to determine, after full investigation and full information, how the various bureaus of the government should be distributed among the several departments.

Mr. CRUMPACKER. Mr. Speaker, the object of the bill is not to create an office for any particular person. The purpose of the bill is to create an office to increase the efficiency of administration and legislation in the archipelago. Gentlemen must bear in mind the fact that the Philippine Commission is a legislative body. It has almost plenary legislative power; it is a branch of the legislative department in the archipelago, and I think every man in this House will agree with me in the view that too many executive officers in a legislative body is not conducive to impartial and wise legislation. If one of the four members of the Commission who now only have legislative functions should acquire also executive functions the executive branch of the government would practically make or dictate all the laws of the archipelago.

Is a body of nine members too large to assist in the enactment of laws in the archipelago? There are only two natives now on the Commission; and if the purpose of the Secretary of War and the President, if this bill should be enacted into law, is carried out, they may appoint another native, and then there will be three natives and six Americans, five executive officers and four members of the Commission whose duties are purely and solely legislative.

Mr. FITZGERALD. Why, then, does the gentleman in the report state that there are three natives now on the board?

Mr. CRUMPACKER. That statement in the report is an error. The Committee on Insular Affairs, like the Committee on Appropriations, consults men who are familiar with the subject-matter of legislation. I submit that the gentleman from New York [Mr. FITZGERALD], able and well informed as he is, knows comparatively little personally of the workings of the great Departments of the Government for which he assists in making appropriations. He consults the heads of the Departments and men engaged in the service and acts upon their advice, and the Committee on Insular Affairs does identically the same.

Mr. FITZGERALD. Let me say to the gentleman from Indiana that I act upon my own judgment after getting information from men representing the Departments.

Mr. CRUMPACKER. The Committee on Insular Affairs does the same thing. It acts upon its own judgment, based upon the advice and opinion of those in a position to know.

The SPEAKER. The time of both gentlemen has expired. The question is on suspending the rules and passing the bill.

Mr. CLARK of Missouri. Mr. Speaker, I call for the yeas and nays.

Mr. PAYNE. I make the point that no quorum is present.

The SPEAKER. The Chair has just counted; 156 Members present; not a quorum. The Doorkeeper will close the doors; the Sergeant-at-Arms will notify absent Members. All those in favor of the motion will, when their names are called, answer "yea;" those opposed "nay;" those present and not voting will answer "present;" and the Clerk will call the roll.

The question was taken, and there were—yeas 127, nays 100, answered "present" 10, not voting 150, as follows:

YEAS—127.

Alexander, N. Y.	Ellis, Oreg.	Kinkaid	Porter
Ames	Englebright	Knapp	Pray
Andrus	Esch	Knowland	Reeder
Bannon	Foss	Küstermann	Rodenberg
Barclay	Foster, Ind.	Laning	Scott
Bartholot	Foster, Vt.	Longworth	Slomp
Bartlett, Nev.	French	Lorimer	Smith, Cal.
Bonyne	Fuller	Loud	Smith, Iowa
Boyd	Gaines, W. Va.	Lowden	Smith, Mich.
Brownlow	Gardner, Mich.	McGuire	Smith, Mo.
Brumm	Gardner, N. J.	McKinley, Ill.	Snapp
Burleigh	Graff	McKinney	Southwick
Campbell	Greene	McMorran	Sterling
Capron	Gronna	Madden	Stevens, Minn.
Caulfield	Hall	Madison	Sturgiss
Chaney	Hamilton, Mich.	Mann	Sulloway
Chapman	Harding	Mondell	Tawney
Cole	Haugen	Moon, Tenn.	Thistlewood
Conner	Hawley	Morse	Tirrell
Cook, Colo.	Hayes	Mouser	Townsend
Cooper, Pa.	Henry, Conn.	Murdock	Voistead
Cooper, Wis.	Higgins	Murphy	Vreeland
Crumpacker	Hinshaw	Needham	Washburn
Dalzell	Holliday	Neison	Watson
Davidson	Howell, Utah	Norris	Weeks
Davis, Minn.	Howland	Nye	Weems
Dawson	Hubbard, Iowa	Olcott	Wheeler
De Armond	Hubbard, W. Va.	Overstreet	Wilson, Ill.
Denver	Huff	Parsons	Wood
Douglas	Kahn	Payne	Woodyard
Draper	Kelfer	Perkins	Young
Driscoll	Kennedy, Ohio	Pollard	

NAYS—100.

Adair	Cushman	Henry, Tex.	Ransdell, La.
Aiken	Davenport	Hill, Miss.	Rauch
Alexander, Mo.	Dixon	Houston	Reid
Ansberry	Edwards, Ga.	Hughes, N. J.	Richardson
Ashbrook	Ellerbe	Hull, Tenn.	Robinson
Beall, Tex.	Favrot	Humphrey, Wash.	Rothermel
Bell, Ga.	Ferris	Humphreys, Miss.	Russell, Mo.
Booher	Fitzgerald	Johnson, Ky.	Sabath
Bowers	Flood	Johnson, S. C.	Saunders
Brantley	Floyd	Jones, Wash.	Shackleford
Brodhead	Foster, Ill.	Kelber	Sheppard
Brundidge	Gaines, Tenn.	Kimball	Sherley
Burleson	Garner	Kipp	Sherwood
Burnett	Gilhams	Lee	Sims
Byrd	Gillespie	Legare	Small
Candler	Gordon	Lenahan	Smith, Tex.
Carlin	Gregg	Lloyd	Sparkman
Carter	Hackett	McLain	Spight
Clark, Mo.	Hamill	Macon	Stanley
Clayton	Hamilton, Iowa	Maynard	Stevens, Tex.
Cooper, Tex.	Hammond	Moore, Tex.	Thomas, N. C.
Cox, Ind.	Hardwick	O'Connell	Tou Velle
Craig	Hardy	Padgett	Underwood
Cravens	Hay	Page	Watkins
Crawford	Helm	Rainey	Wilson, Pa.

ANSWERED "PRESENT"—10.

Adamson	Cousins	Howard	Ryan
Bennet, N. Y.	Currier	Jenkins	
Butler	Hill, Conn.	Russell, Tex.	

NOT VOTING—150.

