

## SENATE.

WEDNESDAY, February 2, 1910.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

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

## READING OF WASHINGTON'S FAREWELL ADDRESS.

The VICE-PRESIDENT. The Chair announces the appointment of the senior Senator from New York [Mr. DEFEW] to read Washington's Farewell Address on the 22d instant, pursuant to the order of the Senate of January 24, 1901.

## COMMITTEE SERVICE.

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

*Resolved*, That Mr. PURCELL be appointed to fill the vacancies in each of the following committees: Conservation of National Resources, Cuban Relations, Indian Affairs, Industrial Expositions, Mississippi River and its Tributaries, Pacific Islands and Porto Rico, Railroads, and Transportation and Sale of Meat Products.

## INDIAN DEPREDAATION CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 31st ultimo, a list of judgments rendered by the Court of Claims in favor of claimants in Indian depredation cases not heretofore reported and requiring an appropriation therefor (S. Doc. No. 342), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

## ESTATE OF GEORGE NECK, SR., DECEASED, V. THE UNITED STATES.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Emile E. Zimmer, administrator of the estate of George Neck, sr., deceased, v. The United States (S. Doc. No. 343), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

## GEORGETOWN AND TENNALLYTOWN RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Georgetown and Tennyallytown Railway Company for the year ended December 31, 1909 (H. Doc. No. 624), which was referred to the Committee on the District of Columbia and ordered to be printed.

## BRIGHTWOOD RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Brightwood Railway Company for the year ended December 31, 1909 (H. Doc. No. 625), which was referred to the Committee on the District of Columbia and ordered to be printed.

## ANACOSTIA AND POTOMAC RIVER RAILROAD COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Anacostia and Potomac River Railroad Company for the year ended December 31, 1909 (H. Doc. No. 628), which was referred to the Committee on the District of Columbia and ordered to be printed.

## CITY AND SUBURBAN RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the City and Suburban Railway Company for the year ended December 31, 1909, which was referred to the Committee on the District of Columbia and ordered to be printed.

## POTOMAC ELECTRIC POWER COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Potomac Electric Power Company for the year ended December 31, 1909, which was referred to the Committee on the District of Columbia and ordered to be printed.

## WASHINGTON RAILWAY AND ELECTRIC COMPANY.

The VICE-PRESIDENT laid before the Senate the annual report of the Washington Railway and Electric Company for the year ended December 31, 1909, which was referred to the Committee on the District of Columbia and ordered to be printed.

## PETITIONS AND MEMORIALS.

Mr. BURNHAM presented a petition of the Woman's Christian Temperance Union of Newport, N. H., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in government buildings and ships, which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Newport, N. H., praying for the passage of the

so-called "Burkett-Sims bill" to prohibit the interstate transmission of race-gambling bets, which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Newport, N. H., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Territory of Hawaii, which was referred to the Committee on Pacific Islands and Porto Rico.

He also presented a petition of the New England Stove Manufacturers' Association of Boston, Mass., praying for the repeal of clause 6 of section 38 of the corporation-tax law, which was referred to the Committee on Finance.

Mr. GALLINGER presented a petition of the Antisaloon League of the District of Columbia, praying for the enactment of legislation to better regulate the traffic in intoxicating liquors in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a memorial of sundry citizens of Windham, South Londonderry, Cambridgeport, and Athens, all in the State of Vermont, remonstrating against the enactment of legislation providing for the observance of Sunday as a day of rest in the District of Columbia, which was ordered to lie on the table.

Mr. WARNER presented a petition of sundry citizens of Barry County, Mo., praying for the enactment of legislation for the relief of J. N. West, J. T. West, and John H. West, heirs at law of Sarah West, deceased, which was referred to the Committee on Claims.

Mr. BRISTOW presented a petition of Hackney Grange, Patrons of Husbandry, of Kansas, praying for the enactment of legislation to establish a government experimental station on the Chillico Government Reservation in that State, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry citizens of Brownell, Kans., remonstrating against an increase of the rate of postage on periodicals, and also against the restriction of the rural free delivery, which was referred to the Committee on Post-Offices and Post-Roads.

Mr. SCOTT presented a memorial of sundry citizens of Elm Grove, W. Va., remonstrating against the passage of the so-called "postal savings-bank bill," which was ordered to lie on the table.

Mr. SHIVELY presented a memorial of the Central Labor Union of Indianapolis, Ind., remonstrating against the importation of cigars from the Philippine Islands free of duty, and also against the further use thereon of the guaranty stamp, which was referred to the Committee on Finance.

Mr. LODGE presented a memorial of sundry citizens of Fall River, Mass., remonstrating against the passage of the so-called "postal savings-bank bill," which was ordered to lie on the table.

## REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Finance, to whom was referred the bill (S. 4464) providing for the appointment of an appraiser of merchandise for the customs collection district of Puget Sound, State of Washington, reported it without amendment.

Mr. MARTIN, from the Committee on Commerce, to whom was referred the bill (S. 5680) authorizing the construction of a bridge across the Connecticut River, in the State of Connecticut, between the towns of Old Saybrook and Old Lyme, reported it with an amendment and submitted a report (No. 155) thereon.

Mr. FRAZIER, from the Committee on Claims, to whom was referred the bill (S. 1105) for the relief of the legal representatives of William H. Miller, deceased, reported it with amendments and submitted a report (No. 156) thereon.

Mr. CRAWFORD, from the Committee on Claims, to whom was referred the bill (S. 115) for the relief of Marcellus Troxell, reported it with amendments and submitted a report (No. 157) thereon.

Mr. BURROWS, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 4778) to reimburse W. B. Graham, late postmaster at Ely, Nev., for money expended for clerical assistance, reported it without amendment.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments and submitted reports thereon:

A bill (H. R. 18006) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the civil war, and to widows and dependent relatives of such soldiers and sailors (Report No. 158); and

A bill (H. R. 16311) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent relatives of such soldiers and sailors (Report No. 159).

Mr. JOHNSTON, from the Committee on Military Affairs, to whom was referred the joint resolution (S. J. Res. 63) authorizing the Secretary of War to loan certain tents, saddles, and bridles for the use of the confederate veterans' reunion to be held at Mobile, Ala., in April, 1910, reported it with an amendment and submitted a report (No. 160) thereon.

#### BONDS AND CERTIFICATES OF INDEBTEDNESS.

Mr. ALDRICH. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 19548) prescribing certain provisions and conditions under which bonds and certificates of indebtedness of the United States may be issued, and for other purposes, to report it favorably without amendment, and I ask for its immediate consideration.

The Secretary read the bill; and there being no objection the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that any bonds and certificates of indebtedness of the United States hereafter issued shall be payable, principal and interest, in United States gold coin of the present standard of value; and that such bonds may be issued in such denominations as may be prescribed by the Secretary of the Treasury.

Section 2 exempts any certificates of indebtedness hereafter issued from all taxes or duties of the United States, as well as from taxation in any form by or under state, municipal, or local authority; and appropriates a sum not exceeding one-tenth of 1 per cent of the amount of any certificates of indebtedness issued to pay the expenses of preparing, advertising, and issuing the same.

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

#### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 6051) to authorize the Louisville and Nashville Railroad Company to reconstruct, maintain, and operate its railway bridges across the Escambia Bay, Choctawhatchee River, and Apalachicola River, in the State of Florida; to the Committee on Commerce.

By Mr. PILES:

A bill (S. 6052) authorizing the President to appoint a commissioner to supervise the erection of monuments and markers and locate the general route of the Oregon trail; to the Committee on Military Affairs.

A bill (S. 6053) granting an increase of pension to David L. McStotts; and

A bill (S. 6054) granting an increase of pension to Eli Masters (with accompanying papers); to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 6055) authorizing the extension of Barry place NW., and for other purposes (with accompanying papers); to the Committee on the District of Columbia.

By Mr. DILLINGHAM:

A bill (S. 6056) to regulate the practice of osteopathy, to license osteopathic physicians, and to punish persons violating the provisions thereof in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BOURNE:

A bill (S. 6057) to amend the enlarged homestead act of February 19, 1909, in so far as it applies to the State of Oregon; to the Committee on Public Lands.

By Mr. McCUMBER:

A bill (S. 6058) amending section 2 of an act entitled "An act to increase the pension of widows, minor children, etc., of deceased soldiers and sailors of the late civil war, the war with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late civil war," approved April 19, 1908; to the Committee on Pensions.

By Mr. WARNER:

A bill (S. 6059) to remove cloud from the title of the southeast quarter of the northeast quarter of section 23, township 47, range 23 west of the fifth principal meridian, except 10 acres off of the north side thereof, in Pettis County, Mo., and to release the title of the United States therein to George R. Shelley, his heirs and assigns (with an accompanying paper); to the Committee on Public Lands.

A bill (S. 6060) granting a pension to Eugene G. Burt; and

A bill (S. 6061) granting an increase of pension to Sampson G. Haws; to the Committee on Pensions.

By Mr. ALDRICH:

A bill (S. 6062) granting an increase of pension to D. C. Stevens;

A bill (S. 6063) granting an increase of pension to John R. Atwood (with an accompanying paper);

A bill (S. 6064) granting an increase of pension to George A. Tanner (with an accompanying paper);

A bill (S. 6065) granting an increase of pension to Mary M. Allen (with an accompanying paper);

A bill (S. 6066) granting an increase of pension to Baxter R. Waldron (with an accompanying paper); and

A bill (S. 6067) granting an increase of pension to Rebecca C. Cotton (with accompanying papers); to the Committee on Pensions.

By Mr. LA FOLLETTE:

A bill (S. 6068) granting a pension to Ellen Waters; to the Committee on Pensions.

By Mr. SCOTT:

A bill (S. 6069) authorizing the President to reinstate Chauncey C. Devore as a cadet in the United States Military Academy (with accompanying papers); to the Committee on Military Affairs.

By Mr. MONEY:

A bill (S. 6070) granting a pension to Thomas Burke; to the Committee on Pensions.

By Mr. LA FOLLETTE:

A bill (S. 6071) to correct the military record of Christopher Parkin; to the Committee on Military Affairs.

#### PRICES AND WAGES.

Mr. LODGE submitted the following resolution (S. Res. 163), which was read and referred to the Committee on Finance:

#### Senate resolution 163.

*Resolved*, That there shall be appointed by the President of the Senate a select committee of five Senators to investigate the cost of living and the prices of the necessaries of life; to ascertain, so far as possible, whether such prices have increased during the past ten years, and the cause or causes of such increase; said committee shall also investigate the subject of wages and ascertain whether wages have increased during the same period; said committee shall also investigate the cost of production of said articles and of their distribution and sale; and shall report to Congress the results of their investigations, together with any recommendations, and with a bill or bills if, in the judgment of the committee, legislation is necessary in regard to the subjects of the investigation.

