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PROCEEDINGS

OF THE

ANNUAL MEETING

OF THE

ASSOCIATION OF NAVAL MILITIA

OF THE

UNITED STATES,

HELD AT THE

NEW WILLARD HOTEL, WASHINGTON, D. C., JANUARY 14, 1904

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MORNING SESSION.

JANUARY 14, 1904—10 o'clock a. m.

The association met pursuant to call, Capt. J. W. Miller in the chair as temporary chairman.

The CHAIRMAN. Gentlemen, I have been requested, in the absence of the president of the association, to take charge of the meeting until he arrives. Before we enter upon the transaction of executive business it is my pleasure, as well as my duty, to announce to the meeting that we have present with us various officers of the Government—Mr. Moody, Secretary of the Navy; Mr. Cannon, the Speaker of the House of Representatives; some chiefs of bureaus, and some gentlemen from the Navy Department. I want to express the sincere thanks of the association to these distinguished gentlemen for the interest they are taking in the Naval Militia of the United States.

I am entirely unprepared to make any remarks on this subject; but as we are all familiar with the Naval Militia and its condition I will simply extend to these gentlemen our sincere thanks for their presence here, and will call upon the Secretary of the Navy to state to us the attitude of his Department in regard to the bills now before Congress, this meeting being called to discuss those bills.

I have the pleasure of introducing to you the honorable Secretary of the Navy.

Secretary MOODY. Mr. Chairman and gentlemen, representatives of the Naval Militia of the United States, I do not intend to take any considerable portion of your time. I am merely here for the purpose of showing the keen interest which the Department takes in the development of the Naval Reserve, or the Naval Militia, by whatever name it may be called. There is one thought, and just one thought, which I am sure you will permit me to express to you. As I saw you this morning I was led to inquire what possible motive could have brought men like you to Washington for the purpose of considering a question of this kind. There seemed to be but one answer, and but one answer did I receive, and that was that it was purely your patriotic interest in the subject; that you had no possible private or personal interest to serve, and that you had made this sacrifice of your time for the purpose of promoting the public welfare as you saw it.

Let me say to you, gentlemen, that what you are doing here is characteristic of what is being done all over the country. In Congress, in the States, and in the cities our people are rendering

voluntary, patriotic, and self-sacrificing service for the maintenance of our Government.

I do not intend to say anything further here than that the bills, of which something will be said later, meet the approval of the Department. I have been over them myself, section by section. I believe they are conservative, and that they are not liable to lead to a large expenditure of money. I believe that they will, for the first time, put the Naval Militia upon a solid foundation, and upon an equality with the Army Militia, as it is provided for in the Dick bill. I hope later on that you will hear, and, in fact, I know that you will hear, from the Assistant Secretary of the Department, under whose special control the Naval Militia belongs. I know also that you will hear from Admiral Taylor, who is the Chief of the Bureau of Navigation, and of several other things which I will not mention.

I hope that you will have a full and free conversation and conference with Lieutenant-Commander Usher, who is, by the Department, charged with special responsibility concerning this whole subject. He may be said to represent the Department upon the subject of the Naval Militia, and what he says may be taken to be an expression of the views of the Department.

I hope, gentlemen, that you will have a pleasant, harmonious, and successful meeting, and that the result will be beneficial alike to your organization and the country at large. [Great applause.]

The CHAIRMAN. Mr. Secretary, I thank you in behalf of the association for the encouraging words you have spoken to us this morning. The Navy Department has always assisted us in every way it could. The small force which began with a few men in the State from which the Secretary of the Navy comes—a State which has always been a pioneer in seafaring matters—has increased from 1890 to 1898 until it numbered some 7,000 men, many of whom volunteered in the war of 1898. The object of the Naval Militia has been not only to form an auxiliary force standing between the people and the Navy for use in time of war, but it has gone further and recognized the principle that everything in this country which is built up at all has been built up and not down. In other words, we began at the bottom to create even a small force to be as effective as we could make it, that should be of some use not only as an assistance to the Navy, but also in recreating throughout the country the old spirit of the sea which existed in 1812, and which continued until such time as there was more or less decadence in regard to seafaring matters. Outside of any special fitness that the Naval Militia may have had to man ships, I think it has done a great work in creating between the Navy and the people that reciprocal feeling which did not exist in the old Navy. When the new ships were built and the White Squadron went along the coast I believe that the men of the Naval Militia served, to some small extent, to bring the Navy and the people closer together.

Beginning with this small force, which became better and better as time went on, we confined our work to such things as civilians could do, and to-day we have some 7,000 men throughout the country. We all know how much love for the Navy has been increased throughout the length and breadth of this land.

I know that, no matter how many ships or how much material we may have, what this country needs most is the development of that patriotic feeling to which the Secretary of Navy has alluded in his con-

gratulatory remarks. We want that feeling to exist in every man from Maine to California, in the North, in the South, in the East, and in the West. We want it developed as it should be, in order to recreate throughout the whole of this country a love for the Navy and an anxiety, when the time comes, to get into it.

The Naval Militia during the war may not have come up to the standard of man-of-war's men. No one, unless he is educated in the fore-castle or goes through a long preparatory course as an officer in the Naval Academy and through a career on board ship, can ever hope to become a thoroughly equipped officer or man in the Navy, but they can do all that they possibly can do during the time of peace to prepare themselves for emergencies.

I feel also, Mr. Speaker, that there is a larger field for the Naval Militia, and that is that it should be a stepping stone in its influence and in its drills toward a National Naval Reserve, and one of our purposes here to-day is not only to look out for ourselves, as best we may, for the interests of the Navy in having a bill formulated which will increase and help us, but also to use our influence to the end that a proper National Naval Reserve shall be organized.

I have dealt, perhaps, too long upon the personal equation—that is to say, upon the necessity of creating a naval interest among the people of the country for the Navy—because it seems to us that is what this country needs more than anything else. It needs a high standard of duty—a high ideal of patriotism—and the exercise of an influence throughout the country for the purpose of creating sailors who may be of use to the Navy, either through a Naval Militia or otherwise.

Before closing I want to touch, for one moment, upon what the Naval Militia, unprepared as it may have been, did in the Spanish-American war. They commanded 7 different ships. Its officers and men were distributed upon 47 different ships; and I have never heard, from the Department or otherwise, one word of complaint as to these men, or as to their discipline. They went to the war, leaving their families at a day's notice. Six weeks before the war occurred some of them were acting in the Navy without pay either from the States or from the Government. They served their country the best they knew how. They were all noted as good gunners, and they did the work that was laid out for them to do and returned to the United States amid the acclaim of their fellow-citizens and without a stain upon their honor.

I want to pay to them this tribute, Mr. Speaker, in your presence, before I close. Having outlined, to a certain extent, what the Naval Militia has done and what its objects are, I now have the very great pleasure of introducing to this association Mr. Cannon, the Speaker of the House of Representatives of the United States. [Applause.]

Speaker CANNON. Mr. Chairman and gentleman, I have only time for a word, and that perhaps is more than I have knowledge to utter in a way which will be of interest to you, touching the subject you have in hand. Sovereignty in this country is with the people. The best service in peace and in war is due from each citizen and from all citizens. It is our glory that we rely for the public defense upon all the people. I am glad that you are moving for a militia in the various States—for a Naval Militia and for a National Naval Militia. I rejoice that our people are all interested in that subject. The citizen who goes to war upon the land becomes equipped for that service more

quickly than the citizen who goes to the public defense upon the ocean. Both qualifications for the public service by the individual citizen should be encouraged by public sentiment and by the patriotism of each individual citizen. I think that more progress has been made for the militia proper, as we speak of it, than for the Naval Militia, and more progress will continue to be made, because if there should be a real necessity for the public defense upon land more men will be required for that purpose than will be required upon the sea.

But it is now universally regarded by the American people as being very important for the public defense that the Navy shall be strong and efficient, but yet the time will never come when 200,000 or 300,000 or 400,000 people will be required for service in the Navy proper. But the time may come, and undoubtedly will come, I take it, in the lifetime of some of the gentlemen who listen to me, when the citizen, partially trained if you choose, should be ready to assist in the public defense in connection with our Navy. If we can have something of readiness for that service, they will much sooner become efficient for thorough duty all along the line than if our people come in raw, so to speak.

I may say one other thing along general lines. It has been from the beginning the boast and glory of all our people that the patriotism, in the aggregate, of each citizen makes the public defense; and I thank God that as our numbers have increased from 5,000,000 of a century ago to the 80,000,000 of to-day this feeling increases; and we must perform that function or our Government and our civilization are not worth as much as a rope of sand. Therefore it should continue to be honorable, praiseworthy, and patriotic for each citizen in the respective States to foster this idea of the efficiency of the citizen for the public defense on the land and on the sea. The people who oppose it ought not to control. We have in this country free speech, a free press, and free action as long as we obey the law, but the people who do not believe in the efficiency of all the citizens for public defense should not control. There is no considerable number, thank God, who are against the efficiency of the people for the public defense.

I want to say just one word about the Navy and then I will stop. I live 1,000 miles inland. Four-fifths of the people I represent, and four-fifths of the people in that great central portion of this country, where most of the things that are doing, from a material standpoint, in this country are now being done, have never seen the ocean and never will. Those along the great inland seas, of course, see what is there; but if none of you are from the West, or what used to be called the West, let me tell you something: The Navy of the United States is as well—and I was about to say better—supported, from the standpoint of efficiency for the public defense, by that great majority of the population who never have seen the ocean, and most of whom never will, than by the people of any other section of these United States. So that you, in promoting the efficiency of the Naval Militia, will find that you have fertile soil in which to work in the great block of our inland people.

Touching your proposed legislation I will be entirely frank with you. I have not read the bills that have been introduced. I have not talked much or thought much about their provisions. The truth of the matter is that whoever temporarily happens to hold the place of Speaker of the House of Representatives has to have an imperfect knowledge of

many things, and a general knowlege of what, perhaps, will bring about the greatest good to the greatest number along the line of legislation, so that it is impossible for him to exhaust matters of detail. The Secretary of the Navy and the Department, no doubt, is inclined to give you all the aid you require along correct lines. I also take great pleasure in saying to you that the Committee on Naval Affairs of the House of Representatives, so ably presided over by my colleague from Illinois, assisted by the members of that committee, and especially by Brother Dayton, from West Virginia, who has an under jaw as big as the balance of his face, will help you to work out the details of this matter. I will say to you that the Committee on Naval Affairs has the confidence of the House and the confidence of the country.

Wishing you a harmonious and efficient session, as my time is up I will bid you good morning. [Great applause.]

The CHAIRMAN. Gentlemen, I am not going to make any formal introduction of a man who knows a great deal more about this subject than I do. He has weathered many a stormy sea with me, one of which occurred a few years ago when we were upon the Board of Visitors to the Naval Academy, when we had a very rough time there for a week.

The chairman of the Naval Committee, Mr. Foss, knows as much if not more about our organization than any of us here. He has taken a deep interest in the Naval Militia and has made a study of the problems connected with it. He has taken a deep interest in all naval matters and in the formation of a National Naval Reserve.

I want to say to you, Mr. Foss, that we have assembled here to-day, representatives from the East and from the West, from the North and from the South, and we have left behind us a body of men who in the past have been worthy to belong to the glorious service of the Navy. They are men who in the late war did splendid work, and who are now ready to increase that work so far as you gentlemen in Congress will permit them under proper legislation, to be determined by you. We are here to discuss that legislation, and to hear from you, who are thoroughly conversant with the Navy, what that legislation should be from your point of view.

I take pleasure in introducing Mr. Foss, the chairman of the Committee on Naval Affairs.

Mr. Foss. Mr. Chairman and gentlemen, I am very glad to be here this morning, if only for a moment, and it must be only for a few moments, because I have called a meeting of the Committee on Naval Affairs at 11 o'clock. I am very glad to see here so many representatives from all over the country who, by their presence, demonstrate the warm interest which they take in the Naval Militia. I do not believe that any body of men ever proved their usefulness any better than the Naval Militia did during the Spanish-American war. I know that in my own State of Illinois there were hundreds of young men who went into that fight and did most effective work, and 60 of them, I believe, were on the *Oregon* alone. What you did then you can do again.

The question before us to-day is this: How can we make the Naval Militia of the country more effective than it has been? I do not mean by that to say that you have not done splendid work in the past, because you have done it; but the real problem is, How can you do better work in the future? That is the great problem of individual and collective life everywhere. That to-day is the supreme problem

to which I would suggest that you devote your sessions here in Washington. How can this body of men, all over the country, become more effective as a fighting force in time of war? All of this preparation in peace is simply a preparation for the purpose of being able to meet the supreme emergency.

Some of our States have no Naval Militia. It is unfortunate that all of the States do not border upon the water. I have been of the opinion that we could perhaps encourage a Naval Militia in the interior portions of our country, along the Ohio and Mississippi rivers, for instance, if the Government would build, for the use of those who entered such an organization, a composite boat that could be used upon those waters.

It seems to me that we should address ourselves to that question: What can the Government do to increase the number of these organizations? There have been, as you know, a great many propositions before Congress in the shape of bills to increase the efficiency of the Naval Militia, and also bills to organize a National Naval Reserve. These are important subjects for your consideration. I was on the point of introducing a bill for the organization of a National Naval Reserve, and also a bill to increase the efficiency of the Naval Militia, when one of your members, Mr. Bieber, whose heart and soul are in this work, came to me and said: "Mr. Foss, I wish you would not introduce that bill until this organization has had its meeting here," and I accordingly postponed the introduction of the bill. Why? Because whatever we do in the shape of new legislation, in order to be successful, must have your hearty support and the support of the Naval Militia all over the country. Therefore I want to see legislation which not only suits the Navy Department, but which suits you, and which will be acceptable to you on the lines of increasing the efficiency of the Naval Militia.

I would suggest to you as the practical problem of this session that after you have had your jollification and have struck hands together with the fellow who was at Santiago and Manila, when you get right down to the real practical business of this session, that you should appoint a committee having full discretion to cooperate with the Navy Department, or that you go yourselves in a body and discuss with our naval officials a practical measure, and then send it to the House Naval Committee, and our friend Dayton and myself will see what we can do to put it through. [Great applause.] If you can do that, if you can produce a practical measure as the result of these deliberations which will make more effective this great fighting force throughout the country and increase the number of associations in the different States—if you can do that as the result of this meeting you will not have come in vain, the naval service of this country will be a great deal better by reason of your meeting, and the country at large will applaud you. [Applause.]

The CHAIRMAN. Gentlemen, we have here another member of the naval committee, and I take great pleasure in introducing to you Hon. Mr. Dayton, a member of the House of Representatives.

Mr. DAYTON. Gentlemen, I did not come here with the purpose or idea that I would be called upon to speak to you; but I feel that I ought to do so in defense of myself after the very complimentary remarks made by the Speaker of the House with reference to my jaw. I do not know just exactly why I have acquired the reputation for

being the most stubborn man in the House of Representatives. I do not know why the Speaker, who is one of the dearest friends I have on earth and who is loved by me almost as my father should be, is constantly referring to that fact. We have, in the days gone by, had some few friendly tilts in the House, and they have all been because I loved the Navy better, possibly, than any other institution this Government fosters.

I occupy rather a peculiar position. Ten years ago I came to Congress a country lawyer from the mountains of West Virginia, where we were too dry to float a boat of any kind or character and too wet to have a dry dock; where we never dreamed of seeing anything in the shape of a naval institution or a boat. Mr. Reed, who was then Speaker of the House of Representatives, concluded that inasmuch as I did not know anything about naval affairs he had better put me on that committee in order that I might learn. I suppose that is the only reason why ten years of my public life has been devoted to the study of naval problems, and here, to-day, in all seriousness and earnestness, I want to say to you that I am convinced that conditions have changed, and that the peace and prosperity, or rather, to put it in better terms, the insurance of the peace and prosperity of this country will be, in future time, the United States Navy, which will be the bulwark of American defense. In saying this I do not for one moment minimize the great service of the other war arm of the Government, the Army. The Army stands to-day with its work well done, and 80,000,000 people in this great and prosperous country, the greatest in the world, are awakening to the realization that there will be no country in the future foolhardy enough to dare penetrate into the sacred precincts of the soil of the United States. [Applause.]

On the other hand, they can attack us at sea and our defense must be at sea. I think, gentlemen, the Navy of the United States realizes the importance of the problem and the duty they have to perform, and I have not the slightest doubt but that on all occasions they will be equal to any emergency that may present itself.

The Navy should be strengthened. There should be no parsimony in building it up and I do not think there has been when you take the work all together. In the last ten years, for instance, the material of the United States Navy has been built up and formed. We have been building boats; we have been building ships; we have been building dry docks, and we have been increasing the material at all points. I do not believe, however, that the country has fully realized, or that some of the most earnest friends of the Navy have fully realized the needs and necessities of the personnel of the Navy. If I had my way to-day, and I am now telling tales out of school that possibly may come up after a while and be charged against me as an extravagant naval enthusiast, I would send 100 extra young men selected from all over this country to the Naval Academy to be educated by this Government free of expense and sent out into the country, in order to build up a naval sentiment and naval feeling throughout these United States; and then when the time comes they will go forth from the colleges, if they are professors, or from the workshops, if they are superintendents in them, clothed with the knowledge which they have acquired at the Naval Academy, and they will be a power in the defense of their country. [Applause.]

Moreover, my friends, if I had my way, I would take all measures

and do all things necessary to be done on the part of the Government to restore this country to the position it once held when its vessels were a potent factor in the carrying trade. I would build up a great merchant marine all over this country, and I would then have it understood, as it is understood in the English service, that the best man in time of peace to take charge of a merchant vessel was the man who came from your organization, or from the Naval Reserve, and that the best men for sailors and those who perform the duties of commanding merchant vessels would be those who came from the royal—not royal, but shall I call it democratic—naval reserve, the National Naval Reserve of the United States.

I am deeply interested in your work. I am deeply interested in the spirit which leads you to realize that the personnel of the Navy is to be reinforced by clear-headed and sensible men throughout the country, who realize the necessities of the Government and are willing to build it up in this way.

As the distinguished leader whom I follow has said to you, the practical problem is to get the right legislation.

I am going to make to you another confession, which may come to trouble me in the future. To my mind the trouble with the legislation that you have heretofore presented to Congress is that it has not been thorough and complete, and that is the objection to it. That is rather a remarkable statement, when you remember that it is our duty to take the estimates presented by the heads of the Departments and, like the old Indian, to carve and cut and carve and cut the appropriations as we go through, in order that the people may reach the conclusion we are not extravagant. But I have long since reached the period in my political and public life where I believe that we can sometimes, in dealing with a great institution like the Navy, leak at the bunghole in order to save at the spigot, and I believe that is not a wise policy. I believe that your legislation must go to the extent of organizing a Naval Militia and a Naval Reserve that will have so close a connection with the Navy itself that it can always be considered under the control of, and at the command of, the Navy and of its Secretary.

I hope, gentlemen, that you will not go out into the country and perpetuate the reputation that my friend the Speaker gives me, of being a stubborn man or of having an extraordinarily large jaw, for if I have sinned or erred at all in my public service it has been in behalf of the institution in which your hearts are interested. [Great applause.]

The CHAIRMAN. I now have the pleasure of introducing to you the honorable Assistant Secretary of the Navy, Mr. Darling.

Assistant Secretary DARLING. Gentlemen of the Naval Militia, I came here this morning under an agreement that I would not have anything to say. Those who are abler and wiser than I am have spoken, and I would not now have a word to say were it not for the fact that a thought comes to my mind which I would like to suggest to you. I take it that it is well agreed that you want a Naval Militia. I take it that all along the line there is a consensus of opinion that there must be something done and that there should be something done to get in touch with the really great forces of the country that have not been trained in the naval service.