Acheson	Bennett, Ky.	Burton, Del.	Cocks, N. Y.
Allen	Bingham	Burton, Ohio	Cook, Pa.
Anthony	Birdsall	Calder	Coudrey
Barchfeld	Boutell	Calderhead	Darragh
Bartlett, Ga.	Bradley	Caldwell	Davey, La.
Bates	Broussard	Cary	Dawes
Beale, Pa.	Burgess	Clark, Fla.	Denby
Bede	Burke	Cockran	Diekema

Dunwell	Harrison	Lindbergh	Pratt
Durey	Haskins	Lindsay	Prince
Dwight	Hedin	Littlefield	Pujo
Edwards, Ky.	Hepburn	Livingston	Randell, Tex.
Ellis, Mo.	Hitchcock	Loudenslager	Reynolds
Fairchild	Hobson	Lovering	Rhinock
Fassett	Howell, N. J.	McCall	Riordan
Finley	Hughes, W. Va.	McCreary	Roberts
Focht	Hull, Iowa.	McDermott	Rucker
Fordney	Jackson	McGavin	Sherman
Fornes	James, Addison D.	McHenry	Slayden
Foulkrod	James, Ollie M.	McKinlay, Cal.	Sperry
Fowler	Jones, Va.	McLachlan, Cal.	Stafford
Fulton	Kennedy, Iowa	McLaughlin, Mich.	Steenerson
Gardner, Mass.	Kitchin, Claude	McMillan	Sulzer
Garrett	Kitchin, Wm. W.	Malby	Talbot
Gill	Knopf	Marshall	Taylor, Ala.
Gillett	Lafean	Miller	Taylor, Ohio
Glass	Lamar, Fla.	Moon, Pa.	Thomas, Ohio
Godwin	Lamar, Mo.	Moore, Pa.	Waldo
Goebel	Lamb	Mudd	Wallace
Goldfogle	Landis	Nicholls	Wanger
Goulden	Langley	Olmsted	Webb
Graham	Lassiter	Parker, N. J.	Weisse
Granger	Law	Parker, S. Dak.	Wiley
Griggs	Lawrence	Patterson	Willett
Hackney	Leake	Pearre	Williams
Haggott	Lever	Peters	Wolf
Hale	Lewis	Pou	
Hamlin	Lilley	Powers	

So the motion was agreed to.
 The clerk announced the following additional pairs:
 For the balance of the day:
 Mr. CURRIER with Mr. FINLEY.
 Until further notice:
 Mr. BIRDSALL with Mr. HARRISON.
 Mr. DUREY with Mr. CALDWELL.
 Mr. BARCHFELD with Mr. CLARK of Florida.
 Mr. BARCLAY with Mr. GILL.
 Mr. BATES with Mr. GRANGER.
 Mr. BEALE of Pennsylvania with Mr. HACKNEY.
 Mr. BEDE with Mr. HAMLIN.
 Mr. BURKE with Mr. HEFLIN.
 Mr. DIEKEMA with Mr. HITCHCOCK.
 Mr. DWIGHT with Mr. OLLIE M. JAMES.
 Mr. ELLIS of Missouri with Mr. JONES of Virginia.
 Mr. GILLETT with Mr. LAMAR of Missouri.
 Mr. GOEBEL with Mr. LEVER.
 Mr. GRAHAM with Mr. LEWIS.
 Mr. HALE with Mr. McDERMOTT.
 Mr. HASKINS with Mr. McHENRY.
 Mr. HEPBURN with Mr. NICHOLLS.
 Mr. KENNEDY of Iowa with Mr. RANDELL of Texas.
 Mr. KNOPF with Mr. RHINOCK.
 Mr. LAWRENCE with Mr. RUCKER.
 Mr. LOUDENSLAGER with Mr. RUSSELL of Texas.
 Mr. MARSHALL with Mr. SLAYDEN.
 Mr. MILLER with Mr. TALBOT.
 Mr. PARKER of New Jersey with Mr. TAYLOR of Alabama.
 Mr. PEARRE with Mr. WILLIAMS.
 Mr. HOWELL of New Jersey with Mr. WILLETT.
 Mr. JENKINS with Mr. PATTERSON.
 Mr. WALDO with Mr. BURGESS.
 The result of the vote was announced as above recorded.
 The doors were opened.

COMMITTEE APPOINTMENT.

The SPEAKER announced the following committee appointment:
 Mr. FAVROT to the Committee on Immigration and Naturalization.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.
 The question was taken, and the Speaker announced that the ayes seemed to have it.
 Mr. CLARK of Missouri. Yeas and nays, Mr. Speaker.
 The yeas and nays were ordered.
 The question was taken, and there were—yeas 126, nays 87, answered "present" 8, not voting 166, as follows:

YEAS—126.

Adair	Brownlow	Cooper, Pa.	Englebright
Alexander, Mo.	Brumm	Cooper, Wis.	Esch
Alexander, N. Y.	Burleigh	Cousins	Foss
Ames	Campbell	Cox, Ind.	Foster, Ind.
Andrus	Capron	Crumpacker	Foster, Vt.
Bannon	Caulfield	Cushman	French
Barclay	Chaney	Dalzell	Fuller
Bartholdt	Chapman	Davis, Minn.	Gaines, W. Va.
Bede	Cocks, N. Y.	Dawson	Gardner, Mich.
Bonyng	Cole	Draper	Gilbams
Booher	Conner	Driscoll	Graft
Boyd	Cook, Colo.	Ellis, Ore.	Greene

Gronna	Kimball	Needham	Southwick
Hall	Kinkaid	Nelson	Sterling
Hamilton, Iowa	Knapp	Norris	Stevens, Minn.
Hamilton, Mich.	Knowland	Nye	Sturgiss
Harding	Küstermann	Olcott	Sulloway
Haugen	Laning	Overstreet	Thistlewood
Hawley	Longworth	Parsons	Thomas, Ohio
Hayes	Lorimer	Payne	Tirrell
Higgins	Loud	Perkins	Volstead
Hinshaw	Lowden	Pollard	Vreeland
Holliday	McGuire	Porter	Washburn
Howell, Utah	McKinley, Ill.	Pray	Watson
Hubbard, Iowa	McKinney	Rauch	Weeks
Hubbard, W. Va.	McMorran	Reeder	Weems
Huff	Madden	Rodenberg	Wheeler
Humphrey, Wash.	Madison	Scott	Wilson, Ill.
Jones, Wash.	Mann	Sims	Wood
Kahn	Mondell	Slemp	Young
Keifer	Mouser	Smith, Iowa	
	Murdock	Smith, Mich.	