Said committee or any subcommittee thereof is authorized to employ experts, administer oaths, take testimony, send for persons and papers, employ a stenographer to report hearings, and have such hearings printed. And all necessary expenses to carry out the provisions of this resolution shall be paid from the contingent fund of the Senate.

#### PROTECTION AND PRESERVATION OF FOOD FISHES.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (H. Doc. No. 638), which was read, and, on motion of Mr. HALE, was, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a report by the Secretary of State submitting "a system of uniform and common international regulations for the protection and preservation of the food fishes in international boundary waters of the United States and Canada," which have been "prepared by the International Fisheries Commission pursuant to and under the authority of the convention of April 11, 1908, between the United States and Great Britain."

The regulations are submitted to the Congress in order that due legislative action on the part of the Government of the United States may be taken, as stipulated for in article 3 of the convention.

WM. H. TAFT.

THE WHITE HOUSE, February 2, 1910.

#### URGENT DEFICIENCY APPROPRIATIONS.

Mr. HALE. I ask that the Senate proceed to the consideration of House bill 18282, the urgent deficiency appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. B. 18282) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1910, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

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

The VICE-PRESIDENT. The Senator from Maine asks that the formal reading of the bill be dispensed with and that the

committee amendments be first considered. Is there objection? The Chair hears none, and the order is made. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "Department of State," on page 2, after line 13, to strike out "To meet the actual and necessary expenses of the delegates of the United States to the Fourth International Conference of American States to be held at the city of Buenos Aires, beginning on the 9th day of July, 1910, and of their salaried clerical assistants, to be expended in the discretion of the Secretary of State, and to continue available during the fiscal year 1910, \$50,000," and to insert "To meet the actual and necessary expenses of the delegates of the United States to the Fourth International Conference of American States to be held at the city of Buenos Aires, beginning on the 9th day of July, 1910, and of their clerical assistants, \$100,000, to continue available during the fiscal year ending June 30, 1911, and to be expended in the discretion of the Secretary of State, who is hereby authorized to direct the outgoing and return of the delegates and their clerical assistants in such manner and by such route as he may deem proper."

The amendment was agreed to.

The next amendment was, on page 3, after line 7, to insert:

International Conference on Maritime Law: For expenses necessary for the representation of the United States at the adjourned meeting of the Third International Conference on Maritime Law, at Brussels, Belgium, in April, 1910, for the purpose of considering conventions and projects relating to collisions at sea, salvage, liability of shipowners, and liens, \$5,000, or so much thereof as may be necessary, together with the unexpended balance of the previous appropriation for representation of the United States at the Third International Conference on Maritime Law, to meet at Brussels in 1909.

Mr. HALE. In line 11, I move to strike out the words "in April."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 3, after line 18, to insert:

St. John River Commission: To complete the work of the joint commission authorized in the diplomatic and consular act for the fiscal year 1907, to investigate and report upon the conditions and uses of the St. John River, and to make recommendations for the regulation of the use thereof by the citizens and subjects of the United States and Great Britain, according to the provisions of treaties between the two countries, \$20,000.

The amendment was agreed to.

The next amendment was, on page 4, after line 2, to insert:

International Agricultural Exhibition, etc., Buenos Aires, Argentine Republic: To enable the Government to participate in the International Agricultural Exhibition, and the International Exposition of Fine Arts, to be held at Buenos Aires, Argentine Republic, beginning in May, 1910, and to participate in the Exhibition of Fine and Applied Arts to be held at Santiago, Chile, beginning in September, 1910, and to provide for the compensation and expenses of commissioners thereto on the part of the United States, \$75,000, or so much thereof as may be necessary, to be expended under the direction of the Secretary of State and to continue available until expended.

The amendment was agreed to.

The next amendment was, on page 4, after line 15, to insert:

Building, International Bureau of American Republics, maintenance: For maintenance of the new building of the International Bureau of American Republics until June 30, 1910, \$2,500.

The amendment was agreed to.

The next amendments were, under the head of "Treasury Department," on page 4, after line 21, to strike out:

Office of the Secretary of the Treasury, Division of Loans and Currency: To continue the employment of the following during the last half of the fiscal year 1910, namely: One clerk of class 1; 7 clerks and counters, at the rate of \$720 each per annum; and 2 laborers, at the rate of \$660 each per annum; in all, \$3,780.

Office of the Comptroller of the Currency: To continue the employment of the following during the last half of the fiscal year 1910, namely: Fifteen clerks of class 1; 7 counters, at the rate of \$840 each per annum; and 1 assistant messenger, at the rate of \$720 per annum; in all, \$12,300.

Mr. HALE. I ask that the two amendments, from line 22, on page 4, to line 11, on page 5, be disagreed to, and I shall offer an amendment to come in at the end of line 11.

The VICE-PRESIDENT. The question is on agreeing to the amendments of the committee which have just been read.

The amendments were rejected.

Mr. HALE. At the end of line 11, I move to insert what I send to the desk.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. After line 11, on page 5, insert:

Office of the Treasurer of the United States: To continue the employment of 1 clerk of class 1 during the last half of the fiscal year 1910, \$500. And all payments heretofore made to persons employed or appointed in said Division of Loans and Currency, Bureau of Engraving and Printing, office of the Comptroller of the Currency, office of the Treasurer of the United States, and in the government paper mill at Pittsfield, Mass., occasioned by the passage of the emergency currency act, and paid from the indefinite appropriation made to enforce the same, are hereby legalized.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 6, after line 12, to insert:

For additional amount required for washing and hemming towels, for the purchase of awnings and fixtures, window shades and fixtures, alcohol, benzine, turpentine, varnish, baskets, belting, bellows, bowls, brooms, buckets, brushes, canvas, crash, cloth, chamomils skins, cotton waste, door and window fasteners, dusters; flower-garden, street, and engine hose; lace leather, lye, nails, oils, plants, picks, pitchers, powders, stencil plates, hand stamps and repairs of same, stamp ink, spittoons, soap, matches, match safes, sponges, tacks, traps, thermometers, toilet paper, tools, towels, towel racks, tumblers, wire, zinc, and for blacksmithing, repairs of machinery, removal of rubbish, sharpening tools, advertising for proposals, and for sales at public auction in Washington, D. C., of condemned property belonging to the Treasury Department, payment of auctioneer fees; and purchase of other absolutely necessary articles, \$100.

The amendment was agreed to.

The next amendment was, on page 7, after line 15, to insert:

Distinctive paper for United States securities: For the following additional employees during the fiscal year 1910, namely, assistant register, at the rate of \$1,050 per annum; counter, at the rate of \$720 per annum; and laborer, at the rate of \$660 per annum; in all, \$1,215, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 8, after line 12, to insert:

That the sum of \$980, heretofore appropriated to be paid to David Stewart, administrator of Paul Bentalou, in the act entitled "An act for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes," approved March 3, 1899 (30 Stat. L., p. 1201); that the sum of \$490, heretofore appropriated to be paid to David Stewart administrator de bonis non, cum testamento annexo of estate of Paul Bentalou, in the act entitled "An act for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes," approved May 27, 1902 (32 Stat. L., p. 226); and the sum of \$1,241.17, heretofore appropriated to be paid to David Stewart, administrator of Paul Bentalou, in the act entitled "An act for the allowance of certain claims reported by the Court of Claims, and for other purposes," approved February 24, 1905 (33 Stat. L., pt. 1, p. 786), being in the aggregate the sum of \$2,711.17, be now paid to Leigh Bonsal, administrator of Eloise Bentalou Sanger Michard: *Provided*, That the same shall not be paid until the Court of Claims shall certify to the Secretary of the Treasury that said Leigh Bonsal as administrator represents the next of kin of said Eloise Bentalou Sanger Michard, and the court which granted the administration shall certify that said Leigh Bonsal, as administrator of said Eloise Bentalou Sanger Michard, has given adequate security for the legal disbursement of the amount herein appropriated.

Mr. BACON. Mr. President, I have no doubt that it is all correct, but I would be very glad if the Senator would give us some reason why the amendment is introduced in this bill.

Mr. HALE. The amendment follows the practice in such cases. It is no appropriation of money, but provides that the previous appropriation shall be paid now to the actual parties in interest. That is all there is in the amendment. It is not a new matter at all.

Mr. BACON. I simply desired to know whether provisions of this kind are usually found in the deficiency appropriation bill.

Mr. HALE. Yes; provisions of this kind, simply sending previous appropriations to heirs and administrators, are always put upon deficiency appropriation bills.

The amendment was agreed to.

The next amendment was, under the subhead "Public buildings," on page 12, after line 23, to insert:

Ansonia, Conn., post-office: The provision in section 35 of the public-building act approved May 30, 1908, requiring sites to be bounded upon at least two sides by streets, shall not apply to the public building at Ansonia, Conn., but the limit of cost of site and building shall not thereby be increased.

The amendment was agreed to.

The next amendment was, on page 13, after line 18, to insert: Danville, Va.: Rent of buildings and moving expenses incident thereto, \$4,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 20, to insert: Fremont, Nebr.: Rent of buildings and moving expenses incident thereto, \$3,500.

The amendment was agreed to.

The next amendment was, on page 13, after line 24, to insert: Jackson, Tenn.: Rent of buildings and moving expenses incident thereto, \$6,000.

The amendment was agreed to.

The next amendment was, at the top of page 14, to insert: Kansas City, Kans., post-office, etc.: For rent of buildings and moving expenses incident thereto, \$10,000.

The amendment was agreed to.

The next amendment was, on page 14, after line 3, to insert: Lima, Ohio: Rent of buildings and moving expenses incident thereto, \$5,500.

The amendment was agreed to.

The next amendment was, on page 14, after line 5, to insert: Los Angeles, Cal., post-office and court-house: For mechanical devices and equipment for conveying and handling mails, \$25,000.

The amendment was agreed to.

The next amendment was, on page 14, after line 21, to insert: Reno, Nev., post-office: For completing the approaches and retaining wall at the river front, \$5,000.

The amendment was agreed to.

The next amendment was, on page 14, after line 24, to insert: Santa Rosa, Cal., post-office: For constructing a drain, with proper outlet, \$1,500.

The amendment was agreed to.

The reading was continued to line 11, on page 15.

Mr. HALE. After line 11, on page 15, I move to insert:

Indianapolis, Ind., court-house and post-office: To pay Rankin & Kellogg the amount found due them as commissions for services performed under the provisions of the act approved February 20, 1893, as architects in charge of the construction of the court-house and post-office building, Indianapolis, Ind., \$1,144.86.

The amendment was agreed to.

The reading was continued to line 8, on page 16.

Mr. HALE. On page 16, after line 8, I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. After line 8 it is proposed to insert:

Relief of Henry D. Dillon: The accounting officers of the Treasury Department are hereby directed to allow as a charge against the respective appropriations as rendered, all vouchers and railroads accounts covering expenses incurred by Henry D. Dillon, an assistant inspector of furniture, including also his salary as such inspector while traveling under instructions from the department and engaged in the work of inspecting furniture for public buildings for the time between April 26, 1909, and September 6, 1909, and for this purpose such settlements as have heretofore been made shall be reopened and readjusted.