I have sometimes thought that we all get together and talk and then do nothing. Talk, you know, is cheap, and we can all do it to a

greater or less extent; but when we get right down to it the real question is, How shall we do it? There is no trouble about our patriotism. That has been tested before, and if the time ever comes when the country is put to the test it will not be found to be deficient. There are throughout the whole country men without number who are ready to take hold of this question, but the real question is, How shall we reach it? That is the practical question.

Now, in order to do that there must be organization. The coming together in bodies and talking about what we will do and what we would like to do, talking about the love of the flag and the love of country, is all right; but those things are conceded. There is no question about them. So that at last we must get around to the practical question, which is, What shall we do? In the first place, there must be organization, and this leads me to the suggestion I wish to make. I say it is conceded that there are men enough. It is conceded that there is patriotism enough, but it is not shown that we have a proper organization. How will we get it?

You will notice that Congress has met and adjourned, and that another Congress is here. They have all talked well, but when they got through with their sessions and adjourned we read in the appropriation bill that there has been \$60,000 appropriated for the Naval Militia of the United States, \$60,000 for the purpose of organizing, equipping, and helping this Naval Militia, to cover the whole of the United States, and to be drawn from 80,000,000 people. While we have patriotism, while we have the men, and while we have the material, organization costs money. You can appeal to the patriotism of a man in time of war and he comes forward, but an army without organization is nothing but a mob. An organization to be effective has got to have men in it who are interested in the organization and who will put the best brain and ability of the country into it, and when you bid for that class of men in that class of work in the days of peace you have got to have the money to carry it forward.

We have gone upon the theory that this burden can be placed upon the State and that the State is going to furnish the money; but the States have their burdens as well as the United States. We look at the great appropriations for the United States, which in the aggregate and upon a specific thing are very large, and are prone to forget that the real taxation of the Government is upon the municipalities and upon the States. When we speak about the appropriation for the Navy it seems to be pretty large, but you are not to forget, nevertheless, that the tax budget of the city of New York alone is equal to the appropriation necessary to maintain the entire Navy of the United States. When we talk about asking the States to support this organization the States may well reply that they are commercial States, or that they are rural and farming States, and that they have their own burdens to support, and that if this organization is to be a matter for the national protection there should be national support.

Sixty thousand dollars would not build a coal shed. It will not repair a ship, and will not build the smallest part of the smallest vessel. While we are talking about this matter we may just as well face it along these lines: First, there must be organization; and, secondly, there must be support from Congress, financial support.

These are the only thoughts I desire to suggest to you this morning.  
[Applause.]

The CHAIRMAN. We thank you, Mr. Darling, for your remarks, and hope we may be able to enlarge them, as they should be enlarged, in our meeting. What you have said brings to my mind a matter that is exactly in line with what you have stated with reference to organization. It may perhaps be egotistical for us to speak of our organization, but it will serve to show that we have appreciated the necessity of developing local organizations before coming here and asking aid at the hands of the central Government. It shows that we fully appreciate the fact that every patriot of this country should not only talk patriotism, but should act it, and I think the Naval Militia, to a certain extent, has done that very thing. They have created organizations not only on the sea coast, but in the interior. They have not talked, but they have acted, as far as they could, within the lines of the States.

To be specific, every one of these gentlemen here represents busy men—men full of their vocations, their professions, their trades, and their business—and they have during the last eleven years given up at least one, if not two nights, a week to this very subject. That means a great deal when it applies to 5,000 men throughout the various States. It means a ramification of interests in all these localities, in their families, and among their friends. It means also that you can double that amount of influence, because the men who have gone out of the Naval Militia are doing work now in the same way, and are creating that interest which it is necessary should be created. For instance, in New York, and in other States, we have our naval militia associations and our State associations of veterans; and those men are sending forward the cry that we ought to have a National Naval Reserve. There are, moreover, seven different patriotic organizations, of which a number of these gentlemen are members, among them being the association of the Spanish-American war, of the Sons of the Revolution, of foreign wars, and colonial wars. All of these organizations meet and they have done a great deal of work.

As we are on this particular subject it may not be amiss, as so much has been said by the gentlemen who have addressed us about the development of a feeling of interest in favor of the Navy, I am going to take the liberty of drawing your attention to another organization which has made vast development in our country, and which has created, during the last year, this sentiment toward the Navy throughout the country, and has assisted in developing an interest in everything that pertains to seafaring life in connection with the Navy.

In December, 1902, ex-Secretary of the Navy Tracy and ex-Assistant Secretary of the Navy McAdoo met with a dozen of us in New York. We had before us two pamphlets, one from Germany and the other from England. The German pamphlet showed that in order to increase the interest in the navy in Germany the Emperor of Germany had ordered an association to be organized in Germany, four years ago, for the development of his navy, that association being composed of an admiral in the German navy and of six civilians. It now numbers 532,000 people. It publishes two publications during the year and is a great force in the development of the Germany navy.

Five years prior to that the English Government formed what they called the navy league, which has associations or branches throughout all the English territory, at home and abroad. It has a member-

ship of 362,000. It publishes a monthly journal, and sends information throughout the entire British Empire.

With those pamphlets before us, and with the knowledge that ex-Secretary Tracy had of the conditions of the country, and the knowledge which Mr. McAdoo had of the Naval Reserve and Naval Militia movement, we thought we would inaugurate a similar movement throughout this country. We started with no money and no membership, and with very little work. We have now a membership of 3,200 in this country, with 26 different sections in 15 different States, and we have a mail of from 50 to 100 letters a day, asking information concerning the Navy. I only mention this because I think it is well to keep our subjects broad in these meetings, and because it carries force in our work for the development of a Naval Militia and a National Naval Reserve. The majority of the members of the Naval Militia are not only working daily, weekly, and hourly against a great many adverse circumstances in some of the States, but they are working in these other lines for the purpose of developing a navy in all its coordinate branches.

There is, therefore, sirs, an organization so far as we can make it for the purpose of developing this work in our humble way. We are exceedingly glad to hear from you that we may look to you for help in creating a national organization.

Now, gentlemen, I have taken up a great deal of your time. I am perhaps rather out of place in the position of chairman, as I came here entirely unprepared. I have perhaps talked too much, but the subject has been very close to my heart since 1900.

I now have the pleasure of becoming a fore-castle hand and of resigning the position of chairman to the worthy gentleman who is not only an excellent president of this association, but who is a gentleman who wishes to do everything he can at all times and at all hours, and has, as I understand, been amusing himself in playing with a fire engine in Baltimore last night.

At this point President Edwin Geer took the chair.

The PRESIDENT. Before proceeding with our regular routine of business I want to introduce to you Admiral Taylor, Chief of the Bureau of Navigation.

Admiral TAYLOR. Gentlemen and friends, nearly everything that could be said has been said by the able speakers of this morning. I have been very much instructed by the thorough way in which the ground has been covered by the Assistant Secretary and the speakers who preceded him. I am here, therefore, only for the purpose of extending to you a hearty welcome in the name of the Bureau of Navigation of the Navy Department, and to reiterate what the Secretary of the Navy has said with regard to Lieutenant-Commander Usher, who is here now representing the views of the Navy Department. All the points of the organization—the duties and the functions of a Naval Militia and of a possible Naval Reserve—have been studied by him in close communication with the general board of the Navy, on which board he is now working, and with the close counsel and sanction of the Secretary of the Navy and the Assistant Secretary of the Navy. I may add also that the Bureau of Navigation, so far as it has any concern in the matter, has united in those counsels, and the end of it all is that Lieutenant-Commander Usher is thoroughly posted. Ure

peat to you what the Secretary has said—that he can speak for the Department, and will speak for the Department, in consultations with you, which I hope will be long and thorough, in order that the result, as put before Congress, may be entirely satisfactory.

Everything has been said concerning the form of organization, but little, if anything, has been said about the duties and the natural functions of such auxiliary bodies as a Naval Militia and Naval Reserve. Some of you present may remember that the Naval War College ten years ago took up this matter at the request of Captain Miller, who is here present, of Captain Weeks, of the Massachusetts Militia, and others, and considered it in connection with plans for war, in connection with plans for defense of the coast, and in connection with plans for the inner line of coast defenses. They worked out the duties to be performed by the Naval Militia in time of war, holding that their duties in time of war would fitly indicate the line of preparation in order that their readiness for war might be achieved. This work, I may say, was well done in connection with the organization of the Naval Militia, but, fortunately or unfortunately, the Spanish war came before those preparations had been made and before the ideas had crystallized, and for that reason some confusion existed. The Naval Militia organizations were ordered in many cases to do things which, in the new plan, it was suggested should not be done by them, and in many cases those things which it was suggested should be done by them were omitted. This was the fault of no one. It was a fault which arose because of the fact that the Spanish war originated at the time it did. It was not the fault of the Department or of the War College, and still less was it the fault of the Naval Militia, whose patriotic readiness showed itself then, as it has always shown itself in war and in peace.

The point I wish to make is that, after you have considered the bills before Congress, after you have considered the form that your organization is to take, if any change is to be made, and the form of the new organization of the National Naval Reserve that you, after consultation with Lieutenant-Commander Usher, take up and outline the exact duties which these organizations shall follow—the Naval Militia on the inner line of coast defenses, and the Naval Reserve, perhaps, for deep-sea ships.

That is the only point I want to make, and it is the only one that seems to have been left uncovered in the admirable discussion which has taken place upon this subject. [Applause.]

The PRESIDENT. Several of the gentlemen present well remember that at our last meeting, and we had quite a lengthy one, it was determined by the members present that we should present no bill at that session because Commander Wirt, of Ohio, was very anxious to see how the Dick bill worked as applied to the State army forces—the National Guard; and the argument was that, if that bill suited the militia, why not apply it, with a few amendments, to the Naval Militia? I think a great many of you will agree with me that if we should apply the Dick bill to the Naval Militia, as it was applied to the Army last summer, we would not have any Naval Militia. I understand that the Army is suffering from it.

I have been in correspondence with the officers and men in the organizations of several of the States, and I think we are now on the right track. We have been appointing committees to confer and to

draft bills, and the next day the committees would report progress or they would report a bill and that would be the end of it. The Navy Department would object to it, and they of course did their work in Congress, and we never heard anything more from it. The Navy Department put in bills and some of our people objected to them, and there you are.

I think the only proper way for us to do is to have a representative of the Navy Department present with us, as we have to-day, in the person of Captain Usher, who has been designated by Assistant Secretary Darling and by Admiral Taylor to represent the Navy Department, and then appoint a committee from our association and have them get to work right away and report on these bills—the Naval Militia bill and the Naval Reserve bill. Then let the bills receive the indorsement of this association.

It is my purpose to appoint a committee so that they can get to work upon these matters at once. If these bills come to the House of Representatives with the indorsement of this association, which I am sure they will receive, we are assured by both branches of Congress that the bills will be passed. That is something we have been working for during a number of years.

We are due at the White House at 12.30 o'clock to meet the President. He wants to know this noble aggregation of men, and he knows a great many of them already. Mr. Bieber has stated that he had a talk with the President the other day, and the President said that he is heartily in favor of this movement, and that he will lend this association his undivided support, and that he wants the Navy Department and this association to get together. That is what we have been trying to do since 1895. I will now entertain a motion to take a recess for five or ten minutes, in order that everybody may get acquainted. I see a great many strangers here whom I have not had the pleasure of meeting.

The association thereupon took a recess for five minutes.

The association reassembled at the expiration of the recess, the president in the chair.

**THE PRESIDENT.** The first order of business is the calling of the roll.

The secretary called the roll, and the following members answered to their names:

California, Lieut. F. Van Vleck; Connecticut, Capt. F. L. Averill, Lieut. F. P. Lewis; District of Columbia, Lieutenant-Commander Brummet, Lieut. J. A. Dempf, Lieutenant Bieber, Lieut. L. P. Clephane, Ensign John Doyle Carmody, George A. Howe; Illinois, Commander C. G. Y. King; Maryland, Commander Geer, Lieutenant-Commander Harrison, Lieutenant Willard, Lieutenant Reeside, Ensign Page; Massachusetts, Capt. George R. H. Buffington; New Jersey, Commander Washington Irving; New York, Capt. J. W. Miller, Lieutenant-Commander A. B. Fry, Lieutenant-Commander McD. Craven; North Carolina, Lieut. S. K. De Veney; Pennsylvania, Commander C. W. Ruschenberger, Lieutenant-Commander J. M. Mitcheson, Lieut. H. H. Smith; Rhode Island, Commander Gardiner C. Sims.

**THE PRESIDENT.** The next order of business is the reading of the minutes of the last meeting.

**Captain FRY.** I move that the reading of the minutes of the previous meeting be dispensed with.

The motion was seconded and agreed to.

The PRESIDENT. The next order of business is "Report of officers."

Commander IRVING. Mr. President, I have a report to make as treasurer, and I would suggest that you appoint a committee to audit my accounts, so that I may have their indorsement upon my report when it is handed in.

The PRESIDENT. I will appoint, as an auditing committee, Captain Averill and Lieutenant Van Vleck to audit the report of the treasurer.

While that work is in progress we will hear the report of the secretary.

#### REPORT OF THE SECRETARY.

*To the officers of the Association of Naval Militias of the United States and the representatives of the Naval Militia organizations comprising the association.*

GENTLEMEN: Pursuant to orders from the president of the association a circular letter was mailed on April 5, 1902, to each commanding officer of the several Naval Militias, calling the regular meeting for that year at Baltimore, Md. At the request of several officers the meeting was postponed from the fourth Friday in May, as specified in the by-laws of the association, to the 12th of June, 1902. The association convened aboard the U. S. S. *Dale* on the above-mentioned date, the following States being represented: California, Connecticut, Massachusetts, New Jersey, Ohio, Pennsylvania, and Maryland. There was also present the honorable the Assistant Secretary of the Navy, Judge C. H. Darling, and Capt. W. W. Swift, U. S. Navy.

In accordance with a resolution passed at this meeting the proceedings were to have been published in pamphlet form and copies of same sent to commanding officers; but after the expenses incurred by the meeting had been paid the funds in the hands of the treasurer were not sufficient to permit of the aforesaid resolution being complied with. There is, however, one stenographic report of the proceedings of this meeting which is subject to the disposal of the association.

On August 20, 1903, a communication was received from Commander Irving calling attention to the fact that the Naval Militia organizations of the following States: Maine (Second Battalion), New Jersey, North Carolina, Louisiana, Illinois, Rhode Island, South Carolina, Ohio, and California, had not complied with the by-laws of the association as far as paying the annual assessment was concerned.

On August 27, 1903, pursuant to orders from the president, a circular letter was mailed to commanding officers located in the above-mentioned States, calling their attention to this fact. Communications have since been received from commanding officers of the States of Illinois and Rhode Island, stating that it was the consensus of opinion among their officers that they not ally themselves to the association. This was not, however, to be construed as being in anywise unfriendly to the workings of the association.

On November 30, 1903, pursuant to orders from the president, a circular letter was mailed to commanding officers, requesting information as to the advisability of calling a special meeting. Eleven States out of 17 having Naval Militia organizations were heard from favorably. No replies to this circular letter were received from Naval Militias located in the following States: Georgia, Maine, Ohio, South Carolina.

On December 8, 1903, pursuant to orders from the president, a circular letter was mailed to commanding officers calling the special meeting on January 14 and 15, 1904, at the New Willard Hotel, Washington, D. C., the invitation to meet at that city having been extended by the District of Columbia Naval Militia.

On December 10, 1903, a committee from the District of Columbia Naval Militia was appointed by the president to wait upon the President of the United States, the Secretary of the Navy, the Assistant Secretary of the Navy, and other prominent gentlemen interested in the work before the association.

On December 10, 1903, a copy of bill H. R. 5079, known as a bill for the establishment of a naval volunteer force of seamen, and for the government of same, was forwarded to Commander Geer as president of the association. This bill was introduced by Mr. Parker on November 27, 1903, and was referred to the Committee on Naval Affairs and ordered printed.

On January 5, 1904, a committee from the District of Columbia Naval Militia was appointed by the president to request the Secretary of the Navy to appoint a committee consisting of two naval officers to attend the meeting and confer with the association in its work.

January 13, 1904, a communication was received from the commanding officer of the Rhode Island Naval Militia saying that the Naval Militia of that State would be represented at the meeting.

Respectfully submitted.

EDWIN G. WILLARD,  
*Lieutenant Naval Brigade, M. N. G., Secretary.*

It was moved and seconded that the report of the secretary be received and filed.

The motion was agreed to.

The PRESIDENT. The next order of business is the consideration of the report of the treasurer.

REPORT OF THE TREASURER.

*The Association of Naval Militias of the United States in account with W. Irving, treasurer.*

DR.

1902.		
Jan. 1.	To balance .....	\$72.51
May 10.	To Second Division Naval Militia, California, for dues .....	4.80
	headquarters Naval Militia, California, for dues .....	2.50
	Second Battalion Naval Militia, New York, for dues .....	22.00
	First Battalion Naval Militia, New York, for dues .....	30.30
May 15.	To Georgia Naval Battalion, for dues .....	8.80
	Massachusetts Naval Brigade, for dues .....	48.70
	First Battalion, Pennsylvania, for dues .....	9.30
May 23.	To headquarters Naval Militia, New York, for dues .....	.60
	Second Separate Division Naval Militia, New York, for dues .....	8.10
May 25.	To Fifth Division Naval Militia, California, for dues .....	6.50
June 7.	To Connecticut Naval Militia, for dues .....	19.30
June 10.	To Third Division Naval Militia, California, for dues .....	5.50
	First Battalion Naval Reserves, New Jersey, for dues .....	19.70
June 15.	To Maryland Naval Militia, for dues .....	21.00
July 12.	To Michigan Naval Militia, for dues .....	23.00
		<hr/>
		302.61

CR.

1902.		
Jan. 7.	By check to Erik Nelson, for expenses of special meeting of December 7 and 8, 1901 .....	\$61.35
May 22.	By exchange .....	.13
June 9.	By No. 2, Price & Robertson, print .....	10.00
June 11.	By exchange .....	.10
	postage .....	.50
July 15.	By exchange .....	.20
	No. 3, D. R. Fallon, expenses of annual meeting .....	127.75
	No. 4, M. M. Stewart, stenographer .....	5.00
	S. E. G. Willard, secretary, postage .....	3.00
Oct. 27.	By No. 6, Jas. E. Wilkinson, stenographic report of annual meeting .....	82.00
1903.		
Dec 31.	By balance .....	12.58
		<hr/>
		302.61

January 14, 1904.

Approved:

FREDERICK L. AVERILL,  
F. VAN VLECK,  
*Auditing Committee.*

Commander AVERILL. Mr. President, we have audited the report of the treasurer, and find it to be correct.

It was moved and seconded that the report of the treasurer be adopted as submitted.

The motion was agreed to.

The PRESIDENT. The next order of business is "Reports of special committees." I believe Lieutenant Van Vleck was appointed on a special committee.

Lieutenant VAN VLECK. Mr. President, the committee on Naval Reserves in the States have, I believe, done no very active work, with the exception that, in Virginia, we tried to resuscitate the Naval Reserves. I was located for six months at Newport News, and while there a large number of young men connected with a large works in that city were very desirous of forming at least two divisions in the Naval Reserves. They were very enthusiastic about it, and we opened negotiations with the adjutant-general of the State of Virginia.