NAYS—87.

Aiken	Edwards, Ga.	Houston	Richardson
Ansberry	Ellerbe	Hughes, N. J.	Robinson
Ashbrook	Favrot	Hull, Tenn.	Rothermel
Bartlett, Nev.	Ferris	Humphreys, Miss.	Russell, Mo.
Beall, Tex.	Fitzgerald	Johnson, Ky.	Russell, Tex.
Bell, Ga.	Flood	Johnson, S. C.	Sabath
Bowers	Floyd	Kelther	Saunders
Brantley	Poster, Ill.	Kipp	Shackleford
Brodhead	Gaines, Tenn.	Lee	Sheppard
Burleson	Garner	Legare	Sherley
Burnett	Gillespie	Lenahan	Sherwood
Byrd	Gordon	Lloyd	Small
Candler	Gregg	McLain	Smith, Mo.
Carlin	Hackett	Macon	Smith, Tex.
Clark, Mo.	Hamill	Maynard	Spight
Clayton	Hammond	Moon, Tenn.	Stanley
Craig	Hardwick	Moore, Tex.	Stephens, Tex.
Cravens	Hardy	Murphy	Thomas, N. C.
Crawford	Hay	O'Connell	Tou Velle
Davenport	Helm	Padgett	Watkins
Denver	Henry, Tex.	Page	Wilson, Pa.
Dixon	Hill, Miss.	Randell, Tex.	

ANSWERED "PRESENT"—8.

Adamson	Butler	Hill, Conn.	Jenkins
Bennet, N. Y.	De Armond	Howard	Ryan

NOT VOTING—166.

Acheson	Fassett	Kitchin, Wm. W.	Pearre
Allen	Finley	Knopf	Peters
Anthony	Focht	Lafean	Pou
Barchfeld	Fordney	Lamar, Fla.	Powers
Bartlett, Ga.	Fornes	Lamar, Mo.	Pratt
Bates	Foulkrod	Lamb	Prince
Beale, Pa.	Fowler	Landis	Pujo
Bennett, Ky.	Fulton	Langley	Rainey
Bingham	Gardner, Mass.	Lassiter	Ransdell, La.
Birdsall	Gardner, N. J.	Law	Reid
Boutell	Garrett	Lawrence	Reynolds
Bradley	Gill	Leake	Rhinock
Broussard	Gillett	Lever	Riordan
Brundidge	Glass	Lewis	Roberts
Burgess	Godwin	Lilley	Rucker
Burke	Goebel	Lindbergh	Sherman
Burton, Del.	Goldfogle	Lindsay	Slayden
Burton, Ohio	Goulden	Littlefield	Smith, Cal.
Calder	Graham	Livingston	Snapp
Calderhead	Granger	Loudenslager	Sparkman
Caldwell	Griggs	Lovering	Sperry
Carter	Hackney	McCall	Stafford
Cary	Haggott	McCreary	Steenerson
Clark, Fla.	Hale	McDermott	Sulzer
Cockran	Hamlin	McGavin	Talbot
Cook, Pa.	Harrison	McHenry	Tawney
Cooper, Tex.	Haskins	McKinlay, Cal.	Taylor, Ala.
Coudrey	Hedin	McLachlan, Cal.	Taylor, Ohio
Currier	Henry, Conn.	McLaughlin, Mich.	Townsend
Darragh	Hepburn	McMillan	Underwood
Davey, La.	Hitchcock	Malby	Waldo
Davidson	Hobson	Marshall	Wallace
Dawes	Howell, N. J.	Miller	Wanger
Denby	Hughes, W. Va.	Moon, Pa.	Webb
Diekema	Hull, Iowa	Moore, Pa.	Weisse
Douglas	Jackson	Morse	Wiley
Dunwell	James, Addison D.	Mudd	Willett
Durey	James, Ollie M.	Nicholls	Williams
Dwight	Jones, Va.	Olmsted	Wolf
Edwards, Ky.	Kennedy, Iowa	Parker, N. J.	Woodyard
Ellis, Mo.	Kennedy, Ohio	Parker, S. Dak.	
Fairchild	Kitchin, Claude	Patterson	

So the motion was agreed to.
 The Clerk announced the following additional pairs:
 On the vote:
 Mr. HENRY of Connecticut with Mr. RANDELL of Louisiana.
 Mr. SMITH of Michigan with Mr. RAINEY.
 Mr. LANGLEY with Mr. COOPER of Texas.
 Mr. LANDIS with Mr. CARTER.
 Mr. KENNEDY of Ohio with Mr. BRUNDIDGE.
 Mr. LANING with Mr. HAMLIN.
 Mr. LAW with Mr. REID.
 Mr. WOODYARD with Mr. SPARKMAN.
 Mr. TAWNEY with Mr. UNDERWOOD.
 The result of the vote was announced as above recorded.
 Accordingly (at 5 o'clock and 22 minutes p. m.) the House adjourned, to meet to-morrow (Sunday) at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Steele and Washington bayous and Lake Washington, Mississippi (H. R. Doc. 904)—to the Committee on Rivers and Harbors and ordered to be printed.

A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Wickford Harbor, Rhode Island (H. R. Doc. 905)—to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Shallowbag Bay, North Carolina (H. R. Doc. 906)—to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Katalla Bay, Alaska (H. R. Doc. 907)—to the Committee on Rivers and Harbors and ordered to be printed.

A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Bear Creek, Mississippi (H. R. Doc. 908)—to the Committee on Rivers and Harbors and ordered to be printed.

A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Sipsey River, Alabama (H. R. Doc. 909)—to the Committee on Rivers and Harbors and ordered to be printed.