The amendment was agreed to.

The reading was resumed.

The next amendment of the Committee on Appropriations was, under the head of "District of Columbia," on page 16, after line 22, to insert:

For printing the annual reports of the superintendent of insurance for the years 1907 and 1908, \$1,000, or so much thereof as may be necessary.

Mr. HALE. In line 23, after the word "printing," I move to insert the words "and binding."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 18, line 3, after the word "ninety-six," to insert "and Senate Document No. 326;" and in line 5, after the word "session," to strike out "\$2,964.71" and insert "\$3,269.01," so as to make the clause read:

Judgments: For payment of the judgments, including costs, against the District of Columbia, set forth in House Document No. 496 and Senate Document No. 326, of this session, \$3,269.01, together with a further sum sufficient to pay the interest, at not exceeding 4 per cent, on said judgments, as provided by law, from the date the same became due until the date of payment.

The amendment was agreed to.

The next amendment was, under the head of "Military establishment," on page 20, after line 11, to insert:

OFFICE OF THE CHIEF SIGNAL OFFICER.

Reimbursement Canadian department of public works: To authorize the Inspector in charge of the Washington-Alaska military cable and telegraph system to reimburse the Canadian department of public works from receipts of the Washington-Alaska military cable and telegraph system on account of telegraphic transfer business with the Dominion government telegraph system at International Boundary, Alaska, \$82.39.

The amendment was agreed to.

The next amendment was, under the subhead "Subsistence department," on page 20, line 24, after the word "ten," to strike out "including cost of actual subsistence of military convicts;" and on page 21, line 1, after the word "dollars," to strike out:

Provided, That no part of the last foregoing appropriation carried in this act for subsistence of the army, including all objects mentioned under that head, shall be expended in payment for more than actual subsistence to military convicts serving sentence in the military prison at Fort Leavenworth, Kans., and in like prisons and in their several branches.

So as to make the clause read:

For subsistence of the army, including all objects mentioned under this head in the army appropriation act for the fiscal year 1910, \$1,250,000.

The amendment was agreed to.

The next amendment was, under the subhead "Quartermaster's Department," on page 21, after line 22, to insert:

Shiloh National Military Park: For replacing property owned by the Government in the Shiloh National Military Park, destroyed by the cyclone of October 14, 1909, and removing debris from the park, including about 10,000 fallen trees, \$34,500.

The amendment was agreed to.

The next amendment was, under the head of "Naval establishment," on page 25, after line 11, to insert:

NAVAL ACADEMY.

Heating and lighting, Naval Academy: Fuel, oil, waste, and other materials for the operation, repair, and maintenance of the plant; heating and lighting apparatus and tools; and for heating and lighting the academy and band men's quarters, \$10,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," on page 26, after line 2, to insert:

Completion of filing system, Interior Department: For continuing and completing the installation of the vertical system of filing in the General Land Office and the Office of Indian Affairs, \$9,500, to be immediately available and remain available until used.

The amendment was agreed to.

The next amendment was, on page 26, after line 7, to insert:

For the Capitol: For additional amount for repairs, improvements, and equipment to the Senate kitchens and restaurants in the Capitol building, including personal and other services, to be expended by the Superintendent of the Capitol Building and Grounds, under the supervision of the Committee on Rules, United States Senate, \$37,350.

The amendment was agreed to.

The next amendment was, on page 26, line 25, before the word "for," to strike out "Capitol building," so as to make the clause read:

For work at Capitol and for general repairs thereof, including flags for the east and west fronts of the center of the Capitol; flagstaves, halyards, and tackle, wages of mechanics and laborers; purchase, maintenance, and driving of office vehicle, \$13,541.05.

The amendment was agreed to.

The next amendment was, on page 26, after line 20, to insert:

Senate Office Building: For maintenance, including heating, lighting, ventilating, miscellaneous items and supplies, and for all necessary personal and other services for the operation of the building, under the direction and supervision of the Senate Office Building Commission, \$12,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of Justice," on page 28, after line 2, to insert:

For the following employees for the remainder of the fiscal year 1910, namely: For 1 clerk of class 1; 1 clerk at the rate of 1,000 per annum; 1 clerk at the rate of \$900 per annum; and 2 messenger boys, at the rate of \$480 per annum each; in all, \$2,030, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, under the head of "Judicial," on page 30, line 9, after the word "appeals," to insert: "The salaries of the judges, officers, and employees of the United States court of customs appeals, authorized by the act approved August 5, 1909, entitled 'An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes,' shall hereafter be at the rates per annum as follows;" in line 24, after the word "annum," to strike out "in all, for the balance of the fiscal year 1910, \$27,440, or so much thereof as may be necessary," and insert "and for the payment of the said compensation for the balance of the fiscal year 1910, at the rates herein fixed, there is appropriated the sum of \$27,440, or so much thereof as may be necessary," so as to make the clause read:

United States court of customs appeals: The salaries of the judges, officers, and employees of the United States court of customs appeals, authorized by the act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," shall hereafter be at the rates per annum as follows: For the presiding judge and four associate judges, at the rate of \$7,000 each per annum; marshal, at the rate of \$3,000 per annum; clerk, at the rate of \$3,500 per annum; assistant clerk, at the rate of \$2,000 per annum; five stenographic clerks, at the rate of \$1,600 each per annum; stenographic reporter, at the rate of \$2,500 per annum; messenger, at the rate of \$840 per annum; and for the payment of the said compensation for the balance of the fiscal year 1910, at the rates herein fixed, there is appropriated the sum of \$27,440, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 31, after line 6, to insert:

The salary of the Assistant Attorney-General authorized in said act is hereby fixed at the rate of \$8,000 per annum.

The amendment was agreed to.

The next amendment was, on page 32, line 6, before the word "dollars," to strike out "twenty" and insert "forty," so as to make the clause read:

In all for United States court of customs appeals, \$71,440, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, under the head of "Department of Commerce and Labor," on page 35, after line 2, to insert:

Immigration Commission: For the expenses of the commission provided for in section 39 of the act of February 20, 1907, entitled "An act to regulate the immigration of aliens into the United States," \$125,000, to be available until December 5, 1910: Provided, That no part of this appropriation shall be used for field work, nor shall any member of said

commission be entitled to or receive any salary as such member after March 1, 1910. And the said commission shall complete its entire work and make its final report and the commission shall cease on the first Monday of December, 1910.

Mr. STONE. Mr. President, I see that that provision which is inserted as an amendment in the pending bill appears in the bill as presented to the House of Representatives, where it went out on a point of order. I do not see why the same point of order made in the other House would not be well taken in the Senate, based on the ground that it is an appropriation made, for which there is no authority in existing law. I am disposed, at all events, at this time to raise that point of order against the provision just read.

Mr. LODGE. Mr. President, the point of order made in the other House against this provision as it was reported by the House Committee on Appropriations was under the House rule that it was changing existing law, which was unquestionably obnoxious to the House rule. Our rule is as to general legislation. I do not think this is general legislation. It is a mere continuance to supply a deficiency of work which was authorized by previous legislation.

Mr. STONE. Mr. President, I make this single observation, that it is rather a splitting of hairs to say that there is a difference between enacting legislation in a given case, and making an appropriation in a given case, where there is no provision of law authorizing it or to meet any demand of existing law, and to say that this is not general legislation. If there is no law on the subject, if there is no legal demand, no legal authority for the appropriation, then it is new legislation and, in substance and effect, is general legislation.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Missouri make the point of order against the amendment?

Mr. STONE. I did make it, Mr. President.

The PRESIDING OFFICER. The present occupant of the chair is of the opinion that there is proper ground for a difference of opinion as to the correct construction of the rule on this particular amendment, and exercising his right under Rule XX the Chair will submit the matter to the Senate. Senators who are of opinion that the amendment is in order will say "aye," those opposed will say "no." The "ayes" have it, and the amendment is declared to be in order. The question is on agreeing to the amendment.

Mr. BACON. Mr. President, not for the purpose of taking any issue whatever with the general propriety of this amendment, I should really like to have some statement as to how this money is to be spent, simply in a general way. Of course we can not go into all the details.

Mr. DILLINGHAM. Mr. President, in order to make the matter perfectly clear, I may perhaps refer to the action of a year ago. When the commission was organized it was authorized to make a very full and thorough investigation, and the payment of the expenses of the commission was to be made from what was known as the "immigrant fund." A year or more ago the immigrant fund was abolished. It then became necessary for the expenses of the commission to come under the supervision of the Committees on Appropriations of the two Houses. When this was done—it was just about a year ago this time—the bill as presented by the committee of the House of Representatives contained an appropriation of \$300,000 to complete the work of the commission. That went out on a point of order. An amendment was offered in the Senate, based upon an estimate of the commission of the amount of work that would be required to make the necessary tabulations and to edit the reports, at \$250,000, which was adopted. The bill went back to the House when the amendment was disagreed to, but from the committee of conference there was reported a modification of the amendment appropriating \$150,000, with a stipulation that the work should be completed by the 4th day of March next.

The commission have been diligent during the last year and have turned out a large amount of work. In addition to the reports already presented to Congress they have many others almost ready for presentation. On the other hand, they have a vast amount of material which has been gathered by the field force, about 50 per cent of which has been tabulated, but which will be entirely worthless unless a further appropriation is made for completing the tabulation and preparing the reports based upon the same. The commission, therefore, ask for this appropriation.

Mr. BACON. If the Senator will pardon me, it is right there that I desire information.

Mr. DILLINGHAM. Certainly.

Mr. BACON. What is the character of the information which has to be tabulated? I do not ask the Senator to go into details, but to state it only in a general way.

Mr. DILLINGHAM. I do not know that I quite understood the Senator's question.

Mr. BACON. The Senator from Vermont said that the commission had been actively engaged and had secured a large amount of information, which was to be tabulated and then incorporated in a report.

Mr. DILLINGHAM. Yes.

Mr. BACON. I simply desired, not going into detail and not unnecessarily to burden the Senator, but in a general way, a statement as to the character of that information.

Mr. DILLINGHAM. I think I can briefly answer the question of the Senator from Georgia. We have already submitted reports to Congress on the white-slave traffic; on steerage conditions; on physical assimilation of the immigrant; on congestion in the large cities of the country; and also upon the occupations of immigrants and their children. Those reports are all in. We have reports in process of preparation, which will probably be completed before the 4th of March, upon several other subjects—the immigrant in agriculture, the relative fecundity of immigrants and their children, the investigations in Europe, and the medical examination abroad. We have a report on the immigrant aid societies that will probably be presented this week; another on alien criminality, of great interest and great value; and a very exhaustive report on the immigration situation in Canada, which, in contrast to ours, is not only interesting, but very important. We have also a dictionary of the immigrant races, a very complete volume for reference; the history of European immigration in the United States, covering the whole period and written in popular form; a review of the immigration legislation of the country from the beginning, and legislation regulating the carriage of passengers at sea. That is a subject which we have already acted upon in a bill passed last winter. Another report will be presented on immigrants' banks.