After an unusual delay we got a reply which was rather unsatisfactory. We then wrote for more specific reasons as to why the condition of things was as he indicated, and he then replied in a very curt letter that the State of Virginia could do nothing toward a Naval Militia until the Navy of the United States took an entirely different stand in regard to it. We then made further inquiry and found that the old Naval Militia of Virginia had fallen into hard lines at Norfolk, and on turning over the property which they had to the Navy Department, the Navy Department took occasion to score the adjutant-general very severely, and he had not recovered from it. He in return had vowed that there should be no Naval Militia in that State while he held office, and, although he did not put that in his letter, that was the condition of affairs.

That rather discouraged me on this line. I wrote to my own commander in California in reference to the resuscitation of the Oregon Reserve, and he, although much in favor of it, said that he hardly thought it was advisable at this stage to do anything looking to the starting of new Naval Militias in other States, or to resuscitating those that had lapsed until something definite had been done about the organization, or until the passage of some definite and satisfactory National Naval Reserve law. That being so, nothing further was done in that respect, so far as I am concerned.

It was moved and seconded that the report of the chairman of the committee on the organization of Naval Reserves be accepted and placed on file.

The motion was agreed to.

The PRESIDENT. The next order of business is "Reading of communications."

The SECRETARY. There are no communications to read.

The PRESIDENT. The next business in order is "Unfinished business."

I suppose this bill would be unfinished business. Is it the pleasure of the association that I appoint a committee now to consider this matter?

Commander IRVING. I move that a committee be appointed for that purpose.

Lieutenant-Commander FRY. In that connection, is it intended to consider both of these bills simultaneously? Would it not be better to consider first the bill to establish the Naval Militia and define its relations to the General Government, and to take up subsequently, if desired, the bill for the enrollment and organization of a National Naval Reserve? Is it wise to confuse these two matters? I think they should be separately considered.

Captain AVERILL. Mr. President, I believe thoroughly in the idea expressed by Commander Fry. I believe that we should first take up the bill for the organization of a Naval Militia and defining its relations to the General Government, and dispose of the other measure afterwards.

Lieutenant-Commander FRY. In order that the matter may be clearly brought before the meeting, I move that the association proceed to the consideration of these two bills separately; first, that they consider the bill "to establish a Naval Militia and define its relations to the General Government," and subsequently, if desired, to take up for consideration the bill to provide for the enrollment and organization of a United States Naval Reserve.

The PRESIDENT. Do you want to have one committee consider both measures?

Lieutenant-Commander FRY. I am only trying to avoid confusion with reference to these two subjects. Perhaps two committees might facilitate the matter, because two committees could, perhaps, consider the subjects simultaneously.

Lieutenant-Commander USHER. They will have to be considered separately.

Captain MILLER. I move the appointment of a committee to consider, first, the Naval Militia bill.

Commander IRVING. I accept the amendment.

The motion, having been seconded, was agreed to.

The PRESIDENT. I appoint on that committee Captain Fry, of New York; Commander Averill, of Connecticut, and Lieutenant Bieber, of the District of Columbia, and, of course, Captain Usher, of the Regular Navy.

As has been already explained to you by Assistant Secretary Darling and Admiral Taylor, Lieutenant-Commander Usher is on that committee as the representative of the Navy Department, and the Navy Department will approve of anything he does. I want the committee to give that matter a great deal of weight, for we know that we have had several committees appointed and there have been several bills presented to this association, but they did not get the approval of the Department and, as I said before, here we are.

Lieutenant-Commander FRY. May I rise to what may be termed a question of privilege? We have a very important section of our naval work located in the Middle West and we have an important section located on the Pacific coast. May I venture to suggest to the chair the wisdom of appointing upon that committee a representative from the region of the Great Lakes, and a representative from the Pacific coast? I think the appointment of these two additional members will not make the committee unwieldy in size, and I think it only proper and fair that the Atlantic coast members should not predominate.

The PRESIDENT. I will add to that committee Commander King, of Illinois, and Lieutenant Van Vleck, of California.

Captain MILLER. Do I understand that this whole subject is to be referred to the committee and then referred back to the association, and that no discussion is to take place until after they have made their report?

The PRESIDENT. Yes.

Captain MILLER. Will the members of the association be permitted

to give to that committee, in writing, any ideas they may have in regard to the matter for their consideration?

The PRESIDENT. Certainly; anything and everything that will facilitate the action of that committee.

Captain MILLER. When do they go into session as a committee?

The PRESIDENT. They will go into session as a committee the very moment we return from the White House.

Captain MILLER. I simply want to inquire whether it would be better for us to discuss the subject now or to wait until they make their report. There are certain questions which many of us have in mind that are very important in reference to this law.

The PRESIDENT. If it is the pleasure of the association to discuss it before we go to the White House we can do so.

Captain MILLER. I think it would be better, if any members have views on this subject, that they should submit them in writing to the committee, so that they will be taken up and considered by the committee.

The PRESIDENT. If you will put that in the form of a motion I will entertain it with pleasure.

Captain MILLER. I move that if any members present, representing the different States, have any special or important views concerning what should be in these two bills that they present them to the committee in writing.

Commander IRVING. The meeting of the committee is open and anybody can appear before the committee and express whatever views he may have.

Captain MILLER. I think that will mean a long session, and it seems to me it would certainly be well to submit our views to the committee in writing.

The PRESIDENT. We adjourn in five minutes to go to the White House. Immediately upon our return we can go into a session and allow an hour or two hours for the discussion of this subject before the committee meets. Then the discussion would be closed.

The association at 12.15 o'clock p. m. took a recess until 2.30 o'clock p. m.

The association called upon the President of the United States by appointment, and the President addressed them as follows:

"GENTLEMEN: I have a peculiar interest in and I think I may say knowledge of the Naval Militia and the work that it has done. When I was Assistant Secretary of the Navy, the interests of the Naval Militia came peculiarly within my province. I am particularly glad to see you here, and I most earnestly hope that you will be able to harmonize any small differences of opinion among you and work for a common end. It is with the Naval Militia as it is with the National Guard generally. If they can decide definitely what they want and agree upon it, we can come pretty near putting their policy through, while if there is a disagreement it is an extremely difficult thing to obtain proper legislation or administration. It is not necessary for me to say to a body like this that the position of the United States as a great world power, and her ability to maintain with dignity and self-respect her position in the world at large, depend primarily upon the efficiency of her Navy, and that you, by the work you do in the Naval Militia, can contribute as no other body of civilians on land can possibly contribute to make that efficiency reach a high standard."

## AFTERNOON RECESS.

The association reassembled at the expiration of the recess, the president in the chair.

The PRESIDENT. The representatives of the District association have arranged for us to attend the theater to-night as their guests. I make this announcement so that those of you who will attend can indicate that fact.

We have now reached a point where the discussion of the bill is in order. It has been suggested by one of the gentlemen from New York who is on this committee that we take up this bill in open meeting, section by section, and any member who has anything to say upon the subject will have an opportunity to say it.

Do you not think, Captain Miller, that the resolution you spoke of would be applicable here?

Captain MILLER. Mr. President, I would like to move the following resolution:

Whereas at a general meeting of this association, duly called and held in Washington on January 14, 1904, resolutions were adopted concerning the bills before Congress, or which may be brought before Congress, relative to a Naval Militia and National Naval Reserve, and a committee was appointed to present to Congress the views of the Naval Militia in relation thereto; and

Whereas all matters connected with the above-mentioned subject should be presented to the authorities at Washington through said committee or through the governors or commanding officers of the Naval Militia of the various States: Therefore, be it

*Resolved*, That the authorities in Washington be requested to give consideration only to matters connected with the interests of the Naval Militia through said committee of this association or through the governors or senior officers of the Naval Militia of the various States or their accredited representatives.

We all know that the trouble in the past has been that certain naval militiamen, who were not members of our organization, have gone to their Congressmen and told them they did not want this thing. I think we all ought to abide by what we do, and we ought to see to it that everyone connected with any Naval Militia is bound by it as far as we are. Whether this is the time to present this resolution or not I do not know. This is an old resolution which was passed at the last meeting, and I think, when the time comes, we had better pass that resolution or one similar to it.

The PRESIDENT. I think the time to pass it is now, and that the resolution should go through. If it does go through, and if we draw up a bill that is satisfactory to this meeting and to the Navy Department, represented by Captain Usher, then these gentlemen will have no weight whatever. I speak feelingly on that subject, and I think the commanding officer of Pennsylvania can speak feelingly about it, as he has had some trouble with it. I think now is the time to pass that resolution.

Captain MILLER. I would like to add to that the following resolution:

*Resolved*, That the secretary of this meeting send copies thereof to all Naval Militias of the United States, with the request that they, as far as possible, prevent anyone in their command from taking any action except such as has been approved by this association at this meeting.

You will notice that the addition of this resolution is for the purpose of letting the Naval Militias who are not here know that we have passed these matters, and ask them to prevent such action as has been taken in the past.

It was moved and seconded that the resolutions be adopted.

The motion was unanimously agreed to.

The PRESIDENT. We have now come to the consideration of the bill introduced in the Senate by Senator Hale, chairman of the Committee on Naval Affairs, which is Senate bill No. 2990.

It has been suggested by a member of the committee from New York that we take up this bill by sections, and any gentleman who has anything to say about this subject will say it now, or else forever after hold his peace.

Captain MILLER. Before going into the details of the bill perhaps there is one point that it might be well to bring up here. It is probably known to all of you that the existence of a Naval Militia of the United States, so far as the United States Government is concerned, only obtains through the fact of an annual appropriation. There is nothing on the statute books, if I am correctly informed, showing that there is such a thing as a Naval Militia of the United States of America, except so far as the appropriation is concerned, and so far as the District of Columbia is concerned. Our main object in this meeting, irrespective of detail, is to get that fact acknowledged by statute, and we must keep that in view. If we seek to make any changes that will affect the Government, it is very important for us to keep that fact in our minds.

The PRESIDENT. The secretary will read section 1 of the bill.

The secretary read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That of the organized militia, as set forth in the act to promote the efficiency of the militia, and for other purposes, approved January twenty-first, nineteen hundred and three, such part of the same as each State may elect shall constitute a Naval Militia.*

It was moved and seconded that section 1 be adopted.

The motion was unanimously agreed to.

Captain MILLER. The "Act to promote the efficiency of the militia, and for other purposes," is the Dick bill, is it not?

Lieutenant-Commander USHER. Yes; it is so known.

Captain MILLER. Is there anything in that act which will conflict with the provisions of this law?

Lieutenant-Commander USHER. This gives all that is wanted for a Naval Militia. The Dick bill specifically provides that the citizens of the United States between the ages of 18 and 45, with certain exemptions, are to constitute the organized militia, or the National Guard of the States, Territories, and the District of Columbia, and the remainder the Reserve Militia.

I have a copy here of the so-called Dick bill. It was introduced by General Dick, and was a bill that was gotten up exactly as it is proposed to get up this bill; that is, with the advice of the various militia organizations throughout the United States. They had formal meetings and very carefully went over it, and they succeeded in passing it. It is a bill which goes much more into detail than it is proposed to do in the bills which will be laid before you now. There is, however, sufficient detail in the bills now presented to accomplish the purposes sought, leaving all other objects to the regulations of the Navy. The Secretary of the Navy will perform the same functions toward the Naval Militia that the Dick bill requires the Secretary of War to perform toward the militia of the various States.

Commander KING. It says here "That of the organized militia, such part of the same as each State may elect shall constitute a Naval Militia."

Does that mean that a State may elect any enlisted man in a land regiment on shore to serve in the Naval Militia?

The PRESIDENT. I imagine that applies to the Naval Militia now organized or to be organized.

Commander KING. It does not say so.

The PRESIDENT. I do not think the governor of any State would designate a first regiment or a second regiment to be a Naval Militia. The Naval Militia has to be formed as a Naval Militia in accordance with the requirements of the Navy Department.

Commander KING. Then the bill should be more explicit in that regard.

Lieutenant-Commander FRY. I think you will find that is practically covered by section 3. I would say, Mr. President, that this has already been thrashed out in connection with the Dick bill, and it was held that it was competent for the State to designate such part of its seafaring population as might be well suited to the naval service for the Naval Militia.

Lieutenant-Commander USHER. Yes; that is the intent of the bill, and these words were selected as the best to express the purpose.

Lieutenant-Commander FRY. I am a permanent officer of the board of Naval Militia of New York, and we thrashed out that Dick bill as applied to 15,000 men pretty thoroughly, and I think I know its provisions.

The PRESIDENT. I think this association is very fortunate in having your advice.

Captain MILLER. I think it is best for us to thresh it out now and get through with it. The Dick bill specifically states that certain people are exempt from militia service. Captain Fry is a more competent judge than I am as to just what that means.

It was moved and seconded that section 1 be adopted.

The motion was unanimously agreed to.

The PRESIDENT. The secretary will read section 2.

The secretary read as follows:

SEC. 2. That all sections of the said act which define the relations between the organized militia and the United States Government shall be applicable to the Naval Militia, as part of the organized militia of the several States, Territories, and the District of Columbia, and the duties therein named for the Secretary of War shall, so far as the Naval Militia is concerned, devolve upon the Secretary of the Navy.

It was moved and seconded that section 2 be adopted.

The motion was unanimously agreed to.

The PRESIDENT. The secretary will read section 3.

The secretary read as follows:

SEC. 3. That the Naval Militia should consist of seafaring men of whatever calling or occupation, and those engaged in the navigation of lakes and rivers, persons engaged in the construction and management of ships, shipowners, yacht owners, members of yacht clubs, and other associations of aquatic pursuits, also steam and electric engineers and artisans that can be employed afloat, and such others who may be deemed well adapted for this service.

Commander IRVING. In that section, in the first line, the word "should" is used instead of "shall."

Lieutenant-Commander USHER. I may explain that in discussion of the Naval Militia bill as presented last year, when section 3 was

reached, objection was made to the use of the word "shall" on the ground of interference with State rights, and that question at once came to the front. The meaning is practically the same.

The PRESIDENT. When was that discussion?

Lieutenant-Commander USHER. It was on the 24th of January last year. Unfortunately it was a short session, and that was the last chance for the bill. Probably it would have gone through if that objection had not been made. It was thought that it was going too far to state who "shall" constitute the Naval Militia. However, section 3, taken in connection with section 1, makes it plain that it means such part of the organized militia as each State may elect to constitute a Naval Militia.

Captain MILLER. In the Dick bill you will notice that pilots and mariners actually employed in the sea service of any citizen or merchant within the United States shall be exempt from militia duty; whereas, in section 3 of our bill, they are the very men who are going to constitute the Naval Militia. Was that subject thought of?

Lieutenant-Commander USHER. Yes; and the language covers those men.

Captain MILLER. But according to the law of the country you can not get them into the service as they are exempt.

Lieutenant-Commander USHER. Election is the basis of this service, and not conscription.

Captain MILLER. You do not think that would make any difference?

Lieutenant-Commander USHER. No, sir; that is covered by the wording used.

Captain MILLER. In the Dick bill they are exempt. They are exempt also in this bill, because they need not serve in the Naval Militia unless they want to.

Lieutenant-Commander USHER. That is true; they need not serve. The basis of this is election and not conscription.

Captain MILLER. This is a voluntary service.

Lieutenant-Commander USHER. It is a voluntary service. This is not an objection but it is an advantage. It raises the Naval Militia distinctly above the land militia. In the land militia all able-bodied people, except those specially exempt in terms, are the remainder or the reserve militia of the United States, and the class exempted are seafaring men, pilots and others, and men in the service of the Government.

It was moved and seconded that section 3 be adopted.

The motion was unanimously agreed to.

The PRESIDENT. The secretary will read section 4.

The secretary read as follows:

SEC. 4. That the Secretary of the Navy be, and he is hereby, authorized and empowered, upon the request of the governor of any State or Territory, or of the commanding general of the District of Columbia, having an organized Naval Militia, to appoint an officer or officers to inspect, instruct, examine, and train such Naval Militia at such times and places as may be appointed by any of said governors, or general commanding, and also for the purpose of formulating standard regulations for the organization, discipline, training, armament, and equipment of said Naval Militia, and for the professional examination of the officers, petty officers, and men composing the same, with a view to producing uniformity among the Naval Militia of the various States and assimilating them to the standard of the United States Navy.

It was moved and seconded that section 4 be adopted.

The motion was unanimously agreed to.

Lieutenant-Commander MITCHESON. Mr. President, I notice that this provides for the appointing of an officer to inspect the militia at such place as the governor of the State may elect. I would like to ask Lieutenant-Commander Usher if the subject of taking the militia out of their own jurisdiction was considered in framing this bill. It has always been rather a nice question as to the authority to take State militia outside of their own jurisdiction.

Lieutenant-Commander USHER. It was understood that the naming of the place by the governor of the State would cover whatever place he might select, so that if the governor of an inland State should elect that the militia should be transported to the seaboard for the purpose of exercise and training, it would be possible to do so under this bill.

The secretary will read section 5.

The secretary read as follows:

SEC. 5. That the Naval Militia when called into the actual service of the United States shall be governed by the same rules and articles as the Regular Navy.

Lieutenant BIEBER. Mr. President, I move to strike out in this section the words "when called into the actual service of the United States," so that it will read, "That the Naval Militia shall be governed by the same rules and articles as the Regular Navy."

The PRESIDENT. I think the idea has been advanced by Captain Fry that, by the adoption of that section, as suggested by you, States rights would be interfered with. I will call upon Mr. Fry to make himself plain on that point.

Lieutenant-Commander FRY. I do not want to again refer to the Dick bill, but if you will bear with me I will do so, because, serving on this board in New York as I have during the past seven months, the whole question with reference to the Dick bill has been very thoroughly discussed. You all know the size of the National Guard in New York, and the enormous expenditures made by the State in armories, camp grounds, etc. The Dick bill presented a good many alleged difficulties in regard to these matters, and it may not be out of place to say a word about the matter to those who may apprehend similar difficulties in such legislation as this.

One of the things brought up against the Dick bill by the colonel of the largest regiment in New York, the Thirteenth Regiment, was, that he had certain additional officers under the State Code, and there would be no place for these additional officers if they were mustered into the United States service. There are two-company, three-company, and eight-company regiments in the State, and the colonels of those companies complained that they would be shut out altogether, with their entire staff, because the United States recognized only twelve-company regiments. That difficulty has been met by the interpretation which the War Department has placed upon the statute.

It became apparent, also, that where the United States attempted to prescribe what lawyers call extra-judicial duties, that is where they required certain extra qualifications, that probably the Dick bill, or the interpretation of it by the War Department, would be unconstitutional.

In this particular case, when you enlist a man to serve in the militia of any State, it is true he does take the oath of allegiance to the United States; but, on the other hand, he is guaranteed certain privileges under the State constitution, and the maximum penalty for certain offenses is fixed either by the constitution of the State or by law.

I have, however, every possible sympathy with my friend from the District; but I do not want to advocate anything that is sure to be opposed in Congress. This legislation, judging by the debates of last winter, is going to be almost unanimously opposed by the South, and we do not want to introduce sectionalism in the militia. If we attempt to strengthen the national grasp upon the militia, as a whole, we will get a great deal of opposition from some of the western States which have small militias, which are strong in influence, however, and opposition from almost all of the southern States.

I would like an expression of opinion from Lieutenant-Commander Usher on this point.

Lieutenant-Commander USHER. When we considered this subject it was considered better that the standard regulations made by the States should apply to the Naval Militia until it is called into the actual service of the United States. The one exception is the District of Columbia.

Lieutenant-Commander FRY. Do you agree with me that it would be hazardous to strike out these words?

Lieutenant-Commander USHER. My opinion is the same as yours in regard to that matter. I very much fear that anything broader than what is set forth in the bill will be impossible to secure in legislation.

It was moved and seconded that section 5 be adopted.