A letter from the Postmaster-General, transmitting a report of records of weight, number of pieces, and revenue derived therefrom of mail matter for certain specified periods (H. R. Doc. 910)—to the Committee on the Post-Office and Post-Roads and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Point Judith harbor of refuge (H. R. Doc. 911)—to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MORSE, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 421) to pay allottees to whom lands have been patented under the act of February 8, 1887, entitled "An act to provide for the allotment of lands to Indians on the various reservations and to extend the protection of the laws of the United States and Territories over the Indians, and for other purposes," as amended by the act of February 28, 1891, the amount paid into the Treasury of the United States on account of the sale, cutting, or removal of timber from, or damages to, lands allotted to them, and to appropriate money for the payment thereof, reported the same with amendments, accompanied by a report (No. 1576), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FRENCH, from the Committee on Immigration and Naturalization, to which was referred the bill of the House (H. R. 21052) to amend sections 11 and 13 of an act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," reported the same with amendments, accompanied by a report (No. 1577), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 21412) to encourage the development of coal deposits in the district of Alaska, reported the same with amendments, accompanied by a report (No. 1578), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COLE, from the Committee on the Territories, to which was referred the bill of the House (H. R. 19604) restricting the practice of medicine and surgery in the Territory of Alaska, reported the same with amendments, accompanied by a report (No. 1579), which said bill and report were referred to the House Calendar.

Mr. PARKER of South Dakota, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R.

21458) authorizing sales of land within the Coeur d'Alene Indian Reservation to the Northern Idaho Insane Asylum and to the University of Idaho, reported the same without amendment, accompanied by a report (No. 1583), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. McGUIRE, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 19095) authorizing the Secretary of the Interior to sell isolated tracts of land within the Nez Perce Indian Reservation, reported the same with amendment, accompanied by a report (No. 1584), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HASKINS, from the Committee on War Claims, to which was referred the bill of the House (H. R. 19275) for the relief of Rachel Parker, reported the same without amendment, accompanied by a report (No. 1570), which said bill and report were referred to the Private Calendar.

Mr. WALDO, from the Committee on Claims, to which was referred the bill of the House (H. R. 9755) for the relief of Charles Lennig & Co., reported the same without amendment, accompanied by a report (No. 1571), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5728) for the relief of James H. De Coster, reported the same with amendments, accompanied by a report (No. 1572), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12512) for the relief of persons who sustained damage by explosion near Frankford Arsenal, Philadelphia, reported the same with amendments, accompanied by a report (No. 1573), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 14236) for the relief of the Merchants' National Bank, of Poughkeepsie, N. Y., reported the same with amendments, accompanied by a report (No. 1574), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 17171) for the relief of Benjamin F. Curry, reported the same with amendment, accompanied by a report (No. 1575) which said bill and report were referred to the Private Calendar.

Mr. CANDLER, from the Committee on Claims, to which was referred the bill of the House (H. R. 21019) to reimburse Agnes M. Harrison, postmaster at Wheeler, Miss., for loss of money-order remittance, reported the same without amendment, accompanied by a report (No. 1580), which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 11460) to remove the charge of desertion from the military record of William H. Houck, reported the same with amendment, accompanied by a report (No. 1581), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9334) granting an increase of pension to Anton Mazzanovich, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. CURRIER: A bill (H. R. 21528) to amend section 4920 of the Revised Statutes of the United States, relating to patents—to the Committee on Patents.

By Mr. SMITH of Michigan: A bill (H. R. 21529) to establish a home for feeble-minded, imbecile, and idiotic children in the District of Columbia, and for other purposes—to the Committee on Appropriations.

Also, a bill (H. R. 21530) to establish a psychopathic pavilion in the District of Columbia, and for other purposes—to the Committee on Appropriations.

By Mr. RODENBERG: A bill (H. R. 21531) to make East St. Louis, in the State of Illinois, a support of delivery in the customs collection district of New Orleans, with the privilege of immediate transportation without appraisement of dutiable merchandise—to the Committee on Ways and Means.

By Mr. BENNET of New York: A bill (H. R. 21532) authorizing the extension of Volta street NW.—to the Committee on the District of Columbia.

By Mr. KINKAID: A bill (H. R. 21533) to amend an act entitled "An act to provide revenue for the Government and encourage the industries of the United States," approved July 24, 1897—to the Committee on Way and Means.

By Mr. HAMILL: A bill (H. R. 21534) making an appropriation for the improvement of the North Shrewsbury River, New Jersey—to the Committee on Rivers and Harbors.

By Mr. DE ARMOND: A bill (H. R. 21535) concerning permits to sell intoxicating liquors—to the Committee on Ways and Means.

By Mr. DAVENPORT: A bill (H. R. 21536) to reimburse certain Eastern Cherokees who removed themselves to the Cherokee Nation under the terms of the eighth article of the treaty of December 29, 1835—to the Committee on Indian Affairs.

By Mr. BUTLER: A bill (H. R. 21537) directing the Secretary of War to cause a survey to be made of Crum River, Pennsylvania—to the Committee on River and Harbors.

By Mr. WATKINS (by request): A bill (H. R. 21538) to provide for the refunding to the rightful owners, their heirs or legal representatives, the proceeds of the cotton tax illegally collected by the United States from the people of the several States in the years 1863, 1864, 1865, 1866, 1867, and 1868, and to provide for the disposition of such as may be unclaimed—to the Committee on War Claims.

By Mr. BOYD and Mr. MADISON: A bill (H. R. 21539) to regulate the granting of restraining orders and injunctions—to the Committee on the Judiciary.

By Mr. BOUTELL: Resolution (H. Res. 401) to continue employment of clerks to committees authorized by House resolution adopted February 29, 1908—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 21540) granting an increase of pension to John W. Crismond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21541) granting an increase of pension to Joshua B. Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21542) granting an increase of pension to Jacob Jackley—to the Committee on Invalid Pensions.

By Mr. ANDREWS: A bill (H. R. 21543) granting a pension to Leonisco Martin—to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 21544) for the relief of the heirs of William S. Thatcher—to the Committee on War Claims.

By Mr. CURRIER: A bill (H. R. 21545) granting a pension to Daniel Kimball—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 21546) granting an increase of pension to Nahum A. Kelton—to the Committee on Invalid Pensions.

By Mr. COLE: A bill (H. R. 21547) granting an increase of pension to Wilson S. Brittin—to the Committee on Invalid Pensions.

By Mr. COOK of Colorado: A bill (H. R. 21548) granting an increase of pension to John C. Kennedy—to the Committee on Invalid Pensions.

By Mr. EDWARDS of Georgia: A bill (H. R. 21549) for the relief of Otto Seiler, administrator of the estate of Carl Weiland, deceased—to the Committee on War Claims.