The unfinished work to which the Senator refers covers some of the large industries of the country. When it is prepared and presented it will give a picture, I think, representing almost the exact status of the immigration of the last twenty or thirty years, which is of a class entirely different, new, and distinct from the immigration which came to this country prior to 1887. I have in my hand a chart, which perhaps the Senator can see from his place [exhibiting]. The dark portion of that chart represents the immigration from 1882 to 1909 of those coming from northern and western Europe, England, Ireland, Scotland, Wales, and the western part of Europe, and the lighter portion of the chart shows how the immigration from southern and eastern Europe has been constantly increasing. I think I have here the statistics that will show what that change has been and how vitally it affects us as a Nation.

Down to 1882 the immigration from northern and western Europe—that is to say, from Great Britain, Ireland, Germany, Denmark, Sweden, Belgium, Spain, and Portugal—constituted 87 per cent of the entire immigration into the United States, while the immigration from southern and eastern Europe—that is to say, from Italy, Austria-Hungary, Russia, Greece, Turkey, and the Balkan States—was only 13 per cent of the total. Twenty-five years later, in 1907, that from northern and western Europe had decreased from 87 to 20 per cent of the whole, while that from southern and western Europe had increased from 13 per cent to 80 per cent of all coming into the country.

Presented in another form, from 1820 to 1882, inclusive, a period of sixty-two years, 9,538,000 persons, or 96 per cent of the whole immigration of the country, came from northern and western Europe, while from 1883 to 1909, a period of only twenty-six years, we received 8,192,000 persons, only about a million less than we received in the previous period of sixty-two years, and of this number nearly 57 per cent came from southern and eastern Europe. This was a vast influx, as will be seen, of new and of untried races.

With the increase in the business industry of the country within the last twenty years, this current of new immigration has gone into the coal mines; it has gone into the woolen and cotton industries; it has gone into agriculture; it has gone along all the lines of industry, and has found employment. The commission has been making a very exhaustive study in more than one hundred selected localities to show what effect the coming of those immigrants has had upon the community and upon the individual American, and, on the other hand, what effect the American has been having on the immigrant.

We have, Mr. President, already in the process of preparation, and very nearly ready to be presented, a most exhaustive study of the bituminous coal industry in this country, and I call the Senator's attention to two or three facts that show the character of it. We find that the number of tons of bituminous coal produced in Pennsylvania in 1885—so recent a date as

that—was 23,413,000, in round numbers, while in 1907 it was 149,559,000, or an increase of 539 per cent.

We have gone not only to Pennsylvania, but to other sections of the country as well, and have made a most exhaustive examination of the immigrant of the new type, who has been employed in that industry. He has been examined from every point of view; and a report which will probably make a volume of five or six hundred pages will be presented showing just precisely how he is behaving, how he is living, whether he is prospering, what influence he is exerting upon the community, and what influence the community is having upon him. In short, how and to what extent the work of assimilation is going on. It is a very exhaustive and a very valuable report. Without this appropriation no more reports of that kind can be made.

In addition to this, we have material covering the woolen industry, the cotton industry, the glass industry, the boot and shoe industry, and several other of the great industries of the country, in regard to which much study has been given, in which industries different nationalities have been employed.

This amendment, the Senator will observe, provides that no further salaries shall be paid to the commissioners, and no new field work shall be undertaken. The commission is asking for the appropriation simply that the work on the material already on hand, which is partly prepared and partly tabulated, may be completed, and that reports covering the entire field of the investigation may be prepared and presented to Congress by the 1st of December next.

Mr. LODGE. Mr. President, may I interrupt the Senator for a moment?

Mr. DILLINGHAM. Certainly.

Mr. LODGE. The Senator from Vermont omitted, I think, to mention one great collection of statistics and figures which will simply be wasted and thrown away unless this additional appropriation is made. The matter to which I refer relates to the Asiatic immigration on the western coast, a matter of the very greatest importance. The material has all been collected, and some \$40,000 was spent in field work relating to the Chinese, the Japanese, and the Hindoos. That will simply be wasted and thrown away unless we can have an opportunity to tabulate it and put it into form. That is another of the matters that will be lost.

Mr. DILLINGHAM. That work has been under the charge of Professor Millis, of Stanford University, of California, and is one of the most exhaustive investigations I have known. I said to the committee yesterday that the material covering that subject, consisting of individual and family cards, containing the most vital and minute information, that was shipped from San Francisco to Washington weighed a ton. That shows something of the exhaustive character of that investigation, and I may add that it covers not only California but all the Rocky Mountain States from Idaho through to Arizona. It will bring together a mass of information in which, I think, other departments of our Government will be very much interested in the future.

Mr. STONE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Missouri?

Mr. DILLINGHAM. I am very glad to.

Mr. STONE. I have listened with pleasure to the very interesting statement of the Senator from Vermont; and I should like to ask him a question. This commission has been in existence some three years?

Mr. DILLINGHAM. It was organized in the spring of 1907. Some work was done in Europe that summer, and during the next winter the scope and the extent of the inquiry were determined upon and plans for the field work adopted. It was begun on the 1st day of July, 1908, and was substantially completed on the 1st of July, 1909.

Mr. STONE. The expenses incurred by the commission under the act authorizing its creation were to be paid out of the immigration fund?

Mr. DILLINGHAM. They were.

Mr. STONE. And the Senator says that that fund became exhausted, so that it became necessary—

Mr. LODGE. No.

Mr. DILLINGHAM. No. It did not become exhausted, but the fund was abolished by legislation, and the receipts from that source were turned into the general fund of the United States Treasury. So it became necessary to have appropriated by Congress whatever sums that might be necessary to complete the work.

Mr. STONE. The fund ceased to be available, at all events.

Mr. DILLINGHAM. Yes.

Mr. STONE. Then you had to resort to ordinary appropriations?

Mr. DILLINGHAM. Yes.

Mr. STONE. What was the amount of the last appropriation?

Mr. DILLINGHAM. A hundred and fifty thousand dollars.

Mr. STONE. What has been the total amount of appropriations?

Mr. DILLINGHAM. The total amount expended?

Mr. STONE. The total appropriation.

Mr. DILLINGHAM. That is the only appropriation which has been made.

Mr. STONE. The only one?

Mr. DILLINGHAM. Yes; at that time, as I said, the commission asked for \$250,000.

Mr. STONE. That appropriation was made at the last session.

Mr. DILLINGHAM. At the last session.

Mr. STONE. Of the last Congress?

Mr. DILLINGHAM. Yes.

Mr. STONE. Was there a provision—I understand there was—that with that appropriation the business of the commission was to be concluded and the life and labors of the commission should cease in March, 1910.

Mr. DILLINGHAM. That is the fact; but Congress appropriated only \$150,000, though the commission informed that body that it could not complete the work without an expenditure of \$250,000. They have gone as far as they have been able to do.

Mr. STONE. What has been the total appropriation?

Mr. DILLINGHAM. From the beginning the total disbursements have been \$657,992.67. Of this amount, \$509,861.61 has been for the cost of collection and tabulation of material; general field work and clerical force, with 153 field agents and 310 clerks employed, all told—salaries and expenses. The cost of administration, salaries and expenses of commissioners, secretaries, statistical and headquarters force was \$91,904.66; printing, supplies, and miscellaneous expenses, \$35,549.89. The expenses of the commission in Europe were \$20,676.51.

Mr. STONE. Mr. President, if the Senator from Vermont is through, I desire to say that it seemed to me that the commission had expended a very large sum of money and had been at work a long time, and that we had reached a point where we had better adhere to the determination arrived at when the last appropriation was made, namely, that the life and labors of the commission should cease on March 10, 1910. I remember reading some remarks made by members of this commission last year, when the appropriation bill was pending, to the effect that there was no reason why the work of the commission could not be completed and final report made by the 1st of December of last year and certainly by the 1st of January of the present year. That opinion was decisively expressed by members of the commission. There was some difference of opinion, though not radical, as to that; and finally it was determined that the appropriation should be made and the work be prosecuted and completed by March 10—I think that was the date—of the present year.

And so, when I saw that a further appropriation of \$125,000 was asked for and an extension of the life of the commission for nine or ten months, I was disposed to approve the view taken by Members of the House—some of them, at least—and that we had better insist upon this work being completed in accordance with the provisions of the act of last year.

However, after having been advised as I have been by the very clear and intelligent statement made by the Senator from Vermont; after having been advised by him as to the character of the work not yet completed and of its importance—and in that I concur—I am myself disposed to think that it would be bad legislation and bad policy to withhold the \$125,000 which he says is absolutely necessary to have the statistics tabulated and the publications made. But I sincerely hope that after this Congress we will not have another application for further appropriations and an extension of time.

Mr. DILLINGHAM. Mr. President, I very much appreciate the attitude of the Senator from Missouri, and I want to assure him that if this appropriation is made, no further request will be made on the part of the commission. I am perfectly confident that the work can be completed for this sum, and that when it is completed the country will think that the investment has been a good one.

The truth is we have lived a century without any investigation, from a scientific standpoint or other methodical means, looking to a consideration of this great question of immigration to this country, and the commission thought that the ques-

tion was one of such vast importance that it warranted the broad scope it has assumed.

Mr. BACON. Mr. President, I made the inquiry because I desired the information which the Senator from Vermont has given in a very clear and satisfactory manner. I confess that the labors of the commission have covered a breadth of inquiry that I did not myself know of. I recognize the very great importance of it from the outline given us by the honorable Senator from Vermont. I think I may properly congratulate the commission upon the fact that I made the inquiry, because I think, in the absence of the inquiry, the statement which has been made, as it should have been made, in justice to the commission itself, might not have been made.

I confess, Mr. President, that from what I have seen in the way of newspaper criticism and criticism elsewhere, I was not prepared for the statement which the Senator has made, and I recognize that not only in what has been done in the accumulation of information and in the reports made upon the subjects already concluded, but in the part which is now in process of conclusion, there is a great deal of the utmost importance to the people of this country.

There is a very widespread feeling in my part of the country that immigration has not been sufficiently guarded, and I think it is of the utmost importance that the information such as is indicated by the Senator from Vermont should be given to the people, in order that they may know what has been done and what is the effect of it, in order that they may the more properly determine what shall be done in the future.

While I know nothing about whether the expenditure has been properly made or not, of course I can not do otherwise than rely upon the judgment and good faith of those who have had in charge this work. For myself I think the work ought to be completed. I am not prepared to say whether the amount asked for is proper or not. I can only rely upon the Senators when they ask for it and say it is necessary.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Appropriations. The amendment was agreed to.