The motion was agreed to.

Lieutenant-Commander FRY. Apparently the District of Columbia is the only active organization that is absolutely under the command of a military officer. Is there any possible way of getting rid of that situation as regards the District?

Lieutenant-Commander USHER. I think that condition would have to be met by a separate bill. I do not think a section in this bill would be sufficient to accomplish the purpose, desirable as that purpose is.

Lieutenant BIEBER. Is there any section in this bill that will vest the authority over us in the Secretary of the Navy?

Lieutenant-Commander USHER. Section 2 defines the relation between the organized militia and the United States Government, and vests in the Secretary of the Navy the duty of formulating regulations, but it would seem that in the case of the District, there being no governor, the senior military officer would act in his place. There is no adjutant-general, as I understand it, in the District of Columbia, but there is an officer commanding the militia forces. My opinion would be that it would be necessary to have a separate bill, and that it would be wise to have one put in at this time. Would there be any objection to it?

Lieutenant BIEBER. There would be a great deal of objection.

Lieutenant-Commander FRY. The War Department would oppose it.

Lieutenant BIEBER. If we have to go in under the War Department, we can shift over and go in as a company of infantry.

Lieutenant-Commander USHER. Your contention is evidently a just one. In all other parts of the country there is a distinct separation by the terms of this bill, and it would seem that in the District there should be one also. I think a separate bill would be the best way to meet the difficulty.

Commander IRVING. After this bill goes through I do not think you would have very much trouble in having one passed to meet that condition of affairs.

Captain AVERILL. I think we had better pass this section as it is

printed, and if there is any difficulty arising in working it out it may be corrected in the future. I do not think we ought to make any changes in the bill unless there are very grave reasons for it.

Lieutenant BIEBER. I withdraw my motion to strike out these words. It was moved and seconded that section 5 be adopted.

The motion was unanimously agreed to.

The PRESIDENT. Before taking up section 6 I would like to ask if you think some provision should be introduced into this bill giving some latitude, if I may so call it, to the officers who have been in the service of the Naval Militia for the past five or ten years. Should they be required to go up and stand these examinations when they have already stood examinations and have been in the service or have been in the Naval Militia for five or ten years, as the case may be?

Captain MILLER. It is not a mandatory examination. It depends on whether the governors ask to have such an examination held.

Lieutenant-Commander FRY. As I understand it, this permits an examination to be made upon the request of the governor of the State, and it simply means such examinations as have heretofore been conducted, not for the purpose of determining the rating or qualifications of an officer, but simply in order that the competency or incompetency of men may be known to the Navy Department.

Lieutenant-Commander USHER. That is exactly the intent and purpose of these words. The last part of the section expresses that idea. It says, "with a view to producing uniformity among the Naval Militia of the various States and assimilating them to the standard of the United States Navy."

Commander IRVING. I would like to call attention to the fact that section 4 has already been passed unanimously, and therefore this discussion is out of order. In addition to that, if we are at this late day going to object to any examination that may be given to us, it looks to me as if we are going to "queer" ourselves, and say that we are holding down positions we are not competent to fill.

The PRESIDENT. I think you misunderstand my suggestion. I am well aware of the fact that section 4 has been adopted unanimously, but I ask the association, before taking up section 6, whether some section should not be injected into this bill to provide for those officers who have served faithfully during the past five years without putting them through a course of sprouts, so to speak.

Captain MILLER. It seems to me that the whole object of this meeting is to provide means whereby the Naval Militia can get as close to the standard of the Navy as is possible. I take it that the United States Government has no right to tell the States what they should do; but if they give them money and call them into the service of the United States, then the militia should be prepared to get on a navy basis as soon as possible, and in order to get that this bill is to be put through Congress, so that we may get upon a naval basis as soon as possible. If we get into the service of the Government in time of war, the Government might say: You gentlemen have not had any examinations and we do not know anything about you. It is to our interest to have sufficient examination to keep the standard of the Naval Militia very high. We want to know where we stand.

At the outbreak of the war there were some organizations that called themselves Naval Militia, and they knew nothing. They never had had any experience and they gave a black eye to some who had had a

great deal of experience. They did the best they could, but they were not Naval Militia organizations. I think this matter is very carefully covered in this bill and I think it had better stand where it is.

The PRESIDENT. I have been during the past year importuned by several States to tell them exactly what the Naval Militia bill would provide for, and I have tried to explain it to them. The question has arisen: What do we, who have been in the Naval Militia for five years, get? Have we got to go up to the Navy Department and stand an examination after we have served five years, after we have been on ships with them, and gotten good reports from our commanding officers? Have we got to submit to another examination formulated by the Secretary of the Navy?

Captain MILLER. An examination for what?

The PRESIDENT. For proficiency.

Captain MILLER. In what service?

The PRESIDENT. In the naval service.

Lieutenant-Commander MITCHESON. That would be pertinent if we were discussing bill 2991, but it is not if we are discussing bill 2990, because, as I understand it, this bill is to put the Naval Militia on a similar basis to the National Guard. The idea is that the Department, by making suggestions to the governors of the different States, would assist the Naval Militia to become somewhat standardized, and those governors who did not act upon the suggestions of the Navy Department would not have the advantages that this bill would give them in the way of equipment, and so forth. As I understand the matter, I do not think it is the intention of the Department to ask officers to pass examinations any more than it is the intention of the War Department to ask the colonels of the various regiments to pass examinations. They are trying to get them organized along the same lines and to give them the same kind of training, and, under this bill, the intention is to carry out the same things they have been doing for a long time, that is, to take us off in ships in the summer time and give us a course of instruction and a course of training.

Lieutenant-Commander USHER. In the consideration of the bill by the Navy Department there is no intention, except where specially requested, to examine officers of the Naval Militia.

The PRESIDENT. If there is no further discussion in regard to this matter, the secretary will read section 6.

The secretary read as follows:

SEC. 6. That such appropriations as may from time to time be made by the Congress for the benefit of the Naval Militia of the several States, Territories, and the District of Columbia shall be distributed between them according to equitable proportions, to be determined by the Secretary of the Navy, and applied, in his judgment, to the uses and necessities of each organization.

It was moved and seconded that section 6 be adopted.

Commander KING. In connection with the appropriations for existing Naval Militia organizations, I believe the appropriation is \$60,000. Assuming that other States come in, like Minnesota, which has organized a Naval Militia at Duluth, and Missouri, which has organized one at St. Louis, would they participate in this year's appropriation?

The PRESIDENT. They would not this year, but they would next year. The appropriation is allotted upon the returns made on January 1, to existing organizations. They would not come in until 1905, and then they would cut our appropriation down.

It was moved and seconded that section 6 be adopted.

The motion was unanimously agreed to.

Captain MILLER. May I ask, for information, whether there is any legal authority for the loaning of vessels to the States, or if it is only done by custom?

The PRESIDENT. It is by courtesy.

Lieutenant BIEBER. There is a law to that effect, but it does not say "serviceable vessels."

Lieutenant-Commander USHER. I think it is by authority of law.

Captain MILLER. We want to be very certain about that.

Lieutenant BIEBER. There is a law upon that subject, I know that, but it should have in it the words "serviceable vessels."

The PRESIDENT. The secretary will read section 7.

The secretary read as follows:

SEC. 7. That all laws and sections of laws conflicting with the provisions of this act are hereby repealed.

It was moved and seconded that section 7 be adopted.

The motion was unanimously agreed to.

The PRESIDENT. The secretary will read section 8.

The secretary read as follows:

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

It was moved and seconded that section 8 be adopted.

The motion was unanimously agreed to.

Lieutenant BIEBER. I move that the committee heretofore appointed to look into and revise this Naval Militia bill, which defines the relations of the Naval Militia to the Government, be dispensed with, and that the bill as a whole, which has just been taken up in sections, be adopted.

Lieutenant-Commander FRY. In order to keep the record straight I think it would be better to permit the committee to report that having sat with the body as committee of the whole the committee recommended to the favorable consideration of the Association of the Naval Militias of the United States Senate bill 2990, introduced by Mr. Hale, and entitled "A bill to establish a Naval Militia and define its relations to the General Government."

It was moved and seconded that the report of the committee as made by the chairman be adopted.

The motion was unanimously agreed to.

The PRESIDENT. There is another question I would like to bring before the association. Ought we not to ask for an increase of the appropriation in this bill?

Lieutenant-Commander FRY. In the bill itself?

The PRESIDENT. Yes, sir.

Lieutenant-Commander FRY. That would be illegal. You can not, in a bill establishing a permanent department, provide a specific sum of money for the maintenance of it. I believe I am personally held liable for \$300,000 worth of work I have contracted for at New York, because it was held that the transfer of my department upset all existing contracts.

The PRESIDENT. Should we introduce a new bill?

Lieutenant-Commander FRY. That should go into the appropriation bill. You can not graft an appropriation for a specific amount into a bill to maintain and establish a permanent department or bureau.

The PRESIDENT. Do you not think this association ought to request the Assistant Secretary to ask Congress to increase the appropriation?

Captain AVERILL. It strikes me, Mr. President, that the Assistant Secretary rather threw out a suggestion to that effect this morning, and perhaps he would like our ideas as to how much that appropriation should be.

The PRESIDENT. Unfortunately I did not hear the remarks of the Assistant Secretary this morning, and I would like to have this matter discussed for my information, if nothing more.

Captain AVERILL. If we could suggest to the Assistant Secretary of the Navy what we would consider to be a fair sum to be appropriated for this purpose, I think it would be all right.

The PRESIDENT. If we recommend to the Assistant Secretary a specific amount, that will be applied to the Naval Militia throughout the country, even those who are not members of this association.

Captain AVERILL. We have got to secure legislation for them as well as for ourselves. Any appropriation must necessarily be for the benefit of the Naval Militia of the country.

Lieutenant-Commander FRY. Would it be unbecoming to ask the Secretary to get a copy of the language of the act authorizing the expenditure of the appropriation? I believe we have all had experience which convinces us that we can not use this appropriation except for a comparatively few purposes. Some one must look out for it that the appropriation bill is sufficiently broad in its language to cover the purposes for which we desire to use the money. It has been ruled that the language of an appropriation bill limits the expenditure.

The PRESIDENT. Lieutenant Usher has just called my attention to a fact which I desire to present to you. In looking over the list of the allotments of the different States he finds that California has drawn practically nothing from the appropriation, and it is lying there idle; that Kentucky has drawn nothing; that the District of Columbia has drawn practically all; that Georgia has drawn practically nothing; that Illinois has drawn all, and is overdrawn; that Louisiana has drawn about one-half; that Maine has drawn nothing; that Maryland has drawn almost one-half—I am glad to know that, because I did not know it was there. I am generally called down by the Paymaster-General because I am drawing too much—that Massachusetts has drawn over one-half, and has an application for a part of the remainder; that Michigan has drawn only one-sixth; that New Jersey has drawn about half, and New York nothing.

Lieutenant-Commander USHER. I got that data from the office of the Paymaster-General.

Commander IRVING. There are contracts out in New Jersey that will take up the rest of our allotment.

The PRESIDENT. North Carolina has drawn nothing; Ohio has drawn one-half, and Pennsylvania nothing; Rhode Island has drawn about half; South Carolina has drawn nothing.

All of these gentlemen who are drawing nothing are depriving us who are drawing all we can get.

Captain MILLER. As I understand it, under this bill the Secretary of the Navy has the right to apportion it as he sees fit.

Lieutenant-Commander USHER. That will be the embarrassing question. You propose to ask for more money when you have not used up what you have.

Lieutenant-Commander FRY. There must be some error in those figures. I know that we drew \$1,300 worth of ammunition.

Lieutenant-Commander USHER. I got that information from the Paymaster-General's Office about three weeks ago.

Lieutenant-Commander BRUMMET. Mr. President, under the present policy of the Department you can get almost anything in the way of supplies except uniforms.

Captain AVERILL. I would like to ask if Lieutenant-Commander Usher knows whether we can draw specific sums of money and contract bills for the repairs of ships loaned to us.

The PRESIDENT. To repair unseaworthy ships?

Captain AVERILL. To make unseaworthy ships seaworthy.

Lieutenant-Commander USHER. I have only very meager information on that subject. But so far as I know I do not think that has been extended to the States.

Captain AVERILL. It is rather embarrassing when you have a ship loaned to you the tubes of which are all leaking and you can not get any money to repair it with.

Lieutenant-Commander USHER. I think that is the case now, and I think it is a subject that should be attended to.

Captain AVERILL. Our needs are greater in that respect than in any other respect, in my opinion. They gave us, for instance, a very beautiful brass howitzer, which we have never used. They also gave us the *Elfreda*. The State is very liberal to us in the way of maintaining the ship, but when the tubes become defective, or any considerable expense is necessary in the way of repairing the machinery, it seems to the State as if the Government ought to at least repair the ship. I have been met with the statement, when I asked for such allowances, that there was no appropriation, or that they had no funds in the Navy Department for that purpose. That is a very vital thing to us.

Lieutenant-Commander USHER. That is a matter that ought to be looked into. Vessels ought not to be permitted to go unrepaired for any length of time. That is a subject which will require special attention.

Lieutenant-Commander BRUMMET. The present appropriation covers the repairs of vessels loaned to the different States.

Lieutenant-Commander FRY. The Navy Department refused to approve an expenditure for new boilers in our vessel, and the State of New York furnished new boilers for it at an expense of \$8,000.

Lieutenant-Commander BRUMMET. Under the present appropriation act you can repair vessels if the Department authorizes it.

Lieutenant-Commander FRY. If there is money available for that purpose. It seems to me we ought to look after the language in the new appropriation bill.

Lieutenant-Commander USHER. The insertion of the proper language in the appropriation bill will remove any trouble whatever in that regard.

Lieutenant-Commander FRY. If, with the assistance of Lieutenant-Commander Usher, we suggest to the Navy Department carefully-prepared language for that appropriation bill, covering our needs and carrying a sufficient sum of money, it would seem as though our troubles were over.

The PRESIDENT. Do you want to take up the matter of preparing

the proper language to be used in this appropriation bill at the present time and get it out of the way, or do you now desire to go on with the discussion of Senate bill No. 2991?

Captain MILLER. That bill is entirely a governmental bill, and it rests entirely with the Navy Department as to what action they shall take. I understand that our province in connection with it is simply one of suggestion to the Navy Department. They desire us to take it up, as we are interested in our own organization and in the National Naval Reserves. But anything we may say here is simply in the way of suggestion to the Navy Department, and in the way of assisting them in every possible manner to broaden the Naval Militia into a National Naval Reserve, without hurting the organization of the Naval Militia in any way. It is an entirely different subject.

Lieutenant-Commander USHER. The Navy Department would be very glad to have the association take up and approve the bill as prepared. The bill, as you see it, is the result of deliberation for years, in which the Naval Militia officers took a full part, and in which their suggestions have been embodied. The terms of the bill have been restricted to what has been considered necessary, and as little legislation is called for as is consistent with the purposes in view.

Ensign CARMODY. I would like to ask Lieutenant-Commander Usher if an officer of the Naval Militia could hold a commission in the National Reserves. Would it affect his standing as a naval militiaman?

Lieutenant-Commander USHER. It would affect his standing to this extent: That being in the service of the United States he would not be entirely free in his service in the Naval Militia. It is intended that the Naval Reserve shall be in the service of the United States. If there should be a call for the Naval Reserves, an officer who was serving in a dual capacity in the Naval Reserve and in the Naval Militia, would be obliged to leave the Naval Militia and serve in the Naval Reserve. For that reason it has always been considered that to a certain extent the Naval Militia would serve as a feeder for the Naval Reserve, and that officers whose occupations or trades were such as to enable them to qualify in the Naval Reserve would pass into the reserve, at that time severing their connection with the Naval Militia.

Captain MILLER. I do not understand that it is mandatory that a man must leave the Naval Militia if he enters the Naval Reserve.

Lieutenant-Commander USHER. The bill does not make it mandatory to enter the Naval Reserve; it is only permissory.

Captain MILLER. On the other hand it would be a great source of strength to the Naval Militia of the country if a large percentage of the men in the militia came up to the requirements for the National Naval Reserve.

Lieutenant-Commander USHER. Yes.

Captain MILLER. As I understand it, if we have 50 men who came up for examination under the Naval Militia law, the Navy Department, under the authority which the Secretary of the Navy has to examine, could pass them as qualified for the Naval Reserve whether they joined it or not. That would help us a great deal, and it would apply to both officers and enlisted men. We went so far in our original bill as to put in a provision that these men could also join the National Naval Reserve, thus making it a source of strength and advantage to the Naval Militia. I do not see anything in this bill to prevent that.

Lieutenant-Commander USHER. There is nothing whatever to prevent it, except that when an officer passes into the Naval Reserve he is in the service of the United States, which I think would operate to separate his connection with the Naval Militia. It is in view now that the Naval Reserve might be called upon for their services, and if so, they must obey the call; but it is not desired that so strong an organization and so desirable an organization as the Naval Militia should suffer in consequence of a call for the reserve.

Commander KING. May I ask whether a call from the General Government would affect a Naval Reserve officer in connection with his business, except in time of war?

Lieutenant-Commander USHER. Not save in time of war.

Commander KING. What effect would it have in time of peace?

Lieutenant-Commander USHER. It has not been considered advisable to set forth the exact term. It is felt that there are many desirable officers and many desirable men who might not feel at liberty to enter the Naval Reserve if any fixed time were decided upon, whereas it is the intention of the Government to get the services of such men by not requiring any set number of days or months of service. One of the provisions of the bill enables them at their convenience to make a request, and enables the Secretary of the Navy to grant a request for training and a course of study such as may be available from the ships and stations of the Navy.

Lieutenant-Commander FRY. That we may clearly understand this matter, I would like to ask a question for information. As I understand Captain Usher, what the Secretary's Office desires us to do is to give this bill consideration and to give it our approval. They feel that it would be materially strengthened before Congress if it were approved and indorsed by this association.

Lieutenant-Commander USHER. That is the case.

Lieutenant-Commander FRY. And therefore if we can consistently approve it it will be a help to the Department, to the country, and to the service.

Lieutenant-Commander USHER. It will be a national service.

The PRESIDENT. The Chair will entertain a motion to refer the bill to a committee.

Commander KING. Why not take it up section by section, as we did the former act, and get the consensus of opinion of our members?

The PRESIDENT. The Chair sees no objection to that course.

The secretary will read section 1.

The secretary read as follows:

A BILL to provide for the enrollment and organization of a United States Naval Reserve.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for additional naval defense a United States Naval Reserve shall be enrolled from the able-bodied men who are or have been engaged in a seafaring life and such others who, in the opinion of the Navy Department, may be deemed well adapted for the service: *Provided,* That all such be citizens of the United States by birth or naturalization.

Captain MILLER. Mr. President, the enacting clause of that first section is much broader and much less verbose than anything that has ever been proposed before. It is a model of close writing. The question in my mind is whether it is not too broad.

The PRESIDENT. In what way?

Captain MILLER. It gives to the Secretary of the Navy authority,

as it should give, to let anyone into the National Naval Reserve he may see fit. It does not in any way restrict any citizen of the United States from becoming a part of it. Of course, I see a great objection to putting into a bill any qualifying clause saying who should or who should not be in the National Naval Reserve.

Whether it is pertinent to this section or not, there is one point to which I desire to call attention, and that is, if it can be done, there should be a provision that men who have given up years of their lives to seafaring work—

Lieutenant-Commander FRY. Look at section 6.

Captain MILLER. I did not see section 6. That is all I have to say on this subject.

It was moved and seconded that section 1 be approved.

The motion was unanimously agreed to.

The PRESIDENT. The secretary will read section 2.