By Mr. FOSTER of Illinois: A bill (H. R. 21550) granting an increase of pension to Peter Boyer—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 21551) granting an increase of pension to William M. Ramsey—to the Committee on Invalid Pensions.

By Mr. GILHAMS: A bill (H. R. 21552) granting an increase of pension to Humphrey E. Chilcoat—to the Committee on Invalid Pensions.

Also, a bill (H. R. 21553) granting an increase of pension to John Groosbeck—to the Committee on Invalid Pensions.

By Mr. HAMILL: A bill (H. R. 21554) granting a pension to Charles King—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 21555) granting an honorable discharge to James P. Cornes—to the Committee on Military Affairs.

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: Memorial of the New Hampshire branch of the American Federation of Labor, protesting against any revision of the tariff which does not consider all the schedules, and especially protesting against the proposition to remove the duty on paper and pulp—to the Committee on Ways and Means.

Also, memorial of the Stationary Firemen's Union, of Palmer, N. Y., protesting against the removal of the duty on paper and wood pulp—to the Committee on Ways and Means.

Also, memorial of the Chamber of Commerce of Watertown, N. Y., protesting against the removal of the duty on wood pulp—to the Committee on Ways and Means.

Also, memorial of the Hesse Darmstaedtes Unterstuetzungs Verein, of the District of Columbia, and 29 other similar organizations, protesting against any legislation restricting interstate commerce in beer, wine, etc.—to the Committee on the Judiciary.

Also, memorial of the Polish-American citizens of Allegheny County, Pa., praying for intervention in behalf of the Polish people living within the jurisdiction of the Prussian Government—to the Committee on Foreign Affairs.

Also, petition of United Mine Workers, Cigarmakers' Union, and Brickmakers' Union, of Belleville, Ill., praying for an amendment to the Sherman antitrust law, for the regulation of the issuance of injunctions, for an employers' liability law, and for the establishment of an eight-hour day—to the Committee on the Judiciary.

Also, memorial of the Central Trades Labor Assembly of Centralia, Ill., praying for an amendment to the Sherman antitrust law, for employers' liability law, for legislation to limit the use of the power of injunction, and for the establishment of an eight-hour day—to the Committee on the Judiciary.

Also, memorial of the Trades and Labor Council of Danville, Ill., and the Musicians' Association of the same place, praying for legislation to amend the Sherman antitrust law, to establish employers' liability, to limit the power of injunction, and to establish an eight-hour day—to the Committee on the Judiciary.

Also, memorial of the Central Labor Union of Harrisburg, Pa., praying for the modification of the antitrust law, employers' liability law, the law limiting the use of the power of injunction, and praying for the passage of an eight-hour law—to the Committee on the Judiciary.

Also, memorial of the Stationary Firemen, of Wilder, Vt., protesting against the removal of the duty on paper and pulp—to the Committee on Ways and Means.

Also, memorial of the members of the International Brotherhood of Paper Makers, Pulp, Sulphite, and Paper Mill Workers, of Berlin, N. H., Willsboro, N. Y., West Endfield, Me., Millinocket, Me., Dolon, Me., and Lisbon Falls, Me., protesting in behalf of the wage-earners of those places against the removal of the duty on paper and pulp—to the Committee on Ways and Means.

Also, memorial of the Fort Wayne Commercial Club, praying for legislation in favor of the construction of a canal to Fort Wayne and Chicago—to the Committee on Railways and Canals.

Also, memorial of the Knights of Columbus of Sharpsburg, Pa., praying for legislation to make the anniversary of the discovery of America a national holiday—to the Committee on the Judiciary.

Also, memorial of the Charleroi Council, Knights of Columbus, praying for legislation to make the anniversary of the discovery of America a national holiday—to the Committee on the Judiciary.

Also, memorial of the Knights of Columbus of Allegheny, Pa., praying that the anniversary of the discovery of America may be made a national holiday—to the Committee on the Judiciary.

Also, memorial of the Berlin (N. H.) branch of the International Brotherhood of Stationary Firemen, protesting against the removal of the duty on paper and wood pulp—to the Committee on Ways and Means.

Also, memorial of J. H. Murphy and other officers of the International Brotherhood of Paper Makers, Pulp, Sulphite, and Paper Mill Workers, of Bellows Falls, Vt., protesting against the removal of the duty on pulp and paper—to the Committee on the Judiciary.

Also, memorial of S. Austin Bicking, of East Downingtown, Pa., protesting against the removal of the duty on paper and pulp—to the Committee on Ways and Means.

By Mr. ACHESON: Petition of Presbyterian Temperance Committee of Pittsburg, representing a million and a half of people, for prohibition legislation—to the Committee on the Judiciary.

Also, petitions of working people of Washington and Philadelphia, and labor organizations of New Castle, all in the State of Pennsylvania, for exemption of labor unions from operations of the Sherman antitrust law, for the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of working people of Courtney, Pa., favoring amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. ADAIR: Petition of citizens of Adams County, Ind., against religious legislation—to the Committee on the District of Columbia.

By Mr. ANDRUS: Petition of citizens of Yonkers, N. Y., for amendment to Sherman antitrust law and for Pearre bill, employers' liability bill, and eight-hour bill—to the Committee on the Judiciary.

By Mr. ASHBROOK: Petition of Journeyman Barbers' Union, No. 155, of Coshocton, Ohio, for amendment to Sherman antitrust law, and for the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. BOOHER: Petition of nine banks of St. Joseph, Mo., against passage of the bill interfering with produce exchanges—to the Committee on Agriculture.

Also, petition of Plumbers' Union of St. Joseph, Mo., favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. BROWNLOW: Petition of Mrs. J. L. Dame, for S. 5117 and H. R. 18445—to the Committee on Interstate and Foreign Commerce.

Also, petition of Mrs. James Price, of Morristown, Tenn., favoring S. 5117 and H. R. 18445, to investigate and develop methods of treatment of tuberculosis—to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE: Petition of L. G. McCauley for S. 6581—to the Committee on Military Affairs.

Also, petition of citizens of Pittsburg, Pa., for amendment to Sherman antitrust law and for Pearre bill, employers' liability bill, and eight-hour law—to the Committee on the Judiciary.