Mr. BACON. Mr. President, as I may be called from the Chamber, I should like to ask the Senator from Maine for some information as to an item passed over. It is on page 8. It is in the bill as it came from the House, and I presume has had full investigation there. It is an item of \$100,000 for furnishing the post-office and custom-house at Cleveland, Ohio. That ordinarily would appear to be quite an extravagant amount, unless the furniture includes fixtures. I do not know whether it is meant to include fixtures or only the ordinary articles which are generally included under the term "furnishings."

Mr. HALE. The items covered in this provision came from the Treasury Department as necessary for the equipment and installation of the building, and the House committee hearings show the testimony that was furnished in the case.

I will say to the Senator that there will be here an additional item for this very purpose beyond the sum covered in this bill for the Cleveland post-office.

Mr. BACON. Do you mean for furnishing it?

Mr. HALE. Yes.

Mr. BACON. An amount additional to the hundred thousand?

Mr. HALE. An additional item, from the Secretary of the Treasury. It is a very important part; it is a large custom-house; it is a new building, and practically it is all left to the Treasury Department to make examination and make the estimates and give the items in detail. The House committee adopted this sum, and there will be another amendment offered.

Mr. BACON. What is the additional amount?

Mr. HALE. Fifty thousand dollars.

Mr. BACON. One hundred and fifty thousand dollars for furnishing the building?

Mr. HALE. Yes.

Mr. BACON. It may be all right, but I confess that for furnishing a building, a single building, with office furniture, \$150,000 appears to me to be a large sum.

Mr. BURTON. I think I can explain it to the Senator from Georgia. This is a building which has been under way a considerable number of years. The total cost, including the site, is \$3,750,000. The building is to be finished on the 1st of November next. No provision has been made for furniture. The furniture must be contracted for at this time. Otherwise when the structure is completed it can not be utilized.

Mr. BACON. The inquiry which I made was directed to the question as to the character of the furniture, office furniture, for a single building, which would amount to \$150,000. Of course there can be fixtures put in a building which would bring it up to a very much larger sum than that.

Mr. BURTON. This includes electric-light fixtures and some others, and not merely sofas and tables and chairs.

Mr. BACON. It includes everything?

Mr. BURTON. Everything that can be legally classed as fixtures.

Mr. BACON. Does the Senator understand that it includes such fixtures as are found in bank buildings and structures of that kind—

Mr. BURTON. Yes; most of them.

Mr. BACON. Not ordinarily classed under the head of furniture.

Mr. BURTON. I think all of them, practically.

Mr. BACON. Of course, if that is the class of articles embraced in the proposed expenditure, it can very easily run up to that amount; but, under the ordinary head of "furniture," it seems to me to be very extravagant.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 37, after line 13, to insert:

SENATE.

The Secretary of the Senate is hereby authorized and directed to pay to James V. Brooke, clerk to the Hon. F. L. Thompson, of North Dakota, from November 11 to December 6, 1909, and to Hancock Robinson, clerk to the Hon. JAMES GORDON, of Mississippi, from January 1 to January 4, 1910, for clerical services rendered, from the appropriation for salaries of officers, clerks, messengers, and others in the service of the Senate, for the fiscal year 1910.

The amendment was agreed to.

The next amendment was, on page 37, after line 24, to insert:

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding \$1.25 per printed page, \$25,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 4, to insert:

For additional amount for purchase of an automobile, including driving, maintenance, and care of the same, for use of the Vice-President, \$1,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 7, to insert:

For purchase of furniture, \$2,500.

The amendment was agreed to.

The next amendment was, on page 38, after line 9, to insert:

To pay George Boyd for compiling customs tariffs, \$250.

Mr. HALE. In line 10, after the name "George," I move to insert the initial "H."

The amendment was agreed to.

The amendment, as amended, was agreed to.

The next amendment was, on page 39, after line 13, to insert:

The allotment for printing and binding for Congress is hereby made available for the printing as public documents of such of the publications of the National Monetary Commission as the commission may designate. And the superintendent of documents is hereby authorized to order reprinted, from time to time, such public documents of the National Monetary Commission as may be required for sale: *Provided*, That the appropriations for printing and binding shall be reimbursed for the cost of such reprints from the moneys received by the superintendent of documents from the sale of public documents.

The amendment was agreed to.

The next amendment was, on page 39, after line 24, to insert:

The allotment for printing and binding for Congress for the fiscal year ending June 30, 1910, is hereby made available for the printing and binding of the International Bureau of American Republics in the sum of \$3,478.83, being amount of charges remitted by the Joint Committee on Printing.

The amendment was agreed to.

The next amendment was, on page 40, after line 5, to insert:

JUDGMENTS, UNITED STATES COURTS.

For payment of the final judgments and decrees, including costs of suit, which have been rendered under the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," certified to Congress at its present session by the Attorney-General in House Document No. 535, and which have not been appealed, namely:

Under the War Department, \$2,836.14;

Under the Navy Department, \$4,014.85;

Under the Department of Commerce and Labor, \$3,257.15;

Under the Department of Justice, \$225.40;

In all, \$10,333.54, together with such additional sum as may be necessary to pay interest on the respective judgments at the rate of 4 per cent per annum from the date thereof until the time this appropriation is made: *Provided*, That none of the judgments herein provided for shall be paid until the right of appeal shall have expired.

The amendment was agreed to.

The next amendment was, on page 41, after line 4, to insert:

JUDGMENTS IN INDIAN DEPRECIATION CLAIMS.

For payment of judgments rendered by the Court of Claims in Indian depreciation cases, certified to Congress in Senate Document No. 320, at its present session, \$26,437; said judgments to be paid after the

deductions required to be made under the provisions of section 6 of the act approved March 3, 1891, entitled, "An act to provide for the adjustment and payment of claims arising from Indian depredations," shall have been ascertained and duly certified by the Secretary of the Interior to the Secretary of the Treasury, which certification shall be made as soon as practicable after the passage of this act, and such deductions shall be made according to the discretion of the Secretary of the Interior, having due regard to the educational and other necessary requirements of the tribe or tribes affected; and the amounts paid shall be reimbursed to the United States at such times and in such proportions as the Secretary of the Interior may decide to be for the interests of the Indian service: *Provided*, That no one of said judgments provided in this paragraph shall be paid until the Attorney-General shall have certified to the Secretary of the Treasury that there exist no grounds sufficient, in his opinion, to support a motion for a new trial or an appeal of said cause.

The amendment was agreed to.

The next amendment was, on page 42, line 9, after the word "thirty-seven," to insert "and Senate Document No. 337," so as to make the clause read:

For the payment of the judgments rendered by the Court of Claims, reported to Congress at its present session in House Document No. 437 and Senate Document No. 337.

The amendment was agreed to.

The next amendment was, on page 42, line 16, before the word "cents," to strike out "six hundred and twelve dollars and forty-one" and insert "nine hundred and eighty dollars and seventy-four," so as to make the clause read:

Under War Department, \$26,980.74.

The amendment was agreed to.

The next amendment was, on page 42, line 19, before the word "cents," to strike out "and \$85.87" and insert "\$39.02," so as to make the clause read:

Under Navy Department, \$2,239.02.

The amendment was agreed to.

The next amendment was, on page 42, line 20, after the word "inferior," to strike out "\$38,240" and insert "\$47,269.61," so as to make the clause read:

Under Department of the Interior, \$47,269.61.

The amendment was agreed to.

The next amendment was, on page 42, line 24, before the word "in," to insert "Under Department of Justice, \$842.23;" and on page 43, line 1, before the word "cents," to strike out "\$67,082.73" and insert "\$77,476.05," so as to make the clause read:

Under Department of Justice, \$842.23; in all, \$77,476.05: *Provided*, That none of the judgments herein provided for shall be paid until the right of appeal shall have expired.

The amendment was agreed to.

The next amendment was, under the head of "Claims allowed by the Auditor for the Treasury Department," on page 44, line 21, before the word "cents," to strike out "forty" and insert "forty-nine," so as to make the clause read:

For expenses of Revenue-Cutter Service, \$1,116.49.

The amendment was agreed to.

The next amendment was, under the head of "Claims allowed by the Auditor for the War Department," on page 46, line 16, before the word "hundred," to strike out "ninety-eight" and insert "ninety-seven," so as to make the clause read:

For transportation of the army and its supplies, except the claim No. 9787, \$40,944.73.

The amendment was agreed to.

The next amendment was, on page 58, after line 17, to insert as a new section the following:

Sec. 3. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department under appropriations, the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1907 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. 333, reported to Congress at its present session, there is appropriated as follows:

CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

For transportation of fractional silver coin, 1909, \$1,144.66.  
For Public Health and Marine-Hospital Service, \$23.33.  
For redemption of stamps, \$609.95.  
For payment of judgments against internal-revenue officers, \$865.16.

CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

For pay, etc., of the army, \$68,944.88.  
For mileage to officers and contract surgeons, \$31.  
For incidental expenses, Quartermaster's Department, \$33.11.  
For transportation of the army and its supplies, \$1,552.52.  
For clothing, and camp and garrison equipage, \$489.67.  
For headstones for graves of soldiers, 1908, \$4.77.  
For pay, transportation, services, and supplies of Oregon and Washington volunteers in 1855 and 1856, \$68.89.

CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.

For pay of the navy, \$684.12.  
For pay, Marine Corps, \$213.23.  
For contingent, Marine Corps, \$8.89.  
For transportation, Bureau of Navigation, \$23.76.

For construction and repair, Bureau of Construction and Repair, \$105.44.

For indemnity for lost clothing, \$60.

For bounty for destruction of enemy's vessels, \$3.18.

CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

For expenses, special inspectors, Department of the Interior, 1909, \$108.25.

For photolithographing, Patent Office, 1909, \$6.20.

For contingent expenses, office of surveyor-general of Arizona, 1909, \$8.37.

For salaries and commissions of registers and receivers, 1908, \$130.53.

For Indian schools, support, \$39.12.

For telegraphing, transportation, etc., Indian supplies, 1909, \$6,880.32.

For transportation of Indian supplies, \$2.45.

For contingencies, Indian Department, 1909, \$340.71.

For incidentals in Arizona, 1909, \$1.35.

For Indian school, Riverside, Cal., 1909, \$200.01.

For incidentals in Montana, 1909, \$47.35.

For support of Pawnees: Schools, Oklahoma, 1909, \$11.04.

For Indian school, Pierre, S. Dak., 1909, \$18.48.

CLAIMS ALLOWED BY THE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS.

For salaries, chargés d'affaires ad interim, 1909, \$2,796.37.

For transportation of diplomatic and consular officers, 1910, \$503.05.

For transportation of diplomatic and consular officers, 1909, \$1,231.75.

For contingent expenses, Territory of Alaska, 1910, \$1.

For contingent expenses, Territory of New Mexico, 1909, \$2.74.

For general expenses, Forest Service, \$101.03.

For collecting statistics relating to commerce, 1909, 51 cents.

For party expenses, Coast and Geodetic Survey, \$7.76.

For fees of clerks, United States courts, 1909, \$1,288.59.

For fees of clerks, United States courts, 1908, \$14.45.