The secretary read as follows:

SEC. 2. That enrollment in the Naval Reserve shall be for a period of five years, and shall be made in such manner as may be directed by the Secretary of the Navy, who is hereby empowered to make the necessary rules and regulations for the enrollment and discharge and for the organization and administration of the said Naval Reserve.

It was moved and seconded that section 2 be approved.

The motion was unanimously agreed to.

The PRESIDENT. The secretary will read section 3.

The secretary read as follows:

SEC. 3. That those enrolled in the Naval Reserve shall be regarded as in the service of the United States, and the President shall have power, at his discretion, to call into active service any or all of them in case of war or when war is imminent. When thus called into actual service the pay and emoluments of the Regular Navy shall be allowed in their several grades and ratings. Failure to serve when called shall be under the pains and penalties of desertion.

It was moved and seconded that section 3 be approved.

The motion was unanimously agreed to.

The PRESIDENT. The secretary will read section 4.

The secretary read as follows:

SEC. 4. That members of the Naval Reserve shall not be called into active service in time of peace, but they shall perform such duty in the form of annual drills, exercises, or courses of study as the Secretary of the Navy may determine, in which case they shall be subject to the same articles, rules and regulations, and penalties, and receive the same pay, allowances, and privileges as the officers and men of the Navy; but no such pay, allowances, or privileges shall be in excess of those for the period of duty actually performed by such officers and men.

Lieutenant-Commander FRY. In regard to this section I want to address myself particularly to Captain Usher. I want to ask whether it would not be well to allow to firemen, machinists, etc., a small annual retainer; for instance, to allow battalions having engineer divisions from \$100 to \$150 a year, to be paid as a small retainer to those men. That is my opinion, subject to the better judgment of Captain Usher.

Lieutenant-Commander USHER. The subject of retainers was very thoroughly discussed in the general board of the Navy, and it was thought that a section worded as this section is was better suited for the purpose. It is to be observed that while there is no period set forth in this section, it lies in the discretion of the Secretary of the Navy to direct drills, exercises, and courses of study. It was the

intent of the bill, and it is the intent of the regulations which shall govern when the reserve regulations are framed, that the time will cover the time that the Naval Reserve man shall have to devote for those purposes, and that his own volition shall enter largely into it; that there shall be only a minimum requirement, so far as the requirement of the Government goes. It was thought that would be best both for the men and for the Government. The subject of retainers was thoroughly discussed, and it was thought this section would act better than a retainer section.

Captain MILLER. Suppose a man is getting \$3 or \$4 a day at his trade, and he is taken away, during time of peace, for a week, and is only paid \$1.50 or \$2, which the Government pays.

Lieutenant-Commander USHER. He will receive pay at that rate, but if a course of study was prescribed by the Department he would be paid for that. These words were chosen very carefully. The bill says:

But they shall perform such duty in the form of annual drills, exercises, or courses of study as the Secretary of the Navy may determine, in which case they shall be subject to the same articles, rules and regulations, and penalties, and receive the same pay, allowances, and privileges, etc.

Captain MILLER. Then you could make the loss up to him by prescribing a course of study with a little extra pay?

Lieutenant-Commander USHER. Yes; that is what is intended. It was thought that a retainer would be a detriment rather than an advantage to the service. The question was carefully weighed and it was thought wiser to draw the section as it now stands.

Lieutenant-Commander FRY. It may be, so far as it affects officers; but I do not think it is with regard to enlisted men.

Captain MILLER. Suppose the Department or the Comptroller should not rule that way.

Lieutenant-Commander USHER. This places the matter in the hands of the Secretary of the Navy, and his order governs the Comptroller.

Commander MITCHESON. I would like to ask whether the Department has any definite idea as to the length of time it will require of each man, and whether a man entering the Naval Reserve service would have any guaranty that the regulation as to the amount of service required will not be increased during the time of his enrollment. It seems to me that uncertainty might have a deterring effect upon men who might be candidates for the service.

Lieutenant-Commander USHER. The interest of the Department is the interest of the men, which is the strongest safeguard they can have. This service is purely voluntary. It is the desire, as near as may be, to raise this reserve force among men who are accustomed to work on salt water. There are about 47,000 men who go to sea in salt-water ships. There is also a very considerable number who go to sea upon the Great Lakes. These men handle the same machinery, the same electrical machinery, the same steam machinery, and the same devices that are used in naval vessels. They are engaged in navigation, so that, aside from the purely technical naval duties, these people are now qualified to enter. There is another class which has been brought into existence. It has been by virtue of necessity that the Navy Department has been obliged to take in men from inland States as well as from the coast with the rating of landsmen for training and enlist them for four years.

The first period of the service of these men expired during the past

year, and their periods of service are now running out. These men have had a training on our ships, large and small, and on all stations. They have been an exceptionally good class of men, and a class hitherto unknown to any navy. They are men who have been educated in America, in our public schools. In so far as four years at sea could make them so, they have become a seafaring class. In many cases, however, so superior are the advantages of the shore that they leave the service, and there is need of some link, such as a Naval Reserve, to effectually prevent them from entirely severing their connection with the Government. It is the purpose to preserve, to some extent, the services of these men, especially those who go reluctantly into other occupations, and it is believed that a Naval Reserve will accomplish this purpose.

In considering the terms of the bill the retainer question was carefully considered.

The only other Naval Reserve in which the service is entirely voluntary is that of England. Continental navies have compulsory service, all of their details of service being under compulsion are arranged entirely from a governmental standpoint.

I may say that this bill is not the result of the thought of any one man or the thought of several men, but it is the result of the thought of boards and individuals, finally passed upon by the general board of the Navy and by it submitted to the Navy Department. It has been thought that as many protections as could consistently be brought forward have been brought forward in this bill, and that it was wiser to frame the bill as it has been framed, without a retainer, than with a retainer.

Commander MITCHESON. What you have said answers Lieutenant-Commander Fry's question, but it does not answer the question I asked you. It occurs to me that it might be well to incorporate into the bill a provision that the requirements of the service, as established by the regulations approved by the Secretary of the Navy at the time of the entry into the service, should not be increased during any man's period of enrollment; in other words, that if a man enlisted to-day he would not thereafter be required to serve two months in each year when, according to the regulations under which he enlisted, he would only be required to serve one month. A man ought to know, as far as possible, what the regulations will be for the five years he is going to serve.

Commander IRVING. That is covered by section 2 of the bill.

The Secretary of the Navy draws up the rules and regulations under which the men enroll, and if he enrolls under those regulations he is held for the performance of service and duty under those regulations. If they afterwards amend those regulations, he is not governed by them. He enlists under certain specific rules that are laid down by the Secretary of the Navy, and they can not change the term of his enlistment or the term of his service under them.

Commander MITCHESON. Is that your understanding?

Lieutenant-Commander USHER. No; but the answer I gave to your question was that the interests of the man and the interests of the Government were identical, and that the Government has as much interest in having the men contented as the man himself has, and they will be just as careful to avoid any harsh or undue requirements as the man

who enlists would wish them to be. This bill contemplates a naval force the like of which is not elsewhere and has never before existed.

Commander MITCHESON. Do you not think it would be well to put in a clause saying that no man should be required to serve more than the term required under the regulations at the time of his enlistment?

Lieutenant-Commander USHER. It was thought wiser not to do so.

Ensign CARMODY. It has occurred to me that this section may conflict with the provisions of Senate bill No. 2990. In other words, that we are subject to the same regulations as are provided for in the Dick militia bill. Under the Dick bill the militia of the country can be called out at any time and be paid for it. They can be ordered into camp or anywhere else, and they receive the same salary, and so forth, as in the Regular Army. According to Captain Usher the Naval Reserve may be partly composed of naval militiamen.

Lieutenant-Commander USHER. No; when they enter the reserve they sever their connection with the Naval Militia. They can not serve in a dual capacity.

Ensign CARMODY. I understood they could serve in both.

Lieutenant-Commander USHER. They can pass from the Naval Militia into the Naval Reserve.

Commander KING. Having qualified for the Naval Reserve, can they not remain in the Naval Militia?

Lieutenant-Commander USHER. Yes; they can qualify in the Naval Reserve and remain in the militia as long as they please.

It was moved and seconded that section 4 be approved.

The motion was unanimously agreed to.

At this point Captain Averill took the chair.

The CHAIRMAN. I am requested to read the following telegram:

FALL RIVER MASS., *January 14, 1904.*

EDWIN GEER,

*President Naval Militia Association, Willard Hotel, Washington, D. C.:*

Detained in Fall River. Will be with you Friday morning.

GEO. R. H. BUFFINTON.

Captain MILLER. As I understand it, under this bill, as it now stands, there is nothing to prevent a man in the Naval Militia from joining the Naval Reserve.

Lieutenant-Commander USHER. No; there is nothing to prevent him. He can do so if he chooses.

Captain MILLER. If John Smith comes to you from New York and says: "I want to join the National Naval Reserve," and you examine him and muster him in, you do not go behind that. He may belong to my battalion.

Lieutenant-Commander USHER. He may belong to your battalion, but he would be obliged to resign from it if he was called upon to do service with the Naval Reserve.

Captain MILLER. I would be very glad to have him do it. We want to see all of the militiamen possible qualified in the National Naval Reserve, and then, when a war comes, if the Naval Militia does not get in these men can go to the war.

Lieutenant-Commander USHER. The reason there was no stringent provision was in order to permit people to pass freely from the Naval Militia into the Naval Reserve. It has been necessary, to some extent, to depart from tradition in the framing of these bills. It is not thought

by all that what has occurred in the past is very likely to occur in the future. There will not always be such an antagonist as we have had in the late war. The Navy Department feels very strongly on that point. The naval militiaman, when he will be called into service in time of war, will be stationed on the inner line of the coast, which is likely to be a spirited line in the future. The duty of the Naval Militias will be well defined, and their use will not have to be sought for, but will be plainly evident. The same is true as to the use of the reserve. The uses decided upon by the Navy Department have been those uses which have been suggested chiefly at first by you gentlemen. There is nothing new in this. You know more about it than I do, as my connection has been entirely with the line of the Navy.

The ideas advanced by the officers of this association have been largely those that have governed the framing of these bills. Their views have been carefully weighed by the Department, and their words have been adopted by the Navy Department in many cases exactly as expressing the wants of the country. They have endeavored, in framing these bills, to formulate the ideas which had their origin largely among the officers of the Naval Militia of the various States. When the subject first came up a full search was made into the lines wherein the service of the militia must fall. It was found that they were properly engaged, almost from the beginning, in the defense of the inner line of coasts. The formation of the reserve is for the purpose of manning the additional vessels of war that are building for which crews are not provided in the permanent force appropriated for by Congress and to supply the additional men needed to swell the complements of the vessels actually in commission and for the purpose of replacing casualties.

That defines, so far as the Navy Department has been able to fix it, the province of the Naval Reserve.

Lieutenant-Commander FRY. Take this actual case. Suppose that I am able to, and do qualify, and am accepted as an engineer in the Naval Reserve, would the Navy Department then require me to resign my commission?

Lieutenant-Commander USHER. At present there is not in contemplation any such measure, but it is assumed that the call of the General Government would be first obeyed.

Lieutenant-Commander FRY. I think we can say that every man in this room has shown his readiness to serve the National Government instead of the State. I have consistently, for fourteen or fifteen years, advocated a Naval Reserve, but I think you will do a great deal of injury if you require the enlisted men or the officers of the State Naval Militias to resign their commissions.

Lieutenant-Commander USHER. You will see that is avoided in these bills.

Commander KING. If a man in the Naval Militia passes his examination and has a commission in the Naval Reserve, and as such is ordered on board any vessel of the Federal Government, when he is through with his service, can he return to his commission in the organization that he left?

Lieutenant-Commander USHER. That is a matter for the State to deal with. That subject is very carefully left out of these bills.

Lieutenant-Commander FRY. That is just what most of us did in the Spanish-American war.

The CHAIRMAN. The secretary will read section 5.

The secretary read as follows:

SEC. 5. That the total number of the Naval Reserve to be enrolled, including all grades and ratings, shall not exceed twenty thousand. Of these the commissioned officers shall not exceed the total number of six hundred, and shall consist of three classes: lieutenants, including line and engineers, not to exceed three hundred; lieutenants (junior grade), including line and engineers, not to exceed two hundred; ensigns, including line and engineers: *Provided*, That all commissioned officers of the Naval Reserve shall be appointed by the Secretary of the Navy: *And provided further*, That in time of war for extraordinary heroism in battle or for meritorious or distinguished services, the President may, upon recommendation of his commanding officer, advance any officer of the Naval Reserve not to exceed one grade for each such service up to and including the grade of commander.

Captain MILLER. I notice that under this organization the number of officers is limited. May I ask, Captain Usher, if it is intended to provide for officers such as paymasters and surgeons?

Lieutenant-Commander USHER. These bills, for the present, deal entirely and only with the executive branch. The subject of surgeons and paymasters was not taken up, as it was considered that a supply was in sight, and it would not be necessary to consider them now.

The CHAIRMAN. In time of war it would be easy to get paymasters and surgeons from the Naval Militias of the different States.

Lieutenant-Commander USHER. That subject was considered fully and it was not thought necessary to incorporate it into this measure.

Commander IRVING. In the case of trouble the Naval Militia, as I understand it, go as organizations.

Lieutenant-Commander USHER. It is understood that they would be called in as organizations, unless exceptions were made in the call.

Commander IRVING. Then if an officer of a Naval Militia organization stands the examination and is entered on the records of the Navy Department, and the word "qualified" entered opposite his name, he still remains a Naval Militia officer, and if his organization is called out he goes in with his organization and serves with his organization in whatever rank he may happen to hold at that time.

Lieutenant-Commander USHER. That is what is understood. In explanation of that it may be said that there is no divergence from the spirit of the militia bill. That is the spirit of the militia bill and that is the spirit of the Naval Reserve bill.

Commander IRVING. Will a captain in the Naval Militia hold the rank of captain?

Lieutenant-Commander USHER. If he brings with him what a captain in the National Guard brings with him—1,200 men.

Lieutenant VAN VLECK. It seems to me that this bill is intended to encourage a merchant marine. There are many officers in that service of great ability who would desire to take advantage of these provisions. But would, for instance, the captain of some great trans-Atlantic liner who would be willing to enlist in the Naval Reserve be willing to go in with only the rank of a lieutenant?

Lieutenant-Commander USHER. Yes, sir. In France wherever they take an auxiliary vessel into the service it is especially laid down that the captain and engineers of that ship shall go in with her, so that you are certain to have good men who know how to handle that vessel.

Captain MILLER. With what rank do they go in?

Lieutenant-Commander USHER. They go in with whatever rank the ship would give them. That is a case of compulsory service. In

making these provisions it was necessary to consider the other side of the case, where the service is voluntary.

Captain MILLER. Is there any way in which authority could be given to the Secretary of the Navy, if he saw fit, to provide for other officers in the way of paymasters and engineers? I speak of that for this reason: At the outbreak of a large war the Navy will go to the front. There are a great many men in civil life who are thoroughly conversant with figures and financial transactions who would make excellent paymasters. It seems to me it would be well to avoid a change in this law, and that it would be an advantage to have some words put in here, by which the Secretary of the Navy would have authority, if he so elected, to take in certain paymasters and surgeons.

Lieutenant-Commander USHER. That subject was brought up and considered, and it was thought wiser to make no provision for the staff in this bill.

Captain MILLER. At the outbreak of a large war it seems to me that these civilians would be the very men you would want.

The CHAIRMAN. They could be appointed in the regular way, as they are now.

Captain MILLER. That is, they could be detailed into this service?

Lieutenant-Commander USHER. Yes; this service is intended as a feeder to the Regular Navy.

Captain MILLER. Can men be detailed from the Regular Navy into this Naval Reserve?

Lieutenant-Commander USHER. No; not into the Naval Reserve. This is following what is expected to be the working of the bill. The country has been districted. There are 16 districts—3 on the Great Lakes, 2 on the Gulf, 8 on the Atlantic, and 3 on the Pacific, and the duty is assigned to a flag officer whose title is "Commandant of naval district." It is his duty, under the regulations of the Navy Department, to organize auxiliary forces, and those include the Naval Militia and the Naval Reserve. It is not likely that a ship entirely manned by Naval Reserves would be encountered; but on all armored ships there would be a certain number of Naval Reserve officers and a certain number of Naval Reserve men.

Lieutenant-Commander BRUMMET. A Naval Reserve man loses his identity the moment he is called upon?

Lieutenant-Commander USHER. No; because he is called upon for a certain period in war, and during that period he is a reserve officer on duty in the Navy, and is always an officer of the United States Government. While in the reserve he is in the service of the United States.

It was moved and seconded that section 5 be approved.

The motion was unanimously agreed to.

The CHAIRMAN. The Secretary will read section 6.

The Secretary read as follows:

SEC. 6. That all graduates of the Naval Academy who have honorably left the naval service; all officers, petty officers, and enlisted men who served in the United States Navy or in the Auxiliary Naval force during the war with Spain, and who received an honorable discharge therefrom; and officers and men who have served continuously for three years in the Naval Militia or in American seagoing or Great Lake vessels, shall, subject to examination, receive preference for appointment as officers and petty officers in the Naval Reserve.

Commander KING. In connection with those mentioned in this section who are eligible, I want to ask if a man who is holding a com-

mission as an officer of the Naval Militia and who is holding a commission in a foreign navy would be included?

Lieutenant-Commander USHER. It includes all citizens of the United States, by birth or naturalization; but he must pass his examination.

It was moved and seconded that section 6 be approved.

The motion was unanimously agreed to.

The CHAIRMAN. The secretary will read section 7.

The secretary read as follows:

SEC. 7. That any American vessel not a Government vessel, owned by American citizens and registered according to law, when commanded by a commissioned officer of the Naval Reserve and carrying not less than one-fourth the complement (including officers, but excluding stewards and messmen) of Naval Reserve, shall be known as a Naval Reserve vessel, and shall have the right to fly a distinctive pennant; that the color, shape, and size of such pennant and the manner of flying the same shall be prescribed by the Secretary of the Navy: *Provided*, That the exhibition of the said pennant or the distinctive flag or pennant of a Government vessel of war on any unauthorized vessel shall be considered a misdemeanor, and the master of the vessel shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars.

It was moved and seconded that section 7 be approved.

The motion was unanimously agreed to.

The CHAIRMAN. The secretary will read section 8.

The secretary read as follows:

SEC. 8. That officers of the Naval Reserve shall have their names so borne upon the Navy Register, and may, when serving on board of Naval Reserve vessels, wear the uniform to be prescribed by the Navy Department for the Naval Reserve: *Provided*, That the wearing of any of the prescribed uniforms of the Navy or of the Naval Reserve by an unauthorized person shall be considered a misdemeanor, and shall be punished by a fine of not less than five dollars nor more than one hundred dollars.

Lieutenant BIBER. I would like to ask Lieutenant-Commander Usher whether that interferes with the wearing of a proper uniform by the Naval Militia?

Lieutenant-Commander USHER. No; it is considered that the words "naval uniforms" includes that of the Naval Militia.

Captain MILLER. Our uniform is not the same as the uniform of the Navy.

Lieutenant-Commander USHER. It is not the same, but it is a naval uniform. That is rather a broad construction of the word "naval." The intent was to prevent the wearing of naval uniforms by persons who are now taking to them, even more than in former years.

Lieutenant BIBER. The Naval Militia of the District of Columbia are wearing the same uniform that is prescribed for the Regular Navy.

Lieutenant-Commander USHER. But they are authorized persons. This says "unauthorized persons."

It was moved and seconded that section 8 be approved.