Also, petition of Henry Kemkel, of Sharpsburg, Pa., for amendment to Sherman antitrust law and for Pearre bill, employers' liability bill, and eight-hour law—to the Committee on the Judiciary.

Also, petition of Michael J. Brown, for amendment of H. R. 18525 so as to exempt building and loan associations that make loans to their members only—to the Committee on Ways and Means.

By Mr. BURLEIGH: Petition of citizens of Maine, favoring H. R. 15837, for a national highways commission and appropriation for Federal aid in road building—to the Committee on Agriculture.

By Mr. BUTLER: Petition of Brandywine Grange, No. 60, Patrons of Husbandry, favoring H. R. 12682 (McHenry bill)—to the Committee on Banking and Currency.

By Mr. CALDWELL: Petition of citizens of Springfield, Taylorville, Virden, Girard, and Hillsboro, Ill., for amendment to Sherman antitrust law, and for the Pearre bill, employers' liability bill, and the eight-hour law—to the Committee on the Judiciary.

By Mr. CAPRON: Petitions of Grange No. 39, of North Scituate, R. I., and Pomona Grange, of Washington County, R. I., Patrons of Husbandry, for the establishment of a national highways commission—to the Committee on Agriculture.

Also, paper to accompany bill for relief of Nathan A. Kelton—to the Committee on Invalid Pensions.

Also, petition of Young Men's Christian Association of Pawtucket and Central Falls, R. I., indorsing call of the President for a conference to consider proper conservation of the natural resources of the United States—to the Committee on Agriculture.

Also, petition of Providence (R. I.) League for Suppression of Tuberculosis, favoring H. R. 18445—to the Committee on Appropriations.

Also, petition of Pomona Grange, Patrons of Husbandry, of Washington County, R. I., for a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of Northeastern Shoe and Leather Association, against the Hepburn bill, amending Sherman antitrust act (H. R. 19745)—to the Committee on Interstate and Foreign Commerce.

Also, petitions of sundry citizens of Westerly, Textile Workers of White Rock, Central Labor Union of Woonsocket, Mule-spinners' Union of Woonsocket, and Cotton Weavers' Associa-

tion of Woonsocket, all in the State of Rhode Island, for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

Also, petition of sundry churches and branches of the Woman's Christian Temperance Union of Rhode Island, for the Sims prohibition bill (H. R. 40)—to the Committee on the District of Columbia.

Also, petitions of the Wolfe Tone Literary Association, of Providence; Division No. 1, Ancient Order of Hibernians, of Westerly; Branch No. 10, Irish National Foresters' Benefit Society; Division No. 19, Ancient Order of Hibernians; John Dillon Branch, Irish National Foresters' Benefit Society, and United Irish Societies of Newport, all in the State of Rhode Island, against any treaty of arbitration between Great Britain and the United States—to the Committee on Foreign Affairs.

By Mr. CAULFIELD: Petition of citizens and associations of St. Louis, for amendment to Sherman antitrust law and for Pearre bill, employers' liability bill, and eight-hour law—to the Committee on the Judiciary.

By Mr. COUSINS: Petition of W. J. Geer, mayor of Gallion, Ohio, and other citizens, for passage of resolution of sympathy for the people of Russia—to the Committee on Foreign Affairs.

Also, petitions of B. F. McFarland and other citizens of West Bend, Iowa; Jane Sherzer and other citizens of Oxford, Ohio; Mrs. Annie E. Garden; Theresa Goulston and other citizens of Boston, Mass.; Harsdale (Pa.) Improvement Association; Myrard Winton, of Minneapolis, Minn.; Pichney & Moore and other citizens of Boston, Mass.; Mrs. J. H. Collins and other citizens of Granville, N. Y.; M. N. Weisell and other citizens of New York, and Minnie P. Kellog, of Greene, Butler County, Iowa, favoring resolution of sympathy for the Russian people—to the Committee on Foreign Affairs.

Also, petition of William Arthur Snell and other residents of Anacostia, D. C., favoring resolution of sympathy for the Russian people—to the Committee on Foreign Affairs.

Also, petition of Sheet Metal Workers of Cedar Rapids, Iowa, for amendment to Sherman antitrust law (H. R. 20584), and for Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. DAWSON: Petitions of C. A. Weigand and other citizens of Davenport, Iowa, and J. F. Berry and other citizens of Muscatine, Iowa, for H. R. 20584, amendment to the Sherman antitrust law, and for the Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. DUREY: Petition of National Brotherhood of Paper Makers, Pulp, Sulphite, and Paper Mill Workers, of Palmer, N. Y., against the removal of the duty on wood pulp—to the Committee on Ways and Means.

By Mr. FOSTER of Illinois: Petition of Gerhard Schumacher and 16 other citizens of Clinton County, Ill., against a parcels-post law and for a reduction of letter postage to 1 cent—to the Committee on the Post-Office and Post-Roads.

By Mr. FOSTER of Vermont: Petition of Union No. 21, of Bethel, Vt., for exemption of labor unions from operations of the Sherman antitrust law, and for the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. FULLER: Petition of P. G. Stardock, secretary La-salle County (Ill.) Dental Society, for H. R. 4432, reorganization of the dental service in the Army—to the Committee on Military Affairs.

Also, petition of H. S. Thomas, of Rockford, Ill., for the Crumpacker bill and postal savings bank bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Rockford, Ill., for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. GILHAMS: Petition of W. S. Rogers and others, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

By Mr. GOULDEN: Petition of Thomas S. Louregan, De Soto Council, No. 327, Knights of Columbus, of New York City, favoring H. R. 7559 (Columbus holiday)—to the Committee on the Judiciary.

Also, petition of William F. Brown, for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and eight-hour bill—to the Committee on the Judiciary.

Also, petition of International Congress on Tuberculosis, favoring provision for holding same in Washington in 1908—to the Committee on Assignment of Rooms.

By Mr. GRAHAM: Petition of citizens of Pittsburg, for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

Also, petition of National Child-Labor Commission, favoring S. 4812, regulating child labor, in the District of Columbia—to the Committee on the District of Columbia.

By Mr. GRANGER: Petitions of Building Trades Council of Providence, citizens of Pawtucket, and Bartenders' Union of Woonsocket, R. I., for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. HACKNEY: Petition of labor unions, Trades Assembly, Local Union No. 37, and other members of labor unions of Joplin, Mo., for amendment proposed by American Federation of Labor conference to the Sherman antitrust law and for the Pearre bill, the employers' liability bill, and the national eight-hour law—to the Committee on the Judiciary.