For prosecution of Indians in Arizona, act of March 4, 1907, \$2,358.93.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. HALE. I offer an amendment to come in on page 27, after line 2.

The VICE-PRESIDENT. The Secretary will read the amendment.

The SECRETARY. On page 27, after line 2, it is proposed to insert:

To enable the Secretary of the Interior to complete the classification and appraisal of the lands of the Yakima Reservation, in the State of Washington, in accordance with the provisions of the act of December 21, 1904, entitled "An act to authorize the sale and disposition of surplus or unallotted lands of the Yakima Indian Reservation, in the State of Washington," \$5,000, or so much thereof as may be necessary: *Provided*, That this sum shall be reimbursed to the United States from the proceeds of the sale of the surplus lands of said reservation.

The amendment was agreed to.

The VICE-PRESIDENT. The bill is in Committee of the Whole and subject to amendment. All the committee amendments have been disposed of.

Mr. BURTON. On page 8, line 12, after the words "one hundred," I move to insert "and sixty," so as to read:

Furnishing new post-office, custom-house, and court-house, Cleveland, Ohio: For furniture equipment corresponding to the present regulation designs, for the new post-office, custom-house, and court-house building at Cleveland, Ohio, \$160,000.

Mr. HALE. Is this matter submitted by the Secretary of the Treasury?

Mr. BURTON. I will state that it is. I have a letter here from the Secretary of the Treasury stating that \$60,000 is needed in addition to the \$100,000 appropriated.

Mr. HALE. Let the letter be printed in the Record. I do not object to the amendment.

The letter referred to is as follows:

TREASURY DEPARTMENT,  
Washington, January 27, 1910.

Hon. T. E. BURTON,  
United States Senate.

SIR: I have the honor to acknowledge receipt of your letter of the 25th instant, stating that complaint has been made that the amounts available or recommended will not be sufficient to provide proper fixtures for the new post-office, custom house, and court-house building at Cleveland, Ohio.

The urgent deficiency bill (H. R. 18282) contains a provision of \$100,000 for furniture equipment corresponding to the present regulation designs of the department. This amount is sufficient only for the use of equipment which the department can furnish under its usual contracts. The interior trim and decoration of the Cleveland building are such as to require furniture and lighting fixtures of special design. The court rooms and offices of some of the principal officials are trimmed in Circassian walnut, while all the other rooms in the building are finished in mahogany. To equip the entire building with furniture and fixtures in keeping with the trim of the rooms it is estimated that an appropriation of \$60,000 will be needed in addition to the \$100,000 referred to above.

Respectfully,

C. D. HILLES, Acting Secretary.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Ohio [Mr. BURTON].

The amendment was agreed to.

Mr. BULKELEY. I wish to give notice that I shall raise a point of order in the Senate on the amendment on page 30 regarding the salaries of the judges, officers, and employees of the court of customs appeals on the ground that it is general legislation and changes existing law.



The VICE-PRESIDENT. The Chair will recognize the Senator from Connecticut for that purpose when the bill is in the Senate.

The bill was reported to the Senate as amended.

Mr. BULKELEY. On page 30, line 9, under the head of "Judicial," after the words "United States court of customs appeals," the following amendment was inserted as in Committee of the Whole:

The salaries of the judges, officers, and employees of the United States court of customs appeals, authorized by the act approved August 5, 1909, entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," shall hereafter be at the rates per annum as follows:

Looking at the language of the act passed at the special session, I find in section 29:

That a United States court of customs appeals is hereby created, and said court shall consist of a presiding judge and four associate judges appointed by the President, by and with the advice and consent of the Senate, each of whom shall receive a salary of \$10,000 per annum.

I raise the point of order that this amendment is general legislation and changes existing law on an appropriation bill.

Mr. HALE. Mr. President, in order to throw the whole matter into conference—I see the point the Senator makes—I move to strike out the whole paragraph.

Mr. BULKELEY. If the Senator makes that motion I will withdraw the point of order.

The VICE-PRESIDENT. The Senator from Connecticut withdraws the point of order and the Senator from Maine moves to strike out the entire paragraph.

The motion was agreed to.

Mr. HALE. That is all, Mr. President.

The VICE-PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### EXECUTIVE SESSION.

Mr. HALE. As I shall be called away from the Senate on public business and desire a short executive session, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

#### ARMY APPROPRIATION BILL.

Mr. WARREN. I move to take up the army appropriation bill, House bill 15384.

Mr. KEAN. Let the unfinished business be first temporarily laid aside.

Mr. WARREN. I was waiting until 2 o'clock.

Mr. KEAN. It is just 2 o'clock.

The VICE-PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 5436) to create a legislative council in the district of Alaska, to confer legislative powers thereon, and for other purposes.

Mr. KEAN. I ask that the unfinished business be temporarily laid aside.

The VICE-PRESIDENT. The Senator from New Jersey asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none.

The Senator from Wyoming moves that the Senate proceed to the consideration of House bill 15384, the army appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15384) making appropriation for the support of the army for the fiscal year ending June 30, 1911, which had been reported from the Committee on Military Affairs with amendments.

Mr. WARREN. I ask that the formal reading of the bill be dispensed with, and that the bill be read for amendment, the committee amendments to be first considered.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Wyoming? The Chair hears none. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Military Affairs was, on page 1, line 11, before the word "thousand," to strike out "twenty-five" and insert "forty," so as to make the clause read:

Contingencies of the army: For all contingent expenses of the army not otherwise provided for, and embracing all branches of the military

service, including the office of the Chief of Staff, to be expended under the immediate orders of the Secretary of War, \$40,000.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Chief of Staff," on page 3, line 15, after the word "instructors," to insert "and students," so as to make the proviso read:

Provided, That the provisions of section 1330, Revised Statutes, authorizing leaves of absence to certain officers of the Military Academy, during the period of the suspension of the ordinary academic studies, without deduction from pay and allowances, be, and are hereby, extended to include officers on duty exclusively as instructors and students at the service schools on approval of the officer in charge of said schools.

The amendment was agreed to.

The next amendment was, under the subhead "Pay of officers of the line," on page 6, line 13, after the word "dollars," to insert the following proviso:

Provided, That the accounting officers of the Treasury are hereby authorized and directed to allow payments for exercising higher command under the provisions of section 7 of the act approved April 26, 1898 (30 Stat. L., 364), which have been made between the date of the passage of said act and March 18, 1907, in accordance with the regulations and decisions then existing: Provided, That where disallowances have been made in the settlement of claims filed by officers of the army for arrears on account of foreign service, increase of pay, and other causes, the Auditor of the Treasury for the War Department is hereby authorized to reopen said settlements and credit to the claimants any sums which have heretofore been deducted under the head of increased pay for the exercise of higher command.

So as to make the clause read:

For pay of officers of the line, \$7,211,700: Provided, That the accounting officers of the Treasury are hereby authorized, etc.

The amendment was agreed to.

The next amendment was, under the subhead "Pay of enlisted men," on page 7, after line 12, to insert the following proviso:

Provided, That one of the two "blacksmiths and farriers" now authorized by law for each troop of cavalry shall hereafter be designated as "horseshoer" and receive the pay of a sergeant of cavalry, and the other shall hereafter be designated as "farrier" and receive the pay of a corporal of cavalry; and that one of the "mechanics" now authorized by law for each battery of field artillery shall hereafter be designated as "horseshoer" and receive the pay of a sergeant of artillery.

The amendment was agreed to.

The next amendment was, under the subhead "Corps of Engineers," on page 7, line 23, before the word "hundred," to strike out "Four" and insert "For pay of enlisted men, four," so as to make the clause read:

For pay of enlisted men, \$475,716.

The amendment was agreed to.

The next amendment was, on page 7, line 25, after the word "Additional," to insert "pay," so as to make the clause read:

Additional pay for length of service, \$66,000.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance Department," on page 8, line 2, before the word "hundred," to strike out "Two" and insert "For pay of enlisted men, two," so as to make the clause read:

For pay of enlisted men, \$216,036.

The amendment was agreed to.

The next amendment was, under the subhead "Quartermaster's Department," on page 8, line 7, before the word "hundred," to strike out "Two" and insert "For pay of two," so as to make the clause read:

For pay of 200 post quartermaster-sergeants, at \$45 per month each, \$108,000.

The amendment was agreed to.

The next amendment was, under the subhead "Subsistence Department," on page 8, line 13, before the word "hundred," to strike out "Two" and insert "For pay of two," so as to make the clause read:

For pay of 207 post commissary-sergeants, at \$45 per month each, \$111,780.

The amendment was agreed to.

The next amendment was, under the subhead "Signal Corps," on page 8, line 19, before the word "master," to strike out "42" and insert "For pay of 42," so as to make the clause read:

For pay of 42 master signal electricians, at \$900 each, \$37,800.

The amendment was agreed to.

The next amendment was, on page 8, line 22, before the word "hundred," to strike out "One" and insert "For pay of one," so as to make the clause read:

For pay of 132 first-class sergeants, at \$540 each, \$71,280.

The amendment was agreed to.

The next amendment was, on page 9, line 1, before the word "hundred," to strike out "One" and insert "For pay of one," so as to make the clause read:

For pay of 144 sergeants, at \$36 per month each, \$62,208.

The amendment was agreed to.

The next amendment was, on page 9, line 4, before the word "cooks," to strike out "24" and insert "For pay of 24," so as to make the clause read:

For pay of 24 cooks, at \$30 per month each, \$8,640.

The amendment was agreed to.

The next amendment was, on page 9, line 7, before the word "hundred," to strike out "One" and insert "For pay of one," so as to make the clause read:

For pay of 156 corporals, at \$24 per month each, \$44,928.

The amendment was agreed to.

The next amendment was, on page 9, line 10, before the word "hundred," to strike out "Five" and insert "For pay of five," so as to make the clause read:

For pay of 552 first-class privates, at \$18 per month each, \$119,232.

The amendment was agreed to.

The next amendment was, on page 9, line 13, before the word "hundred," to strike out "One" and insert "For pay of one;" and in line 14, before the word "privates," to strike out "second-class," so as to make the clause read:

For pay of 168 privates, at \$15 per month each, \$30,240.

The amendment was agreed to.

The next amendment was, in the subhead "Pay to clerks, messengers, etc.," on page 10, line 2, after the word "departments," to insert "and posts commanded by general officers," so as to read:

Pay to clerks, messengers, and laborers at headquarters of divisions, and departments, and posts commanded by general officers, and office of the Chief of Staff.

The amendment was agreed to.

The next amendment was, under the subhead "Hospital Corps," on page 11, line 19, after the word "departments," to insert "posts commanded by general officers," so as to make the clause read:

And said clerks, messengers, and laborers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve: *Provided*, That no clerk, messenger, or laborer at headquarters of divisions, departments, posts commanded by general officers, or office of the Chief of Staff, shall be assigned to duty with any bureau in the War Department.

The amendment was agreed to.