The motion was unanimously agreed to.

The CHAIRMAN. The secretary will read section 9.

The secretary read as follows:

SEC. 9. That all officers, petty officers, and enlisted men enrolled in the Naval Reserve shall be exempt from jury and militia duties.

It was moved and seconded that section 9 be approved.

The motion was unanimously agreed to.

The CHAIRMAN. The secretary will read section 10.

The secretary read as follows:

SEC. 10. That all persons who have been enrolled in the Naval Reserve for twenty years, and who have performed service to the satisfaction of the Navy Department, may, upon their own application, be admitted to the Sailors' Home under the same rules and regulations as men of the regular service.

It was moved and seconded that section 10 be approved.

The motion was unanimously agreed to.

Commander IRVING. Mr. Chairman, I would like to rise to a question of privilege. We have adopted section 9, but there is one thing in connection with it I want to ask, as I am not familiar with it. It says that all petty officers, etc., of the Naval Reserve shall be exempt from jury duty. Can a law passed by the Federal Congress exempt a man from serving on a petit jury when called in his own State?

Commander KING. At present I am exempt from jury duty in Chicago.

Commander IRVING. You are serving in a State force.

Lieutenant-Commander FRY. The Revised Statutes of the United States do cover Government employees, masters, pilots, and engineers of steam vessels. That has already been covered by statute, so that such action can be legally taken in this bill.

The CHAIRMAN. The secretary will read section 11.

The secretary read as follows:

SEC. 11. That the sum of two hundred thousand dollars is hereby appropriated for the purpose of paying the expenses incidental to the enrollment, training, and instructing of the United States Naval Reserve, and for the necessary publications required therefor, and for uniforming and equipping the officers and men enrolled in the said Naval Reserve, and otherwise carrying into operation the foregoing provisions of this act, and the same shall constitute a continuous annual appropriation, to be and remain available until expended, payable out of any moneys in the Treasury not otherwise appropriated, for the purpose of continuing and maintaining as above the United States Naval Reserve, the same to be expended under the direction of the Secretary of the Navy. The officers and men shall be paid, when on duty, from the "Pay of the Navy," and the cost of their transportation, from the regular annual appropriations for that purpose.

It was moved and seconded that section 11 be approved.

The motion was unanimously agreed to.

The CHAIRMAN. The secretary will read section 12.

The secretary read as follows:

SEC. 12. That this act shall take effect immediately.

It was moved and seconded that section 12 be approved.

The motion was unanimously agreed to.

The CHAIRMAN. We are now ready to hear the report of the committee.

Lieutenant-Commander FRY. I would respectfully report that the committee having sat with the committee of the whole, recommends that the approval of this association be given to Senate bill 2991, to provide for the enrollment and organization of a United States Naval Reserve.

Commander IRVING. I move the adoption of the report of the committee.

The motion was seconded, and was unanimously agreed to.

At this point the president resumed the chair.

The PRESIDENT. Is there any further unfinished business? If not, we will open under the head of new business. Under this head I think it would be proper to appoint a committee on the nomination of

officers of the association for the ensuing year, which committee will report to-morrow morning.

It was moved and seconded that the chair appoint a committee of three on the nomination of officers.

The motion was unanimously agreed to.

The PRESIDENT. I will appoint Commander Irving, Commander Simms, and Commander King on that committee.

Lieutenant-Commander FRY. Is this committee on legislation supposed to report to-morrow a suggested form of the alterations to be made in the annual appropriation bill?

The PRESIDENT. I so understood it; and I understood that that committee or some other committee should be a continuing committee, to consult, from time to time, with the Navy Department, and for the purpose of informing all Naval Militia organizations as to the action of this body.

Lieutenant-Commander FRY. I did not so understand it.

Captain MILLER. That is a very important committee to have.

The PRESIDENT. I simply throw that out as a suggestion, that that committee or some other committee ought to be continued.

Captain MILLER. I move that the gentlemen appointed as a committee on bills be also appointed a standing committee on legislation, to take all necessary action in connection therewith, by which I mean the passage of these bills, in consultation with the Navy Department, and also for the purpose of getting in touch with the various organizations throughout the country and sending them notice of the action we have taken, and how we have taken it, and asking their cooperation.

Lieutenant-Commander FRY. You are embarrassing the incoming administration. Perhaps it would be well to leave that until to-morrow morning, when the new officers are elected.

Captain MILLER. I move that a committee of three be appointed by the chair to take up the work I have mentioned.

The PRESIDENT. Why limit it to three? There is safety in a larger committee at this time.

Ensign CARMODY. I think the chairman used very good judgment this morning in selecting the committee, as I know that some of the members he named have been very energetic in bringing about this present proposed legislation. I think that as that committee have brought it up to this point a continuation of it would be a benefit to us all, and a benefit to this particular bill, as they have the matter in hand.

The PRESIDENT. Is there a motion before the association?

Lieutenant-Commander FRY. I have made the point of order that the matter could hardly be taken up now, as you are appointing a committee to act through the ensuing year and the chair should not embarrass the incoming administration by appointing a standing committee for the new year.

Captain MILLER. All I want to do is to bring this matter to the attention of the association. I will withdraw my motion, provided the secretary will make a note of it and bring it up to-morrow morning.

The PRESIDENT. If there is no further new business, a motion to adjourn is in order.

The association thereupon, at 5.50 o'clock p. m., adjourned until Friday, January 15, 1904, at 10 o'clock a. m.

## SECOND DAY.

## MORNING SESSION.

WASHINGTON, D. C., *January 15, 1904.*

The association met pursuant to adjournment at 10 o'clock a. m., the president in the chair.

The PRESIDENT. The chair will appoint Lieutenant Lewis to act as secretary pro tempore in the absence of the secretary.

We are now under the head of new business.

Captain MILLER. Mr. President, some of us have been thinking over and discussing the question of a closer relationship between the various Naval Militia organizations in the country. We find there are several of them who, during the past two years, have taken very little or no interest in this association. We think it would be a good idea if some action was taken by this association to-day to bring all the organizations, no matter what the past feeling may have been, in as members of this association, and to get them in closer touch with it. I think perhaps some of the far-away Naval Militias do not appreciate the work this organization has done in bringing to a happy issue and ending the bills we have before us and other matters. We want to be stronger throughout the country. We think the incoming administration of this association might send a strong letter, or take such steps as to them may seem best, to all the Naval Militias, so that we can get them in with us. The tax, per capita, is very small, and the expenses are trifling. We want to have a closer bond of union, and I am quite sure there is something this association can do to help the weaker organizations throughout the country.

The PRESIDENT. I hope the new administration will have more success in that line than I have had. There are several organizations which do not belong to our association, and I have written them at least half a dozen letters, trying to show them the advisability of coming into the organization. I received replies from some of them, and from others I have never heard. For instance, South Carolina and Georgia. It was not until this meeting that I heard from North Carolina. North Carolina was formerly in the organization, and then it replied, on one occasion, that it was not in the organization, and yesterday we had present one of the North Carolina delegates. I had somewhat the same experience with Rhode Island; but finally received a letter from Captain Sims day before yesterday saying that he would be here. I have tried for the last four years to get the District of Columbia, but they were hampered so that they could not get in. Illinois has written positively that this association could be of no benefit to them, and that they did not want to come in. Detroit wrote that their former commander belonged to the organization, but the new commander did not.

I just want to show you that the president has not been lax in his duty in trying to bring these organizations into the association.

Captain MILLER. I hope the president will understand that I made the suggestion I did with no idea of that kind in my mind. I have had some experience myself in the same line he mentions.

The PRESIDENT. There are some benefits to be derived from membership in this organization. I know of a certain Naval Militia that went

to the Secretary of the Navy and wanted something, and he said, "Who are you?" They said, "We are from such and such a place." He said, "Why, you do not belong to the Naval Militia Association. I was present at their meeting in Baltimore and I did not see you there." He told them they had better join the organization, and they joined.

Lieutenant BIEBER. What is the name of that organization?

The PRESIDENT. It was the District of Columbia.

CAPTAIN MILLER. I think this meeting will show what long-continued hammering will do when it is done by a set of men who are in earnest.

Lieutenant-Commander FRY. If we can afford it it would seem to me that if the minutes of this meeting could be printed, together with the speeches of the officers who have honored us with their presence, and the speech of the President of the United States, and showing the fact that we have come to an agreement on the legislation desired by the Navy Department, which is apparently approved by the President of the United States and by the Speaker of the House of Representatives, it would have an excellent moral effect in inducing all Naval Militias to become members of this association. In that connection I would like to ask Captain Usher whether or not the Secretary of the Navy would be willing to print a register of the Naval Militias of the United States, based upon the returns of January 1.

Lieutenant-Commander USHER. That is a new subject which I would be pleased to take up. It is something I hardly feel that I should answer offhand. I may say that this morning I had occasion to see the Assistant Secretary of the Navy, and advanced the subject of printing the proceedings of this meeting at the Government Printing Office, under the Assistant Secretary's office. He is now looking up the subject, and should it be possible to do so, under the regulations existing, he will do it. Otherwise, of course, he would be unable to have it done.

This is another new subject, and I will take it up with him with pleasure.

Lieutenant-Commander FRY. I would publish a register showing the names of the officers and a list of the enlisted men.

Lieutenant-Commander USHER. That may be a deeper subject than it looks at first blush.

The PRESIDENT. You do not mean to put it in the Naval Register?

Lieutenant-Commander FRY. No; to print a register for the Naval Militia.

Lieutenant-Commander BRUMMET. At one time they did publish a register of the men and officers of the Naval Militia.

Lieutenant-Commander FRY. I would give the form of the organization in each case, the number of men, their organization, whether brigade, battalion, or a separate division, and a register of the officers, and have it published annually. The information could be obtained from the returns made January 1, giving a reasonable time for the men and officers to forward the information to the Department. If that should be done, I think it would dignify the status of the Naval Militia throughout the country, and it would tend to solidify the organization as a whole throughout the United States.

Lieutenant-Commander USHER. There is such a list published by the War Department, and it is entitled a roster. I do not know whether the word "register" or "roster" would be preferable.

Lieutenant-Commander FRY. I do not see why it should not be called a register of the Naval Militia of the United States.

I move that the president of the association be requested to communicate with the Navy Department, through Lieutenant-Commander Usher, and request that the necessary steps be taken to compile and print a register containing such details with reference to the Naval Militia as he may see fit.

The motion was seconded and unanimously agreed to.

#### REPORT OF COMMITTEE ON NOMINATIONS.

The committee on nominations for officers of the association for the year 1904 reported as follows:

For president, Commander Edwin Geer, of Maryland.

For first vice-president, Capt. F. E. Darby, of Illinois.

For second vice-president, Lieut. Sidney Bieber, of the District of Columbia.

For secretary, Lieut. E. G. Willard, of Maryland.

For treasurer, Commander Washington Irving, of New Jersey.

THE PRESIDENT. Gentlemen, allow me to say that I think rotation in office is the best thing in the world for our association, because it stirs up interest in the work; and although I feel very grateful for the honor conferred upon me by the nominating committee, I think some other member of our association should be president. I think it would stir up interest and make us work. I admit that it has made me work, and I think it would do the association good.

Captain MILLER. I do not think the point made by our worthy president is at all well taken. In the first place, there is no man who has done more for the Naval Militia of the United States in the past years than Commander Geer. In the second place, it is exceedingly necessary for us, at the present juncture, to have a man of his ability, standing, and influence near Washington to look out for the important legislation now before Congress in connection with the Naval Militia. It is a very bad policy for us to swap horses while we are crossing the stream, and I hope that we will make him take back what he says.

Captain AVERILL. It seems to me that at this time, when everything looks so well for us, we ought not to change horses. At this time we want at the head of the organization a man who knows all that has gone before. We want a man of striking personality and persuasiveness, of good nature and diplomatic traits, who can see to it that we retain what we have gained. Seriously, we want Captain Geer to remain as president of this association, because he knows all that has gone before. He has helped to draw up many of these bills, which we hope will meet with a different fate from those that have gone before. If any question comes up, he will be ready to explain the difficulty and to render us assistance which no other man can render. I hope he will consent to serve us again.

THE PRESIDENT. Understand that I do not shirk the duty at all. I am only too glad if I can be of service to the organization. I have been in the Naval Militia since its inception, when we held our first meeting on board the old *New Hampshire*, and I see only three faces present who were at that meeting. I have never missed a meeting, and I am only too glad to do anything in the world I can for the association; but, as I said before, I think that the presidency should

go to some one else who would stir up more interest throughout the country. I would not be in favor of electing a president from the Pacific coast, because he is too far from base, but I think there are many men from the eastern section, whose faces are familiar here, who would make very excellent presidents.

I would like to have you withdraw my nomination for the presidency.

Commander SIMMS. It is impossible. The committee has not heard the remarks of the president.

It was moved and seconded that the nominations be closed, that the report of the nominating committee be accepted, and that the secretary be instructed to cast the ballot of the association for the officers named in the report.

The motion was unanimously agreed to.

The secretary cast the ballot and announced the result as follows:

For president, Commander Edwin Geer, of Maryland.

For first vice-president, Capt. F. E. Darby, of Illinois.

For second vice-president, Lieut. Sidney Bieber, of the District of Columbia.

For secretary, Lieut. E. G. Willard, of Maryland.

For treasurer, Commander Washington Irving, of New Jersey.

The PRESIDENT. Gentlemen, I thank you very much. I appreciate the honor conferred upon me for a third term, and I shall try to do all I can for the benefit of the association. [Applause.]

There is only one of the vice-presidents present you have not heard from, and that is Second Vice-President Bieber. I am sure he is full of enthusiasm and will be glad to address you.

LIEUTENANT BIEBER. Mr. President, and gentlemen of the association, I am not a speaker, and I hardly know what to say in response to your kind approval of my selection. I shall endeavor to further the interests of the Naval Militia Association of the United States, and will do whatever is in my power for it, either as an individual or member of the association. I will work for you day and night. [Applause.]

At this point Second Vice-President Bieber took the chair.

The CHAIRMAN. Is there anything further under the head of new business?

Lieutenant-Commander FRY. The committee appointed yesterday on legislation, etc., desire to report as follows:

#### REPORT OF COMMITTEE ON LEGISLATION.

The committee recommend that the Secretary of the Navy be requested to estimate, under the general appropriation bill, and specifically under the item known as "Arming and equipping the Naval Militia," as follows:

For arms, accouterments, signal outfits, boats and their equipment, repairs to vessels loaned to the States in accordance with law, and also the printing and purchase of the necessary books of instruction for the Naval Militia of the various States, under such regulations as the Secretary of the Navy may prescribe, one hundred and fifty thousand dollars.

If the report be adopted by this association it is desired that the president of the association transmit this request to the Secretary of the Navy, and, if necessary, that he be requested, with such other offi-

cials as he may designate, to appear before the Committee on Naval Affairs and the Committee on Appropriations, and give the reasons why this increased amount should be allowed.

It was moved and seconded that the report be adopted.

The motion was unanimously agreed to.

Commander IRVING. I move that the president of this association, and such other officials and persons as to him may seem suitable, be requested to communicate with the members of this association and others, and ask them to use their influence with their Senators and Congressmen, to the end that the bills which have been passed and approved here go through Congress at this session.

Captain MILLER. I would like to move to broaden that so as to have it include members of this association and members of all organized Naval Militias in the United States.

Commander IRVING. I accept the amendment.

The motion was seconded and agreed to.

At this point the president resumed the chair.

The PRESIDENT. Is there anything further under the head of new business?

I desire to state here that the Naval Battalion of the District of Columbia requests your presence at a banquet to be held in this hotel to-night at 8 o'clock.

I would now like to ask the treasurer when the last demands were made on the members of this association in the different States for the payment of their dues?

Commander IRVING. The bills were sent out last summer immediately after the last annual meeting.

The PRESIDENT. That was in 1902?

Commander IRVING. Yes; they would have gone out immediately after the annual meeting if we had held one last May; but the bills have been held up, waiting for the annual meeting. There has been nothing to pay out of the treasury, and no expenses incurred, and there is a small balance on hand. The bills will now go out immediately, and I presume we will get a larger proportion of them than we have hitherto.

The PRESIDENT. How large a committee on legislation is it your pleasure that I should appoint? Do you want a large, unwieldy committee, or a committee composed of one man? I have in my mind a man to make chairman of that committee, or to make the whole committee. I have known him for many years, and I have seen his work in legislative bodies. I am going to appoint him a committee of one to look after the interests of the Naval Militia Association of the United States in Washington, D. C. I speak of Second Vice-President Bieber, of the District of Columbia. Mr. Bieber is intimately acquainted with all the members of the House on both sides, and he has rendered me, in my little organization, a great deal of service. On one or two occasions I could not get hold of my Representative at Baltimore, and I wanted something done, and I had to get it done by writing to Bieber.

I therefore appoint Lieutenant Bieber as a committee of one to represent the Naval Militia Association of the United States at Washington.

Lieutenant BIEBER. I have nothing further to say than I have already said. Probably the results will be the best speech I can make.

My heart and soul is with the Naval Militia organizations, and has been since 1898, when Congress authorized the formation of a naval battalion in the District of Columbia. I would not like to make any direct promise as to the present bills before Congress, but I do not think they will go along for many more years without being adopted.

The PRESIDENT. You told me last night that you would have them through in two months.

Lieutenant BIEBER. I said in a month.

Captain MILLER. Before we adjourn it becomes my pleasure as well as my duty to offer a resolution which I think you will all cordially agree to. In behalf of the association I move that a vote of thanks be tendered to the officers of the District of Columbia Naval Militia for their hospitality and kind attention to us in every way during the time of our session in Washington, at this meeting. It has been a great pleasure to me, as one who has been associated with the Naval Militia for the period of twelve years, to meet my old friends here and to make new ones. It has been gratifying to me, as one of the originators of the Naval Militia, to make the acquaintance of new members, and especially the acquaintance of those gentlemen of the Navy whom we have met here, including my old friend Lieutenant-Commander Usher. He is heart and soul with us, in order to accomplish for us all that he legitimately can in connection with his duties to the Government. It has been especially pleasing to me to meet the gentlemen from the District of Columbia who have done so much for us.

I therefore move that a unanimous vote of thanks be tendered to the District Naval Militia for their hospitality, and that the vote be taken standing.

The motion was seconded and, upon a standing vote, was unanimously agreed to.

The PRESIDENT. There is one suggestion I desire to make to you. In writing to each other in the different States I think it would be advisable to address your letters to the commanding officer of the Naval Militia of the State at a certain place. There has been a good deal of confusion on account of mail being addressed to certain vessels. One gentleman tells me that after waiting for about two or three months he got a letter from some State addressed to the commanding officer on the U. S. S. *Wyandotte*, and the *Wyandotte* had not been there since before the war.

I think it would be a very good idea to address your letters to the commanding officer of the Naval Militia of any State you desire to communicate with, and it would be forwarded to him at once.

In regard to the next meeting, I think a suggestion which has been made, to leave it to the call of the chairman, is a good one; but I think we ought to have it understood that wherever we go we pay our own expenses. I would like to make Washington a sort of national meeting place. I think we can accomplish more here than anywhere else. I am sure all the different State organizations would be very glad to have us meet with them, and I know I speak for New York and Maryland, because we have met there, and we always met in each place twice, and always had a good time; but I think we accomplish more by coming here, where we are at the seat of the Government. I want it understood that we pay our own expenses wherever we go.

I think if you would allow the meeting to be called by the chairman it would be better than to fix any specified time, because, on one or two

occasions, when we wanted to meet at a specified time there was some special reason why we could not do so. Some very important member had an engagement that he could not possibly break, and we would have been without his important services.