By Mr. HAMIL: Petition of labor organizations in Tenth Congressional District of New Jersey, for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. HAMLIN: Petition of Marguerite A. Moon and 27 others, against legislation to limit the circulation of fraternal literature through the mails—to the Committee on the Post-Office and Post-Roads.

By Mr. HAMMOND: Petition of S. Hage Lumber Company, against H. R. 13447, amending postal laws—to the Committee on the Post-Office and Post-Roads.

By Mr. HASKINS: Petition of J. L. Eastman and others, for amendment to Sherman antitrust law and for the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. HIGGINS: Petitions of James C. Young and other citizens, William Scott and other citizens, George A. Risley and other citizens, and John A. McDonald and other citizens, all of Norwich, Conn.; W. R. Williams and other citizens of New London, Conn., and E. C. Leite, secretary of Painters' Union No. 650, of Norwich, Conn., for amendment to Sherman antitrust law and for Pearre bill, employers' liability bill, and eight-hour bill—to the Committee on the Judiciary.

By Mr. HILL of Connecticut: Petition of United Bohemian Building and Loan Association, of Meriden, Conn., for amendment of H. R. 18525 so as to exempt building and loan associations that make loans to their members only—to the Committee on Ways and Means.

By Mr. HOLLIDAY: Petition of citizens of Terre Haute, Ind., for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and eight-hour bill—to the Committee on the Judiciary.

By Mr. HOWELL of New Jersey: Petition of Brotherhood of Locomotive Engineers and Firemen, favoring S. 4831—to the Committee on Claims.

By Mr. KENNEDY of Ohio: Petition of hundreds of citizens of the Eighteenth Ohio District, favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of Watch Case Engravers' International Association of America, for amendment proposed by American Federation of Labor conference to the Sherman antitrust law, and for the Pearre bill, the employers' liability bill, and the national eight-hour law—to the Committee on the Judiciary.

Also, petition of A. E. Stacker, favoring the Towney anti-coupon bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Youngstown Credit Men's Association and Chamber of Commerce, against the Aldrich currency bill (S. 3023)—to the Committee on Banking and Currency.

Also, petition of J. E. Ammerman and James P. Donnelly, for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of the Business Association of East Liverpool, Ohio, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of Brotherhood of Railway Trainmen of Canton and Painesville, Ohio, for the La Follette-Sterling employ-

ers' bill (S. 5307 and H. R. 17036), Clapp free-pass bill (S. 4260), and Rodenberg anti-injunction bill (H. R. 17137)—to the Committee on Interstate and Foreign Commerce.

Also, petition of Local Union No. 122, of East Liverpool, Ohio, for repeal of duty on wood pulp—to the Committee on Ways and Means.

Also, petition of Watch Case Engravers' International Association of America, for battle-ship building in Government navy-yards—to the Committee on Naval Affairs.

Also, petition of National Brotherhood of Operative Potters, Local Union No. 44, against enactment of S. 1518, revising section 3893 of Revised Statutes of United States—to the Committee on the Post-Office and Post-Roads.

Also, petition of Local Union No. 205, International Printing Pressmen and Assistants' Union, for immediate consideration of the Stevens wood-pulp bill—to the Committee on Ways and Means.

Also, petition of A. J. Shaffer, in favor of H. R. 15837, for a national highways commission and appropriation giving Federal aid to construction and maintenance of public highways—to the Committee on Agriculture.

Also, petition of Brotherhood of Railway Trainmen, for the Clapp free-pass amendment (S. 4260)—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Milo Shoemaker, Daniel Wilson, and others, for the passage of the Littlefield original-package bill—to the Committee on the Judiciary.

Also, petition of Lodge No. 445, Brotherhood of Locomotive Firemen and Engineers, for the La Follette-Sterling liability bill (H. R. 17036) and the Rodenberg anti-injunction bill (H. R. 17137)—to the Committee on the Judiciary.

Also, petition of citizens of Canton, Ohio, for a national highways commission and appropriation for Federal aid in building highways (H. R. 15837)—to the Committee on Agriculture.

Also, petition of Glass Bottle Blowers' Association, against prohibition legislation—to the Committee on the Judiciary.

Also, petition of Local No. 497, International Typographical Union, of Alliance, Ohio, for repeal of duty on wood pulp—to the Committee on Ways and Means.

Also, petition of Trades and Labor Council of East Palestine, Ohio, for battle-ship building in navy-yards—to the Committee on Naval Affairs.

Also, petition of Massillon Board of Trade, against H. R. 7597 (Crumpacker Thirteenth Census bill)—to the Committee on the Census.

Also, petition of Brotherhood of Railway Trainmen, for the Hemenway-Graff ash-pan bill (H. R. 19795)—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Home Savings and Loan Company, of Youngstown, Ohio, for amendment of H. R. 18525, so as to exempt building and loan associations that make loans to their members only—to the Committee on Ways and Means.

Also, petition of Munroe Falls Paper Company, against repeal of duty on wood pulp—to the Committee on Ways and Means.

Also, petition of working people and labor unions of East Liverpool, Ohio, for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. LEVER: Petition of working people of Columbia, S. C., for amendment to Sherman antitrust law and for Pearre bill, employers' liability bill, and eight-hour law—to the Committee on the Judiciary.

Also, petition of working people of Columbia, S. C., for H. R. 20584, amendment to the Sherman antitrust law, and for the Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. LINDBERGH: Petition of Henry Betz, of Brainard, Minn., for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. LINDSAY: Petition of citizens of New York City and Brooklyn for the enactment of the bills H. R. 94 and H. R. 20584, a general employers' liability law and bill limiting a day's labor to eight hours upon work done for the Government—to the Committee on the Judiciary.

By Mr. LOUDENSLAGER: Petitions of Charles F. Rennebaum and other citizens of Williamstown, Harry Clark and other citizens of Camden, and William Baum and other citizens of Woodbury, all in the State of New Jersey, for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. McDERMOTT: Petitions of United Bohemian Building

and Loan Association, Frank G. Hajicek, Richard Dusil, and Konrad Ricker, for amendment of H. R. 18525 (Hepburn bill) so as to exempt building and loan associations that make loans to their members only—to the Committee on Ways and Means.