The next amendment was, under the subhead "For pay of officers of the staff corps and staff departments," on page 14, after line 11, to insert:

The Secretary of War is hereby authorized to detail one additional officer of the army as assistant to the Chief of the Bureau of Insular Affairs, under the same provisions of law in regard to the vacancy in the line thus created and return to the line as govern in the case of the assistant authorized by the act of March 2, 1907; and the assistant herein authorized while serving in this capacity shall have the rank, pay, and allowances of colonel; and both officers detailed in the Bureau of Insular Affairs shall hereafter be designated, while on this duty, as assistants to the chief of the bureau.

The amendment was agreed to.

The next amendment was, under the subhead "Retired officers," in the item of appropriation for pay of officers on the retired list, on page 15, line 2, after the word "dollars," to insert the following proviso:

*Provided*, That the President may, in his discretion, extend the proviso contained under the heading "Retired officers" in the act making appropriations for the support of the army for the fiscal year ending June 30, 1908, approved March 2, 1907, so as to include any officer who served creditably either as an officer or enlisted man in the regular or volunteer forces of the United States during the civil war, and who is now and has been for a period of not less than one year serving as a brigadier-general on the active list of the army, and who at date of retirement will have served in the army more than forty years.

Mr. WARREN. I move to amend the amendment by striking out, in line 8, the first seven words, the words "either as an officer or enlisted man."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the subhead "Miscellaneous," on page 16, line 6, before the words "one hundred," to insert "pay of;" in line 8, before the word "dollars," to strike out "fifty-five thousand and twenty" and insert "sixty-seven thousand eight hundred and eighty;" and in the same line, after the word "dollars," to insert:

Sixty-seven thousand eight hundred and eighty dollars; and the superintendent and members of the Female Nurse Corps shall hereafter be paid at the following rates: Superintendent Nurse Corps, \$1,800 per annum; female nurses, \$50 per month for the first period of three years' service; \$55 per month for the second period of three years' service; \$60 per month for the third period of three years' service; and \$65 per month after nine years' service in said Nurse Corps; and all female

nurses shall hereafter be entitled, in addition to the rates of pay as herein provided, to \$10 per month when serving beyond the limits of the States comprising the Union and the Territories of the United States contiguous thereto (excepting Porto Rico and Hawaii), and to cumulative leave of absence with pay at the rate of thirty days for each calendar year of service in said corps; and when serving as chief nurses their pay may be increased by authority of the Secretary of War, such increase not to exceed \$30 per month; and the superintendent shall be entitled to the same allowances, when on duty, as the members of the Nurse Corps.

So as to make the clause read:

For pay of 100 nurses (female), \$67,860; and the superintendent and members of the Female Nurse Corps shall hereafter be paid at the following rates, etc.

The amendment was agreed to.

The next amendment was, on page 17, line 9, before the word "thirty-one," to insert "pay of," so as to make the clause read:

For pay of 31 dental surgeons, \$57,960.

The amendment was agreed to.

The next amendment was, on page 17, line 11, before the word "contract," to insert "pay of," so as to make the clause read:

For pay of contract surgeons, \$36,000.

The amendment was agreed to.

The next amendment was, on page 19, line 13, before the word "of," to strike out "pay" and insert "payment," so as to make the clause read:

For payment of exchange by special disbursing agents of the Pay Department serving in foreign countries, \$200.

The amendment was agreed to.

The next amendment was, on page 19, line 22, after the word "to," to strike out "persons designated to receive the same by officers and enlisted men on active service who have died from wounds or disease contracted in line of duty" and insert "beneficiaries of officers and enlisted men who die while in active service from wounds or disease not the result of their own misconduct," so as to make the clause read:

For six months' additional pay to beneficiaries of officers and enlisted men who die while in active service from wounds or disease not the result of their own misconduct, \$100,000.

The amendment was agreed to.

The next amendment was, under the subhead "Philippine Scouts," on page 22, line 5, after the word "until," to strike out "expended" and insert "the end of the fiscal year 1912," so as to make the clause read:

Encampment and maneuvers, organized militia: For paying the expenses of the organized militia of any State, Territory, or of the District of Columbia, which may be authorized by the Secretary of War to participate in such encampments as may be established for the field instruction of the troops of the Regular Army, as provided by sections 15 and 21 of the act of January 21, 1903, entitled "An act to promote the efficiency of the militia, and for other purposes," to be immediately available and to remain available until the end of the fiscal year 1912, \$1,350,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 7, to insert:

The Secretary of War is authorized, under requisition of the governor of a State or Territory or the commanding general of the Militia of the District of Columbia, to pay to the quartermaster-general or such other officer of the militia as may be duly designated and appointed for the purpose so much of its allotment under the annual appropriation authorized by section 1661, Revised Statutes, as amended, as shall be necessary for the payment, subsistence, transportation, and other expenses of such portion of the organized militia as may engage in encampments, maneuvers, and field instruction with any part of the Regular Army at or near any military post or camp or lake or sea-coast defense of the United States.

The amendment was agreed to.

The next amendment was, under the subhead "Subsistence Department," in the item of appropriation for the purchase of subsistence supplies, on page 23, line 23, after the word "expended," to strike out "to defray the cost of furnishing food, and for providing extra-duty pay for cooks, assistant cooks, and waiters, and for perishable table equipment in subsisting enlisted men of the Regular Army and the organized militia who may be competitors in the national rifle match: *And provided further*, That no competitor who is thus subsisted shall be entitled to commutation of rations, and no greater expense shall be incurred than \$1.50 per man per day for the period the contest is in progress," and insert "for supplying meals or furnishing commutation of rations to enlisted men of the Regular Army and the organized militia who may be competitors in the national rifle match: *And provided further*, That no competitor shall be entitled to commutation of rations in excess of \$1.50 per diem, and when meals are furnished no greater expense than that sum shall be incurred per man per diem for the period the contest is in progress," so as to make the proviso read:

*Provided*, That the sum of \$12,000 is authorized to be expended for supplying meals or furnishing commutation of rations to enlisted men of the Regular Army and the organized militia who may be com-

petitors in the national rifle match: *And provided further*, That no competitor shall be entitled to commutation of rations in excess of \$1.50 per diem, and when meals are furnished no greater expense than that sum shall be incurred per man per diem for the period the contest is in progress.

The amendment was agreed to.

The next amendment was, under the subhead "Quartermaster's Department," in the item of appropriation for regular supplies of the Quartermaster's Department, on page 27, line 14, after the word "separation," to insert:

And the Auditor for the War Department is authorized and directed to remove all suspensions or disallowances in accounts of quartermasters for the supply of said allowances under such circumstances, and the Quartermaster-General is authorized to repay to officers any sums collected from them in payment therefor.

So as to read:

And hereafter, when an officer is separated from his authorized number of owned horses through the nature of the military service upon which employed, they shall not be deprived of forage, bedding, shelter, shoeing, or medicines therefor, because of such separation, and the Auditor for the War Department is authorized and directed to remove all suspensions or disallowances in accounts of quartermasters for the supply of said allowances under such circumstances, and the Quartermaster-General is authorized to repay to officers any sums collected from them in payment therefor.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the purchase of horses for cavalry, artillery, and engineers, on page 32, line 15, after the word "horses," to insert the following further proviso:

*And provided further*, That hereafter when a mounted officer is ordered to duty beyond the seas or to make a change of station in the United States in which the cost of transportation for his authorized number of owned horses exceeds the sum at the time allowed for that purpose in the Army Regulations, the Secretary of War is authorized, under such regulations in respect to inspection and valuation as he may prescribe, in his discretion to permit the purchase of said horses by the Quartermaster's Department, at a price not exceeding the average contract price paid for horses during the preceding fiscal year, the exact price to be fixed by a board of officers.

The amendment was agreed to.

The next amendment was, on page 33, line 3, after the word "quarters," to strike out:

For barracks and quarters for troops, other than seacoast artillery, storehouses for the safe-keeping of military stores, for offices, recruiting stations, to provide such furniture for the public rooms of officers' messes and officers' quarters at military posts as may be approved by the Secretary of War; for the hire of buildings and grounds for summer cantonments, and for temporary buildings at frontier stations, for the construction of temporary buildings and stables, and for repairing public buildings at established posts, including the extra-duty pay of enlisted men employed on the same: *Provided*, That no part of the moneys so appropriated shall be paid for commutation of fuel or for quarters to officers or enlisted men: *Provided further*, That the number of and total sum paid for civilian employees in the Quartermaster's Department, including those paid from the funds appropriated for regular supplies, incidental expenses, barracks and quarters, army transportation, clothing, camp and garrison equipage, shall be limited to the actual requirements of the service, and that no employee paid therefrom shall receive a salary of more than \$150 per month, except upon the approval of the Secretary of War—

And insert—

For barracks, quarters, stables, storehouses, magazines, administration and office buildings, sheds, shops, and other buildings necessary for the shelter of troops, public animals, and stores, and for administration purposes, except those pertaining to the Seacoast Artillery; for repairing public buildings at military posts; for extra-duty pay to enlisted men and hire of employees; for rental of the authorized allowance of quarters for officers on duty with the troops at posts and stations where no public quarters are available; of barracks or authorized allowance of quarters for noncommissioned officers and enlisted men on duty where public quarters are not available; of grounds for cantonments, camp sites, and other military purposes, and of buildings or portions of buildings for occupation by troops, for use as stables, storehouses, and offices, and for other military purposes; for the hire of recruiting stations and lodgings for recruits; for such furniture for the public rooms of officers' messes and for officers' quarters at military posts, and for sales to officers, as may be approved by the Secretary of War; for wall lockers in permanent barracks and refrigerators in barracks and quarters; for screen doors, window screens, storm doors and sash, and window shades for barracks, offices, and quarters, and for flooring and framing for tents: *Provided*, That no part of the moneys so appropriated shall be paid for commutation of fuel or quarters to officers or enlisted men: *Provided further*, That the number of and total sum paid for civilian employees in the Quartermaster-General's Department, including those paid from the fund appropriated for regular supplies, incidental expenses, barracks and quarters, army transportation, clothing, camp and garrison equipage, shall be limited to the actual requirements of the service, and that no employee paid therefrom shall receive a salary of more than \$150 per month, except upon the approval of the Secretary of War.