If you will allow the chairman to take up these matters I think we will accomplish a great deal more and a great deal better work. This meeting was originally set for December before Congress took its recess. I did not think it was a proper time for the meeting, and I conferred with several members and they said they thought it would be better to postpone the meeting until later. I am sure we have had a fuller attendance by having it after the recess than we would have had if it had been before recess, and that we have accomplished more. I would be very glad if you would leave that question open.

Captain AVERILL. I would like to give notice of a motion to change the by-laws, which I suppose it is necessary should lay over.

I move that we change the date of the meeting from some time in May, as it is at present fixed, to some time in January, the meeting to be held at Washington, at such time as the president shall designate.

The PRESIDENT. Under the by-laws that will lay over until the next meeting.

Lieutenant-Commander FRY. Before we adjourn I would like to move that this association tender a vote of thanks to the Secretary of the Navy, to the Assistant Secretary of the Navy, to the Chief of the Bureau of Navigation, and to Lieutenant-Commander Usher for their interest in the deliberations of this association, for their assistance in strengthening and developing the Naval Militia, and for their attendance at our session.

I would like to tender a similar vote of thanks, as a separate measure, to the Speaker of the House of Representatives, to the chairman of the Committee on Naval Affairs, and to Mr. Dayton, a member of the House Committee on Naval Affairs, for their attendance here, for their interest and their proffered assistance in any proper legislation.

The two motions were seconded, and, upon a rising vote, were unanimously agreed to.

The PRESIDENT. I have just been informed of a little matter which I think would be of interest to a number of the commanding officers. In the past it has been very troublesome, if not impossible, for some of you, from the small appropriation that you get from your State, to get uniforms. The commanding officer of the District has just told me how it has been done and how it can be done. If you want your uniforms and want what money you would take from your annual appropriation for some other purpose, if you can get your adjutant-general to instruct the quartermaster-general of your State to apply to the War Department for so many uniforms out of that million-dollar appropriation, you can get them. The War Department then makes a requisition on the Navy Department for the stuff and it is delivered. I am going to take advantage of that myself, and thought probably some of you other gentlemen did not know about it.

Lieutenant-Commander MITCHESON. That does not come out of the \$60,000 appropriation?

The PRESIDENT. No; it comes out of the million dollar appropriation.

Lieutenant-Commander BRUMMET. That is the way the District get their uniforms, and I suppose the States can get them in the same way.

Captain BUFFINGTON. In Massachusetts the adjutant-general would

not ask for money out of that appropriation. Why would it not be better to get the Assistant Secretary to place uniforms on the list?

The PRESIDENT. I have tried that for two or three years, and it can not be done.

Captain BUFFINGTON. I have been in Washington several times to see the Secretary and the Assistant Secretary in order to get mattresses and hammocks for my men. The Assistant Secretary said that they did not issue them to the enlisted men. I showed him where they did issue them to enlisted men on other vessels, and he was given the name of the ship where the hammocks, mattresses, and mattress covers were furnished. He said that he could not make repairs to ships until the laws of Congress were changed. Now, that is simply a ruling of the Secretary of the Navy as to what can be issued by the Navy Department out of our several allotments. There is no reason why the Navy Department should not do the same as the War Department, and allow the adjutant-generals for the different States to draw uniforms as well as to allow them to draw other equipments, such as rifles, etc. I think if some one would take the matter up with the Secretary it could be fought out, and you could get your uniforms and equipments the same as the Army does for the regular land militia. It is simply a ruling of the Department, and there is no law on the subject.

The PRESIDENT. I am very much afraid that you overestimate our ability, because, as I tell you, I have been trying for three years to get clothing and have not succeeded.

Captain BUFFINGTON. Let us all try to get clothing and blankets, and let us all ask for whatever we need, and fight it out.

The PRESIDENT. The Paymaster-General, I understand, is opposed to it on the ground that it will complicate his accounts.

Captain BUFFINGTON. The Paymaster-General is opposed to issuing hammocks and mattress covers and mattresses, and has said that it would complicate his accounts, but if the Assistant Secretary said we should have them I think the accounts would be taken care of very easily.

Lieutenant-Commander FRY. It is suggested by the commanding officer of the District of Columbia that if we get this naval militia bill through our status will be exactly the same as the status of the land militia. It seems to me that if we are put in the status in which the Dick bill puts the land militia then the Navy Department can issue clothing.

Captain BUFFINGTON. They can issue anything that is necessary for the uniforming of the Naval Militia, and the reason that they did not issue uniforms was that in the beginning of the Naval Militia they would not allow any State to draw any portion of the allotment until they had provided a uniformed force. They put it up to the States to uniform the militia, and then said they would supply them with other equipment. The Navy Department did not propose to furnish the Naval Militia with everything, but they did propose that the State should do a certain share of it. The service has now been recognized for ten or twelve years, and it seems to me it is time for the Navy Department to act in the same way toward the Naval Militia that the War Department does toward the National Guard.

Lieutenant-Commander FRY. In view of the apparent importance of this matter, especially to the southern Naval Militia, I am going to

move a reconsideration of the vote taken here, so that this matter can come up for discussion. We recommended a certain form for the appropriation of the Navy Department. Yesterday we adopted, or rather recommended for adoption, a bill putting a naval militia on the same footing as the land militia. It may be argued by the Navy Department that as we had not put the word "clothing" into the appropriation bill, although we were, by this bill, put on the same footing as the land militia, yet there is in the appropriation bill a special item appropriating for clothing to equip the National Guard, whereas in the naval appropriation bill there is no such provision.

The PRESIDENT. I think that is a good point.

Lieutenant-Commander FRY. I think we had better reconsider the vote by which that provision was adopted, and recommend to the Secretary, and I am sure he will take no offense at it, to insert the word "clothing."

I therefore move, for the reasons stated, that we reconsider the vote by which we recommended to the honorable Secretary of the Navy certain language to be incorporated in the appropriation bill under the head of "Arming and equipping the national militia."

The motion was seconded and agreed to.

Lieutenant-Commander FRY. Now, Mr. President, I move that we submit to the honorable Secretary of the Navy, to be incorporated in the appropriation bill, under appropriation controlled by the Bureau of Navigation, and under the item for arming and equipping the Naval Militia, the following:

ARMING, EQUIPPING, AND CLOTHING THE NAVAL MILITIA.

For arms, accouterments, signal outfits, boats and their equipment, repairs to vessels loaned to the States in accordance with law, clothing, and also the printing and purchase of the necessary books of instruction for the Naval Militia of the various States and the District of Columbia, under such regulations as the Secretary of the Navy may prescribe, one hundred and fifty thousand dollars.

I have not moved to increase the amount, because I think it is more important to get an entering wedge to bring the Navy Department into the same spirit toward the Naval Militia that the War Department shows toward the Land Militia, and therefore I think the amount had better stand as it is.

It was moved and seconded that the motion be adopted.

The motion was agreed to.

The association thereupon adjourned, to meet at the call of the chairman.

[No. 109.]

H. R. 10137, NAVAL MILITIA, AND H. R. 10138, NAVAL RESERVE—  
STATEMENT OF COMMANDER N. R. USHER, U. S. NAVY, AND  
LIEUT. SIDNEY BIEBER.

COMMITTEE ON NAVAL AFFAIRS,  
*Tuesday, March 15, 1904.*

The committee met at 11 o'clock a. m., Hon. George E. Foss in the chair.

STATEMENT OF COMMANDER N. R. USHER, U. S. NAVY, ACCOMPANIED BY LIEUT. SIDNEY BIEBER, DISTRICT OF COLUMBIA NAVAL MILITIA.

The CHAIRMAN. We have a bill before the committee to establish a naval militia and define its relations to the General Government, which I will read:

A BILL to establish a Naval Militia and define its relations to the General Government.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That of the organized militia as set forth in the act to promote the efficiency of the militia, and for other purposes, approved January twenty-first, nineteen hundred and three, such part of the same as each State may elect shall constitute a Naval Militia.

Sec. 2. That all sections of the said act which define the relations between the organized militia and the United States Government shall be applicable to the Naval Militia as part of the organized militia of the several States, Territories, and the District of Columbia, and the duties therein named for the Secretary of War shall, so far as the Naval Militia is concerned, devolve upon the Secretary of the Navy.

Sec. 3. That the Naval Militia should consist of seafaring men of whatever calling or occupation, and those engaged in the navigation of lakes and rivers, persons engaged in the construction and management of ships, shipowners, yacht owners, members of yacht clubs, and other associations of aquatic pursuits; also steam and electric engineers and artisans that can be employed afloat, and such others who may be deemed well adapted for this service.

Sec. 4. That the Secretary of the Navy be, and he hereby is, authorized and empowered, upon the request of the governor of any State or Territory, or of the commanding general of the District of Columbia, having an organized Naval Militia, to appoint an officer or officers to inspect, instruct, examine, and train such Naval Militia at such times and places as may be appointed by any of said governors or general commanding, and also for the purpose of formulating standard regulations for the organization, discipline, training, armament, and equipment of said Naval Militia, and for the professional examination of the officers, petty officers, and men composing the same, with a view to producing uniformity among the Naval Militia of the various States and assimilating them to the standard of the United States Navy.

Sec. 5. The Naval Militia when called into the actual service of the United States shall be governed by the same rules and articles as the Regular Navy.

Sec. 6. That such appropriations as may from time to time be made by the Congress for the benefit of the Naval Militia of the several States, Territories, and the District of Columbia shall be distributed between them according to equitable proportions to be determined by the Secretary of the Navy and applied, in his judgment, to the uses and necessities of each organization.

Sec. 7. That all laws and sections of laws conflicting with the provisions of this Act are hereby repealed.

Sec. 8. That this Act shall take effect immediately.

Commander USHER. This bill is one that was presented to the House Naval Committee last year and partial consideration was given to it. It was taken up by officers detailed for the purpose at the Navy Department, and so far as any improvements could be made it was thought it had reached a stage, so far as the Navy Department was concerned, where it was ready for enactment into law, if Congress should consider it wise. Only one word was changed. That was in section 3 of the bill, where it said "That the Naval Militia shall consist," etc. There having been discussion of the matter, it was considered by the Navy Department that while it might be well to retain section 3 in order that there might be no question about the kind of people wanted, the word "shall" should be changed to "should."

The CHAIRMAN. I wish you would tell us, Commander, what has been your connection with the matter of Naval Militia, and also, for instance, tell us about the origin of this bill and what has been done by the Department and by the general board, or whether it meets with their approval.

Commander USHER. I am at present a commander in the Navy, and last November was detailed by the Department for the purpose of taking up the subject of the Naval Militia and also the subject of the Naval Reserve. This bill is the outcome of much consideration on the part of the Navy Department through the general board of the Navy. The general board of the Navy, through officers attached to it, is responsible for the form of wording.

The bill itself is an evolution of the opinions of the officers of the Navy Department as well as the men formerly of the Navy and at present connected with the militia, and men connected with the militia without a former connection with the Navy, and as near as possible, and in the simplest possible form fulfills what is considered the present requirement in the way of a naval militia. It is thought that this bill provides for the Naval Militia what the bill known as public act No. 33, "An act to promote the efficiency of the militia, and for other purposes," of January 21, 1903, the Dick bill, accomplishes for the militia of this country.

The bill having been put into this form was passed upon by the general board of the Navy, and, by the general board, recommended to the consideration of the Navy Department. The Secretary of the Navy considered it through officers and in person, and by him it was presented to the chairman of the House Naval Committee and to the chairman of the Senate Naval Committee as an expression of what was considered desirable on the part of the Navy Department.

In January of this year a meeting of the Naval Militia Association of the United States was called and met here in Washington, wherein the Naval Militia considered the bill line by line and section by section, and gave it their unanimous approval and consent, and they appointed a committee of one, an officer of the Naval Militia of the District of Columbia, Mr. Bieber, who is here present to represent and speak for them should occasion arise.

Mr. BUTLER. Wherein does this bill amend the act of January 21, 1903?

Commander USHER. It does not amend it.

Mr. BUTLER. It simply extends that bill to the Navy?

Mr. BIEBER. To the Naval Militia of the United States.

Mr. BUTLER. Including the District of Columbia?

Mr. BIEBER. Yes, sir.

Mr. BUTLER. The provision of law of January 21, 1903, as applied to the Army will be entirely acceptable to the Navy?

Commander USHER. Yes, sir; as nearly as possible, and it was hoped that nothing had been omitted.

Mr. BUTLER. This bill has been approved by those in authority who are capable of rendering wise judgment?

Commander USHER. Yes, sir; that is our information.

Mr. RIXEY. What provision of the law have we now for the Naval Militia?

The CHAIRMAN. The Naval Militia as constituted to-day is organized under State law. The only provision that we make for the Naval Militia is in the naval appropriation bill, where we appropriated \$60,000. That has been the usual amount each year. It is found on page 11 of the naval appropriation bill this year.

For arms, accouterments, signal outfits, boats and their equipment, repairs to vessels loaned to States in accordance with law, and the printing or purchase of the necessary books of instruction for the Naval Militia of the various States, under such regulations as the Secretary of the Navy may prescribe, \$60,000.

Mr. RIXEY. This bill simply provides for a central organization of the militia and an increase in the amount of the appropriation?

Commander USHER. There would be an increase for the reason that at present the States bear all the expenses except where a naval vessel is sent to a port, and also the cost of subsistence while under training is not borne by the Navy at present. They are purely State organizations, and at the request of the governor of a State in times past they have received certain training from the Navy Department.

Mr. RIXEY. What effect would this bill have on the State organizations—would it make those organizations necessary?

Commander USHER. No; not so. It would simply by form of law present them for the same benefits that the militia of the United States receive from the General Government. At present they are barred from that. This would give it to them. Under the Dick bill, by express form of words, these people are omitted.

The CHAIRMAN. The State militia would still be under the State law?

Commander USHER. Yes, sir; and at the request of the governor they would be taken up by the Navy Department.

The CHAIRMAN. I will read the first section:

That of the organized militia as set forth in the Act to promote the efficiency of the militia, and for other purposes, approved January twenty-first, nineteen hundred and three, such part of the same as each State may elect shall constitute a Naval Militia.

Mr. RIXEY. I understand that the bill approved in January, 1903, expressly excludes these same people?

Commander USHER. Yes, sir.

Mr. RIXEY. And you could not take any part of the militia provided for in the Dick bill and make it a Naval Militia?

Commander USHER. If the State should choose to take electricians or wireless telegraphy men or suitable men, that would be correct.

Mr. RIXEY. Suppose the State might elect some of its regiments composed of men not engaged in seafaring life?

Commander USHER. The answer to that would be that all the States have their own militia laws. They are not uniform, but they are of a similar character, and there is a code, which I have before me, corrected up to the year 1895.

Mr. RIXEY. There are plenty of States that have no coast and very few navigable rivers; still, such a State could elect to take a part of its militia and make it a Naval Militia and get the benefits of this act?

Commander USHER. Not without the law.

Mr. RIXEY. Under this section it seems to me they could.

Commander USHER. If the State so elected, yes, sir; but I do not think the governor of such a State would be likely to put himself in the position of forming a Naval Militia.

Mr. BIEBER. He could not do it without the State legislature passed an act.

Mr. BRANDEGEE. What is the purpose of the language in line 16 of section 4?

Commander USHER. The local organizations will be responsible for the discipline until the organization should, in case of trouble, be turned into the service of the Government.

Mr. BRANDEGEE. But what is the purpose of the language, "For the purpose of formulating standard regulations?" "Formulating" means simply to get them together.

Commander USHER. Yes, sir.

Mr. BRANDEGEE. And do anything with them after that?

Commander USHER. Simply to hand them over to the States.

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COMMITTEE ON NAVAL AFFAIRS,  
*Wednesday, March 16, 1904.*

The committee met at 11 o'clock a. m., Hon. George E. Foss in the chair.

**STATEMENT OF COMMANDER N. R. USHER, U. S. NAVY, ACCOMPANIED BY SIDNEY BIEBER—Continued.**

Mr. BRANDEGEE. Did the Navy Department get up a draft of this bill?

Commander USHER. Yes, sir.

Mr. BRANDEGEE. Was it drawn by Captain Lemly?

Commander USHER. The bill was written by the General Board, Captain Barnett, and some others, after considerable discussion.

Mr. BRANDEGEE. It was not drawn by a lawyer?

Commander USHER. No, sir; it was drawn by the General Board.

Mr. RIXEY. Was the attention of the General Board called to the fact that a number of the States have no means of having a naval militia—have no seacoast or any navigable rivers?

Commander USHER. Yes, sir; that was recognized.

Mr. RIXEY. The Dick bill says that every able-bodied man shall be a member of the militia?

Commander USHER. Yes, sir.

Mr. RIXEY. The first section of this bill says:

That of the organized militia as set forth in the act to promote the efficiency of the militia, and for other purposes, approved January 21, 1903, such part of the same as each State may elect shall constitute a Naval Militia.

Under that section the State of Nevada or the State of Colorado could have a Naval Militia?

Commander USHER. Yes, sir.

Mr. RIXEY. Each State has a militia provided in that act and the legislature could say, in order to get the benefit of this act, that one-half shall be known as the naval militia.

Commander USHER. They could do that under the Dick bill.

Mr. RIXEY. Under the first section of this bill? The first section is absolute in its terms?

Commander USHER. Yes, sir; quite so; but I mean to say that no part of the Government appropriation would be available except as determined by the Secretary of the Navy.

Mr. RIXEY. I think there should be some limitation on this provision so as to confine the provisions to the States that can furnish naval militia; otherwise they would insist that their men had the right to be transported to the seacoast in order to exercise and get practice.

Is there any reason why the Navy should have two bills, one for the naval militia and one for the naval reserve, whereas the Army only has one bill?

Commander USHER. Yes, sir.

Mr. RIXEY. You think there is good reason for it?

Commander USHER. Yes, sir; that is considered necessary. There is no way of putting it into one bill and getting it into such shape as to make it work.

Mr. RIXEY. This bill says "such part of the same as each State may elect shall constitute a Naval Militia." If the State said one-fourth should constitute the Naval Militia, would you take that one-fourth from the militia?

Commander USHER. Yes, sir.

Mr. RIXEY. Then you would amend the Dick bill in that respect, because the Dick bill says that every able-bodied citizen shall belong to the militia, and then you come along and say they can no longer be in the militia, but in the Naval Militia?

Commander USHER. Yes, sir.

Mr. RIXEY. Then when the State elects one-third to be in the Naval Militia, that reduces the number under the Dick bill to that extent?

Commander USHER. These people are in what is termed the reserve militia. They have not been taken up by the Dick bill.

Mr. WADE. What is the technical meaning of the word "militia?" Does the word have a limited meaning which applies only to the Army? If it does, all men are a part of the Army, either active or subject to call. Is it possible to construe the militia to include not only the persons affiliated with the Army, but also people who may be affiliated with the Navy?

Commander USHER. At present, yes; and it is to make this distinction, so that the Navy may receive the benefit of the volunteer service of the same kind of people. Otherwise they would be excluded.

The CHAIRMAN. In regard to section 6, how is the amount now determined?

Commander USHER. Notification is sent. Soon after the certificate of the governor is received, setting forth the organization, the number of officers and men, which is supposed to come in on the 1st of January. The State is then notified of what its pro rata of the \$60,000 is and it is authorized to draw against it in certain articles. The State is obliged to contribute certain things. The organized

militia under section 16 of the Dick Act gets considerably more supplies of this allotment than under the present naval law is allotted to the Naval Militia. For instance, there are the uniforms.

The CHAIRMAN. You distribute the \$60,000 which we appropriate in accordance with the number?