By Mr. MCKINNEY: Petitions of citizens of Moline, Rock Island, and Silvis, Ill., for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and eight-hour law—to the Committee on the Judiciary.

By Mr. McMORRAN: Petition of citizens of Port Huron, Mich., for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. MADDEN: Petition of Packing House Teamsters, of Chicago, Ill., for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and eight-hour bill—to the Committee on the Judiciary.

By Mr. MAYNARD: Petition of citizens of Virginia, for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. MOON of Tennessee: Petition of citizens of Hamilton County, Tenn., for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), and for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. MOUSER: Petitions of citizens of Bucyrus, Clyde, Sandusky, and Tiffin, Ohio, for amendment to Sherman antitrust law (H. R. 20584), and for Pearre bill (H. R. 94), employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. PAYNE: Paper to accompany bill for relief of Francis M. Hunting—to the Committee on Invalid Pensions.

By Mr. POLLARD: Petitions of labor unions of Lincoln, Nebr., and John Mortimer, favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. PRAY: Petition of associations of Montana, opposing S. 1518, to amend postal laws—to the Committee on the Post-Office and Post-Roads.

By Mr. REEDER: Petition of citizens of Kansas, against parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. ROBERTS: Petition of John J. Griffin, secretary Lynn Central Labor Union, against extension of the rights of naturalization and for exclusion of all Asiatic laborers—to the Committee on Immigration and Naturalization.

Also, petition of working people and their sympathizers of Boston and Lynn, Mass., for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. RYAN: Petition of Horseshoers' Association of Buffalo, N. Y., favoring bills affecting labor, amendment to Sherman antitrust law, the Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of Iron Molders of Buffalo, N. Y., and Marine Firemen, Oilers and Watertenders, for amendment to Sherman antitrust law and for Pearre bill, employers' liability bill, and eight-hour bill—to the Committee on the Judiciary.

By Mr. SIMS: Petition of organized labor of Jackson, Tenn., for amendment proposed by American Federation of Labor conference to the Sherman antitrust law, and for the Pearre bill, the employers' liability bill, and the national eight-hour law—to the Committee on the Judiciary.

By Mr. SMITH of Missouri: Petition of members and sympathizers of Granite Workers' Union No. 9289, of Graniteville, Mo., and railroad telegraphers of Bismarck, Mo., for the amendment to the Sherman antitrust law known as the "Wilson bill" (H. R. 20584), for the Pearre bill (H. R. 94), the employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

By Mr. SPERRY: Petition of citizens of New Haven, Portland, and Meriden, Conn., for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. STEVENS of Minnesota: Petition of John J. Conroy and others, against workmen and mechanics in various Government buildings working more than eight hours per day (previously referred to the Committee on Public Buildings and Grounds)—to the Committee on Claims.

By Mr. THISTLEWOOD: Petition of labor unions of Pinckneyville and Johnston City, Ill., for exemption of labor unions from the operations of the Sherman antitrust law, for the

Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. WEEKS: Petition of citizens of Milford, Mass., for amendment to Sherman antitrust law, and for Pearre bill, employers' liability bill, and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of citizens of Mendon, Mass., against conditions in Russia—to the Committee on Foreign Affairs.

By Mr. WILSON of Pennsylvania: Petition of Joseph Schlotrum and others, of Nesbit, Pa., for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

By Mr. WOOD: Petitions of M. E. Miller, N. P. Druck, Harry W. McClurg, and Harvey Whitehead, of Trenton, N. J., and John M. Carey and E. C. Docherty, of Lambertville, N. J., for exemption of labor unions from the operations of the Sherman antitrust law, for the Pearre bill regulating injunctions, for the employers' liability act, and for the eight-hour law—to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

SUNDAY, May 3, 1908.

The House met at 12 o'clock m. and was called to order by the Clerk, Hon. ALEXANDER McDOWELL, who caused the following communication from the Speaker to be read:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., May 3, 1908.

I hereby designate Hon. JOHN DALZELL, of Pennsylvania, to act as Speaker pro tempore for this day.

JOSEPH G. CANNON, Speaker.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

We bless Thee, our Father in Heaven, for the immutability of Thy character, that Thou art the same yesterday, to-day, and forever; that we are Thy children; that we may rely implicitly upon Thine infinite wisdom, power, and goodness, and that whatsoever Thou dost order for us is better than anything we could desire for ourselves. "Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful. But his delight is in the law of the Lord; and in His law doth he meditate day and night. And he shall be like a tree planted by the rivers of water, that bringeth forth his fruit in his season; his leaf also shall not wither; and whatsoever he doeth shall prosper."

We thank Thee, our Father, for the great and the true, the wise and the pure, the strong and the brave of every age, who comprehended the light which shone out of the darkness and the meaning of life, caught its spirit, and gave themselves in a faithful service to Thee and to mankind. We are gathered here to-day to pay a tribute of love and respect to two such men—men in whom their fellows reposed confidence and trust, who never deceived, never betrayed that confidence, but lived pure, noble, exemplary lives, and wrought a good work for mankind. Grant that their lives may be an inspiration to us and to those who shall come after us. And bless, we pray Thee, those who were near and dear to them in life, and comfort them with the blessed thought that they shall meet again in a land where love shall find its full fruition in the hearts of the true and the pure. And so may our lives be ordered that we shall be counted worthy in the day of our departure. And Thine be the praise through Jesus Christ our Lord. Amen!

APPROVAL OF JOURNAL.

The SPEAKER pro tempore. The Clerk will read the Journal.

The Clerk proceeded to read the Journal.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that the reading of the Journal be dispensed with.

The SPEAKER pro tempore. The gentleman from Florida [Mr. SPARKMAN] asks unanimous consent that the reading of the Journal be dispensed with. Is there objection?

Mr. PAYNE. Mr. Speaker, I ask that the Journal be approved without further reading.

The SPEAKER pro tempore. The gentleman from New York [Mr. PAYNE] asks unanimous consent that the Journal be approved without further reading. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

ORDER FOR THE DAY.

Mr. SPARKMAN. Mr. Speaker, I ask that the special order of the day be read.

The SPEAKER pro tempore. The Clerk will read.