Commander USHER. The Navy Department credits the States on the books of the Navy Department, and they draw against that by formal requisition. They never see the money. They draw and the article required is sent to them and charged against their account. They never get any money. The State draws against the account for certain things that are admitted—equipment and munitions, etc. The Navy Department buys those articles and sends them to the State.

#### NAVAL RESERVE.

The CHAIRMAN. We will now take up the bill H. R. 10138—

To provide for the enrollment and organization of a United States Naval Reserve.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for additional naval defense a United States Naval Reserve shall be enrolled from the able-bodied men who are or have been engaged in a seafaring life and such others who, in the opinion of the Navy Department, may be deemed well adapted for the service: *Provided,* That all shall be citizens of the United States by birth or naturalization.

SEC. 2. That enrollment in the Naval Reserve shall be for a period of five years, and shall be made in such manner as may be directed by the Secretary of the Navy, who is hereby empowered to make the necessary rules and regulations for the enrollment and discharge and for the organization and administration of the said Naval Reserve.

SEC. 3. That those enrolled in the Naval Reserve shall be regarded as in the service of the United States, and the President shall have power, at his discretion, to call into active service any or all of them in case of war or when war is imminent. When thus called into active service the pay and emoluments of the Regular Navy shall be allowed in their several grades and ratings. Failure to serve when called shall be under the pains and penalties of desertion.

SEC. 4. That members of the Naval Reserve shall not be called into active service in time of peace, but they shall perform such duty, in the form of annual drills, exercises, or courses of study, as the Secretary of the Navy may determine, in which case they shall be subject to the same articles, rules and regulations, and penalties and receive the same pay, allowances, and privileges as the officers and men of the Navy, but no such pay, allowances, or privileges shall be in excess of those for the period of duty actually performed by such officers and men.

SEC. 5. That the total number of the Naval Reserve to be enrolled, including all grades and ratings, shall not exceed twenty thousand; of these the commissioned officers shall not exceed the total number of six hundred, and shall consist of three classes: Lieutenants, including line and engineers, not to exceed three hundred; lieutenants (junior grade), including line and engineers, not to exceed two hundred; ensigns, including line and engineers: *Provided,* That all commissioned officers of the Naval Reserve shall be appointed after successfully passing the examinations prescribed by the Secretary of the Navy: *And provided further,* That in time of war, for extraordinary heroism in battle or for meritorious or distinguished services, the President may, upon recommendation of his commanding officer, advance any officer of the Naval Reserve not to exceed one grade for each such service up to and including the grade of commander.

SEC. 6. That all graduates of the Naval Academy who have honorably left the naval service, all officers, petty officers, and enlisted men who served in the United States Navy or in the auxiliary naval force during the war with Spain and who received an honorable discharge therefrom, and officers and men who have served continuously for three years in the Naval Militia or on American seagoing or Great Lake vessels shall, subject to examination, receive preference for appointment as officers and petty officers in the Naval Reserve.

SEC. 7. That any American vessel, not a Government vessel, owned by American citizens and registered according to law, when commanded by a commissioned officer

of the Naval Reserve and carrying not less than one-fourth the complement (including officers, but excluding stewards and messmen) of Naval Reserve, shall be known as a Naval Reserve vessel and shall have the right to fly a distinctive pennant; that the color, shape, and size of such pennant, and the manner of flying the same, shall be prescribed by the Secretary of the Navy: *Provided*, That the exhibition of the said pennant or the distinctive flag or pennant of a Government vessel of war on any unauthorized vessel shall be considered a misdemeanor, and the master of the vessel shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars.

SEC. 8. That officers of the Naval Reserve shall have their names so borne upon the Navy Register, and may, when serving on board of Naval Reserve vessels, wear the uniform to be prescribed by the Navy Department for the Naval Reserve: *Provided*, That the wearing of any of the prescribed uniforms of the Navy or of the Naval Reserve by an unauthorized person shall be considered a misdemeanor and shall be punished by a fine of not less than five dollars nor more than one hundred dollars.

SEC. 9. That all officers, petty officers, and enlisted men enrolled in the Naval Reserve shall be exempt from jury and militia duties.

SEC. 10. That all persons who have been enrolled in the Naval Reserve for twenty years and who have performed service to the satisfaction of the Navy Department, may, upon their own application, be admitted to the Sailors' Home under the same rules and regulations as men of the regular service.

SEC. 11. That the sum of two hundred thousand dollars is hereby appropriated for the purpose of paying the expenses incidental to the enrollment, training, and instructing of the United States Naval Reserve, and for the necessary publications required therefor, and for uniforming and equipping the officers and men enrolled in the said Naval Reserve and otherwise carrying into operation the foregoing provisions of this Act, and the same shall constitute a continuous annual appropriation, to be and remain available until expended, payable out of any moneys in the Treasury not otherwise appropriated, for the purpose of continuing and maintaining, as above, the United States Naval Reserve, the same to be expended under the direction of the Secretary of the Navy. The officers and men shall be paid when on duty from the "Pay of the Navy," and the cost of their transportation from the regular annual appropriations for that purpose.

SEC. 12. That this Act shall take effect immediately.

The CHAIRMAN. I will read the first section:

That for additional naval defense a United States Naval Reserve shall be enrolled from the able-bodied men who are or have been engaged in a seafaring life and such others who, in the opinion of the Navy Department, may be deemed well adapted for the service: *Provided*, That all shall be citizens of the United States by birth or naturalization.

SEC. 2. That enrollment in the Naval Reserve shall be for a period of five years, and shall be made in such manner as may be directed by the Secretary of the Navy, who is hereby empowered to make the necessary rules and regulations for the enrollment and discharge and for the organization and administration of the said Naval Reserve.

MR. WADE. Does this contemplate a voluntary enrollment?

Commander USHER. Yes, sir; absolutely.

MR. MUDD. Why does it not say so?

Commander USHER. It was supposed that the word "enrollment" would suffice.

The CHAIRMAN. I will read section 3:

SEC. 3. That those enrolled in the Naval Reserve shall be regarded as in the service of the United States, and the President shall have power, at his discretion, to call into active service any or all of them in case of war or when war is imminent. When thus called into active service the pay and emoluments of the Regular Navy shall be allowed in their several grades and ratings. Failure to serve when called shall be under the pains and penalties of desertion.

MR. RIXEY. I think the penalty should be subject to the general law. You limit this to desertion, which is death.

The CHAIRMAN (reading):

SEC. 4. That members of the Naval Reserve shall not be called into active service in time of peace, but they shall perform such duty, in the form of annual drills, exer-

cises, or courses of study, as the Secretary of the Navy may determine, in which case they shall be subject to the same articles, rules and regulations, and penalties and receive the same pay, allowances, and privileges as the officers and men of the Navy, but no such pay, allowances, or privileges shall be in excess of those for the period of duty actually performed by such officers and men.

Commander USHER. It may be said here that the only other navy of which we have knowledge where service is voluntary is the English navy, and they have a system where they give an honorarium. After discussing it and talking it over it was decided not to have a retainer. It was thought that there will be enough officers and men without the retainer, so that is why the bill is not limited to the actual time, and it is the purpose of this bill, in order that it may be successful in bringing forward the men wanted, that the business of the men as well as the needs of the Navy Department could be consulted.

Thus it is intended that there shall be fourteen days training, and at the election of the man, provided he have a greater unemployed period, he can be taken under training for a longer time at his request. This is to allow the shorter period as the minimum to fulfill the requirement and also to pay him for a longer time should it be deemed advisable. It was thought the retainer had better be dropped out of our service. They have it in the English navy from the enlisted men up to the officers, but it may be remarked that the British system has not come up to their expectations or requirements.

The CHAIRMAN. How about France and Germany?

Commander USHER. They have naval reserves, and I think that in all countries except England the militia at sea as well as on land is compulsory, and consequently they have a larger number of men who have gone through training.

The CHAIRMAN. I will proceed to read section 5:

SEC. 5. That the total number of the Naval Reserve to be enrolled, including all grades and ratings, shall not exceed twenty thousand; of these the commissioned officers shall not exceed the total number of six hundred, and shall consist of three classes: Lieutenants, including line and engineers, not to exceed three hundred; lieutenants (junior grade), including line and engineers, not to exceed two hundred; ensigns, including line and engineers:

Mr. RIXEY. Where do you provide for commanders and captains?

Commander USHER. We do not provide them for this service.

Mr. RIXEY. Why do you not provide for them?

Commander USHER. The idea of the service is to man auxiliary ships which may be called in; second, to fill vacancies on vessels actually commissioned, and third, to replace casualties, and it is not considered that more officers will be needed. This is not an organization separate and distinct from the Navy.

Mr. RIXEY. I thought where you had a large body of men it was necessary to have officers all along the line.

Commander USHER. True; but with a small body under the Navy you do not need more than a lieutenant in command.

Mr. RIXEY. The naval officers are assigned to command?

Commander USHER. Yes, sir; and this is a reserve to fill up. Under this provision they could be all ensigns, but not more than 300 could be lieutenants and not more than 200 lieutenants of the junior grade, but you could have all ensigns.

The CHAIRMAN. About one-half would be lieutenants?

Commander USHER. They could not exceed that at any time. The policy of the Department would be to have them man the colliers, sea

tugs, patrol vessels, and dispatch vessels, and the auxiliary vessels of a fleet.

The CHAIRMAN (reading):

*Provided*, That all commissioned officers of the Naval Reserve shall be appointed after successfully passing the examinations prescribed by the Secretary of the Navy: *And provided further*, That in time of war, for extraordinary heroism in battle or for meritorious or distinguished services, the President may, upon recommendation of his commanding officer, advance any officer of the Naval Reserve not to exceed one grade for each such service up to and including the grade of commander.

Mr. RIXEY. Right there. He may be advanced to a commander, but you do not provide for the position of commander?

Commander USHER. This is a meritorious advancement.

Mr. RIXEY. You ought to advance him up to the position of first lieutenant. It seems to me that is the highest position that this bill provides for.

Commander USHER. Yes, sir; except for meritorious action in battle.

Mr. RIXEY. Why do you not provide for promotion up to first lieutenant; if you put him up to commander he is in the regular service?

Commander USHER. No, sir; in the Naval Reserve.

Mr. RIXEY. You do not provide for a commander?

Commander USHER. No, sir; except by implication. This is a new and untried field. This is all supposed to relate to time of war.

The CHAIRMAN (reading):

SEC. 6. That all graduates of the Naval Academy who have honorably left the naval service, all officers, petty officers, and enlisted men who served in the United States Navy or in the auxiliary naval force during the war with Spain and who received an honorable discharge therefrom, and officers and men who have served continuously for three years in the Naval Militia or on American seagoing or Great Lake vessels shall, subject to examination, receive preference for appointment as officers and petty officers in the Naval Reserve.

Mr. RIXEY. Why not leave it discretionary with the appointing power as to who should receive the appointment?

Mr. BIEBER. I think this is a very good section for the reason that you may have an appointing power who may not take as kindly as others do to a naval militia.

Mr. RIXEY. But you have to trust the appointing power?

Commander USHER. That would put the coastwise and deep-sea sailors on the same footing, so that there would be no discrimination.

Mr. RIXEY. I do not see any objection to leaving the whole section out and permitting the appointing power to select the officers.

Commander USHER. The principal reason on the part of the Navy was they were willing that the law should be specific in that regard, so that the Secretary would have a guidance on the part of the naval militia, and they wanted to give every desirable man a chance to get in.

The CHAIRMAN (reading):

SEC. 7. That any American vessel, not a Government vessel, owned by American citizens and registered according to law, when commanded by a commissioned officer of the Naval Reserve and carrying not less than one-fourth the complement (including officers, but excluding stewards and messmen) of Naval Reserve, shall be known as a Naval Reserve vessel and shall have the right to fly a distinctive pennant; that the color, shape, and size of such pennant, and the manner of flying the same, shall be prescribed by the Secretary of the Navy: *Provided*, That the exhibition of the said pennant or the distinctive flag or pennant of a Government vessel of war on any unauthorized vessel shall be considered a misdemeanor, and the master of the vessel shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars.

What is the object of that?

Commander USHER. That is to authorize merchant and other vessels to fly a pennant, which has always been considered an asset; that it adds to the attraction of the vessel.

The CHAIRMAN. What do you think about the penalty?

Commander USHER. That is to prevent the unauthorized flying of the flag; that will prevent it.

Mr. WADE. I do not know anything about this business; has this vessel rights, privileges, or immunities that do not pass to the ordinary merchantman?

Commander USHER. No, sir. The exhibition of the flag shows that it has a specially selected crew of officers and men, and that adds to her value as a passenger carrier. It means a good deal. It means more elsewhere than in this country, where we have no classes recognized.

The CHAIRMAN (reading):

SEC. 8. That officers of the Naval Reserve shall have their names so borne upon the Navy Register, and may, when serving on board of Naval Reserve vessels, wear the uniform to be prescribed by the Navy Department for the Naval Reserve: *Provided*, That the wearing of any of the prescribed uniforms of the Navy or of the Naval Reserve by an unauthorized person shall be considered a misdemeanor and shall be punished by a fine of not less than five dollars nor more than one hundred dollars.

Commander USHER. That authorizes the officers of the naval reserves referred to in the previous paragraph to wear the uniform.

The CHAIRMAN. Why do you say the uniform of the Navy?

Commander USHER. That is added to cover all the uniforms, so that a man could not say that he had a navy uniform and escape punishment. There is no difference in the uniform except that one is to have "N. R." on it. It is proposed that persons not entitled to wear the uniform shall not wear it, except in defiance of a penalty.

Mr. RIXEY. I do not think we ought to undertake, in a special bill like this, to legislate in regard to the navy uniform. It is a different uniform?

Commander USHER. Only by the addition of the two letters, "N. R." The only reason for putting it in here was to cover the case so that a man could not pass himself off as a naval reserve man.

The CHAIRMAN. You have no law now against the wearing of the navy uniform?

Commander USHER. There is no penalty.

The CHAIRMAN (reading):

SEC. 9. That all officers, petty officers, and enlisted men enrolled in the Naval Reserve shall be exempt from jury and militia duties.

Mr. RIXEY. Does that refer to State juries or Federal juries?

Commander USHER. That is to put them on the same footing as the militia.

Mr. RIXEY. Do you mean to say that they should not be called on by the State to perform jury duty?

Commander USHER. I think the States omit to call on them.

Mr. MEYER. In some States they are not exempt from jury duty except under certain conditions.

The CHAIRMAN. Do you regard it as important?

Commander USHER. The Navy Department thought it proper to put the naval reserve men on the same basis as the naval militiamen.

The CHAIRMAN. The naval militiaman is not exempt from jury duty?

Mr. BIEBER. He is according to State laws.

Mr. WADE. It depends on the statutory provision?

Commander USHER. Yes, sir.

Mr. WADE. Under this particular provision they are all members of the militia.

The CHAIRMAN (reading):

SEC. 10. That all persons who have been enrolled in the Naval Reserve for twenty years and who have performed service to the satisfaction of the Navy Department, may, upon their own application, be admitted to the Sailors' Home under the same rules and regulations as men of the regular service.

What are the rules and regulations?

Commander USHER. After twenty years' honorable service and a good discharge, in case of disability, on application, a man can be admitted to the Sailors' Home where he receives his board, lodging, tobacco, and clothing at the expense of the Government.

Mr. RIXEY. Does the present law require him to serve twenty years in the Navy before he can be received in the Sailors' Home?

Commander USHER. Yes, sir; in the Sailors' Home.

Mr. RIXEY. I thought it was four years if he was injured in service?

Commander USHER. He is pensioned and then there is an operation by which the man can surrender his pension.

Mr. RIXEY. Is not this the law, in regard to admission to the Home, that a man can enter who is an honorably discharged sailor or soldier and unable to make his living? It does not require that he shall be in the service twenty years. It seems to me that would be an unreasonable requirement, because one man may be just as deserving after four years as another after twenty years.

Commander USHER. Personally I am unable to answer that question.

Mr. RIXEY. I do not see anything in this bill describing the ages for the enlistment.

Commander USHER. That comes under the Secretary of the Navy's regulations. The age was formerly between 18 and 50, and it is now between 18 and 45, and it may come to 42 or 43 before they get through with it. They want pretty active men these days. This is the only inducement that we give them, the admittance to the Sailors' Home.

Mr. RIXEY. That is not the only inducement; you pay them for the time they are in?

Commander USHER. Yes, sir.

Mr. RIXEY. And the Government does furnish the uniform?

Commander USHER. Two suits, one suit of blue and one suit of white.

The CHAIRMAN (reading):

SEC. 11. That the sum of two hundred thousand dollars is hereby appropriated for the purpose of paying the expenses incidental to the enrollment, training, and instructing of the United States Naval Reserve, and for the necessary publications required therefor, and for uniforming and equipping the officers and men enrolled in the said Naval Reserve and otherwise carrying into operation the foregoing provisions of this Act, and the same shall constitute a continuous annual appropriation, to be and remain available until expended, payable out of any moneys in the Treasury not otherwise appropriated, for the purpose of continuing and maintaining, as above, the United States Naval Reserve, the same to be expended under the direction of the Secretary of the Navy. The officers and men shall be paid when on duty from the "Pay of the Navy," and the cost of their transportation from the regular annual appropriations for that purpose.

Mr. RIXEY. The Naval Militia only gets now \$60,000?

Commander USHER. Yes, sir.

Mr. RIXEY. And you provide for the reserves to get \$200,000?

Commander USHER. Yes, sir.

Mr. RIXEY. Why is that?

Commander USHER. That is only speculative. Nobody knows how many people will come in, and so we ought to have the \$200,000.

Mr. RIXEY. Why would \$50,000 not be enough?

Commander USHER. It may be; one can not really say.

Mr. BIEBER. That is a fair figure.

Mr. MEYER. Why?

Mr. BIEBER. Because there are 20,000 men to provide for. Here is a place where you have to give each man two suits of clothes, and aboard the ship you have to pay him. We did not know how much it would take.

Mr. RIXEY. You furnish every man that enters the Naval Reserve with two suits of clothes?

Mr. BIEBER. Yes, sir.

Mr. MEYER. I was not here when you started. Will you kindly differentiate in brief the two services?

Commander USHER. The militia is merely a State force which may be called upon by the President of the United States under certain conditions, as set forth, in time of war or imminent danger of invasion, and they are to be taken from that service under rules and regulations formulated at the request of the governer. That is the State force. The Naval Reserve is to be a United States force to man auxiliary steamers which may be called in, to fill vacancies that may occur on vessels already in commission, and to replace casualties that may occur. The function of the militia is to take care of the coast not defended by the fixed defenses of the Army.

Mr. RIXEY. Do I understand that the Secretary of the Navy has indorsed both of these bills?

Commander USHER. Yes, sir. They have been the subject of long discussion and work through both the General Board and Bureau of Navigation, and then the Secretary of the Navy took them up in person with me and went over them word for word.

The CHAIRMAN. This enrollment is entirely involuntary?

Commander USHER. Yes, sir.

Mr. WADE. What is the enrollment of the Regular Navy now?

Commander USHER. At the present time, and until the passage of the appropriation bill still under discussion, the number allowed is 31,000, but an increase has been asked which will make it 34,000.

Mr. WADE. Are there men sufficient at the present time to man all the ships?

Commander USHER. Not all the ships that are building; we will have to have more men.

Mr. RIXEY. Admiral Taylor said that 26,000 men would be sufficient to man all the vessels, but that in order to have 26,000 it was necessary to have more enlisted force, on account of some being in the hospitals and some being transferred from one place to another.

Mr. WADE. How many men will the Naval Academy graduate from now on every year?

Commander USHER. I am unable to say.