So as to make the clause read:

Barracks and quarters: For barracks, quarters, stables, storehouses, magazines, administration and office buildings, sheds, shops, and other buildings necessary for the shelter of troops, public animals, and stores, and for administration purposes, except those pertaining to the Seacoast Artillery; for repairing public buildings at military posts; for extra pay to enlisted men and hire of employees; for rental of the authorized allowance of quarters for officers on duty with the troops at posts and stations where no public quarters are available; of barracks or authorized allowance of quarters for noncommissioned officers and enlisted men on duty where public quarters are not available;

of grounds for cantonments, camp sites, and other military purposes, and of buildings or portions of buildings for occupation by troops, for use as stables, storehouses, and offices, and for other military purposes; for the hire of recruiting stations and lodgings for recruits; for such furniture for the public rooms of officers' messes and for officers' quarters at military posts, and for sales to officers, as may be approved by the Secretary of War; for wall lockers in permanent barracks and refrigerators in barracks and quarters; for screen doors, window screens, storm doors and sash, and window shades for barracks, offices, and quarters, and for flooring and framing for tents: *Provided*, That no part of the moneys so appropriated shall be paid for commutation of fuel or quarters to officers or enlisted men: *Provided further*, That the number of and total sum paid for civilian employees in the Quartermaster-General's Department, including those paid from the fund appropriated for regular supplies, incidental expenses, barracks and quarters, army transportation, clothing, camp and garrison equipage, shall be limited to the actual requirements of the service, and that no employee paid therefrom shall receive a salary of more than \$150 per month, except upon the approval of the Secretary of War, \$1,600,631.

The amendment was agreed to.

The next amendment was, on page 35, line 14, after the word "gymnasium," to insert "including repairs to buildings erected at private cost in the operation of the act approved May 31, 1902;" so as to make the clause read:

Military post exchange: For continuing the construction, equipment, and maintenance of suitable buildings at military posts and stations for the conduct of the post exchange, school, library, reading, lunch, amusement rooms, and gymnasium, including repairs to buildings erected at private cost in the operation of the act approved May 31, 1902, to be expended in the discretion and under the direction of the Secretary of War, \$70,900: *Provided*, That not more than \$40,000 of the above appropriation shall be expended at any one post or station.

The amendment was agreed to.

The next amendment was, in the item of appropriation for "transportation of the army and its supplies," on page 35, line 26, after the word "crating," to insert: "*Provided*, That hereafter baggage in excess of regulation change of station allowances may be shipped with such allowances, and reimbursement collected for transportation charges on such excess;" on page 36, line 11, after the word "other," to strike out "quartermaster" and insert "quartermasters;" and in line 17, after the word "sent," to insert "and hereafter transportation may be furnished for the authorized number of owned horses of an officer from point of purchase to his station, when he would have been entitled to and did not have his authorized number of owned horses shipped upon his last change of station, and when the cost of shipment does not exceed that from his old to his new station; and the Auditor for the War Department is authorized and directed to remove any suspensions or disallowances in the accounts of quartermasters for the payment of such transportation heretofore furnished, and the Quartermaster-General is authorized to repay to officers any sums collected from them in payment therefor," so as to read:

Transportation of the army and its supplies: For transportation of the army and its supplies, including transportation of the troops when moving either by land or water, and of their baggage, including the cost of packing and crating: *Provided*, That hereafter baggage in excess of regulation change of station allowances may be shipped with such allowances, and reimbursement collected for transportation charges on such excess; for transportation of recruits and recruiting parties; of applicants for enlistment between recruiting stations and recruiting depots; of persons on their discharge from the United States military prison to their homes (or elsewhere as they may elect), provided the cost in each case shall not be greater than to the place of last enlistment; of supplies furnished to the militia for the permanent equipment thereof; of the necessary agents and other employees; of clothing and equipage and other quartermaster's stores from army depots or places of purchase or delivery to the several posts and army depots, and from those depots to the troops in the field; of horse equipments and of subsistence stores from places of purchase and from the places of delivery under contract to such places as the circumstances of the service may require them to be sent, and hereafter transportation may be furnished for the authorized number of owned horses of an officer from point of purchase to his station, when he would have been entitled to and did not have his authorized number of owned horses shipped upon his last change of station, and when the cost of shipment does not exceed that from his old to his new station; and the Auditor for the War Department is authorized and directed to remove any suspensions or disallowances in the accounts of quartermasters for the payment of such transportation heretofore furnished, and the Quartermaster-General is authorized to repay to officers any sums collected from them in payment therefor.

The amendment was agreed to.

The next amendment was, in the item of appropriation for transportation of the army and its supplies, on page 39, line 3, after the word "navy," to strike out "departments" and insert "department," so as to make the proviso read:

*Provided*, That when, in the opinion of the Secretary of War, accommodations are available, transportation on vessels of the army transport service may be furnished the secretaries and supplies of the army and navy department of the Young Men's Christian Association.

The amendment was agreed to.

The next amendment was, in the item of appropriation for transportation of the army and its supplies, on page 39, line 11, after the word "million," to strike out "five hundred thousand four hundred and eighty-five dollars and seventy cents" and insert "eight hundred and fifty thousand four hundred and

eighty-five dollars and seventy cents," so as to make the proviso read:

*Provided, further,* That when there is cargo space available without displacing military supplies, transportation may be provided for merchandise of American production consigned to residents and mercantile firms of the Island of Guam, rates and regulations therefor to be prescribed by the Secretary of War; and for the purchase and repair of harbor boats, and repair of boats for the seacoast artillery service, \$11,850,485.70. Authority is hereby granted the Secretary of War to transfer to the Navy Department the United States Army transport Ingalis.

The amendment was agreed to.

The next amendment was, on page 40, after line 8, to strike out:

For repairs and maintenance of military and post roads, bridges, and trails in the district of Alaska, \$100,000.

And insert:

Construction and maintenance of military and post roads, bridges, and trails, Alaska: For the construction and maintenance of military and post roads, bridges, and trails in the district of Alaska, to be expended under the direction of the board of road commissioners described in section 2 of an act entitled "An act to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane persons in the district of Alaska, and for other purposes," approved January 27, 1905, and to be expended conformably to the provisions of said act, \$100,000, to remain available until the close of the fiscal year ending June 30, 1912.

The amendment was agreed to.

The next amendment was, on page 41, line 10, before the word "thousand," to strike out "seven hundred and fifty" and insert "three hundred and seventy-five;" in line 11, before the word "thousand," to strike out "seven hundred and fifty" and insert "three hundred and seventy-five;" and in line 15, after the word "of," where it occurs the second time, to strike out "\$12,000, of a colonel or officer above the rank of captain, \$10,000, and of an officer of and below the rank of captain, \$7,000," and insert "\$10,000; of a colonel or officer above the rank of captain, \$7,500; of an officer of the rank of captain, \$5,000; and of an officer below the rank of captain, \$3,500," so as to make the clause read:

Barracks and quarters, Philippine Islands: Continuing the work of providing for the proper shelter and protection of officers and enlisted men of the army of the United States lawfully on duty in the Philippine Islands, including repairs and payment of rents, the acquisition of title to building sites, and such additions to existing military reservations as may be necessary, and including also shelter for the animals and supplies, and all other buildings necessary for post administration purposes, \$375,000: *Provided,* That no part of said \$375,000 shall be expended for the construction of quarters for officers of the army, the total cost of which, including the heating and plumbing apparatus, wiring and fixtures, shall exceed in the case of quarters of a general officer the sum of \$10,000; of a colonel or officer above the rank of captain, \$7,500; of an officer of the rank of captain, \$5,000; and of an officer below the rank of captain, \$3,500.

The amendment was agreed to.

The next amendment was, on page 42, after line 11, to insert:

Hereafter all moneys arising from disposition of serviceable quartermaster's supplies or stores, authorized by law and regulations, shall remain available throughout the fiscal year following that in which the disposition was effected, for the purposes of that appropriation from which such supplies were authorized to be supplied at the time of the disposition.

The amendment was agreed to.

The next amendment was in the item of appropriation for construction and repair of hospitals, on page 43, line 3, after the words "dollars," to insert the following proviso:

*Provided,* That of this sum there may be used for the construction of a modern hospital at Fort Missoula, Mont., \$45,000; for the construction of a modern hospital at Fort H. G. Wright, N. Y., \$50,000; for the enlargement of the hospital at Fort George Wright, Wash., \$25,000; and for the construction of quarters for nurses at the Walter Reed General Hospital, District of Columbia, \$25,000.

The amendment was agreed to.

The next amendment was, on page 43, line 22, before the word "thousand," to strike out "twenty" and insert "eighty-four," so as to read:

Shooting galleries and ranges: For shelter, shooting galleries, ranges for small-arms target practice, repairs, and expenses incident thereto, such ranges and galleries to be open, as far as practicable, to the national guard and organized rifle clubs under regulations to be prescribed by the Secretary of War, \$184,125.

The amendment was agreed to.

The next amendment was in the item of appropriation for shooting galleries and ranges, on page 44, line 7, after the word "Texas," to insert the following further proviso:

*Provided further,* That of the above sum there may be used and immediately available \$40,000, or so much thereof as may be necessary, for the construction and equipment of a target range for the field firing of the artillery, cavalry, and infantry branches of the United States Army, and for machine guns, including the construction of a concrete storehouse, portable railroad, and improvements on camp sites for water and sanitation, on land authorized to be acquired near Sparta, Monroe County, Wis., as a site for a target range, and for all other absolutely necessary expenses in connection therewith; and \$24,000, or

so much thereof as may be necessary, for the completion of rifle range of the military reservation of Fort D. A. Russell, Wyo.

The amendment was agreed to.

The next amendment was, under the subhead "Engineer Department," on page 47, line 5, after the word "expenses," to strike out "for" and insert "of," so as to read:

Engineer depots: For incidental expenses of the depots, including fuel, lights, chemicals, stationery, hardware, etc.

The amendment was agreed to.

The next amendment was, in the item of appropriation for the Engineer School, Washington, D. C., on page 48, line 17, after the word "the," to strike out "Chief of Engineers" and insert "Secretary of War," so as to read:

For travel expenses of officers on journeys approved by the Secretary of War and made for the purpose of instruction.

The amendment was agreed to.

The next amendment was, on page 49, after line 8, to insert:

Hereafter whenever pressing obligations are required to be paid by a disbursing officer of the Engineer Department and there is an insufficient balance to his official credit under the proper appropriation or appropriations for the purpose, he is authorized to make payment from the total available balance to his official credit, provided sufficient funds under the proper appropriation or appropriations have been allotted by the Chief of Engineers for the expenditure. When such disbursements are made the accounts of the disbursing officer shall show the charging of the proper appropriations, the balances under which will be adjusted by the disbursing officer on receipt of funds or by the accounting officers of the Treasury.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance Department," on page 51, after line 14, to insert:

For blank ammunition for use of troops participating in maneuver camps of instruction, \$75,000.

The amendment was agreed to.

The next amendment was, on page 53, line 8, before the word "thousand," to strike out "nine" and insert "ten," so as to make the clause read:

National trophy and medals for rifle contests: That for the purpose of furnishing a national trophy and medals and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War, said contest to be open to the Army, Navy, Marine Corps, and the national guard or organized militia of the several States, Territories, and of the District of Columbia, and for the cost of the trophy, prizes, and medals herein provided for, and for the promotion of rifle practice, including the reimbursement of necessary expenses of members of the national board for the promotion of rifle practice, to be expended for the purposes hereinbefore prescribed under the direction of the Secretary of War, \$10,000.

The amendment was agreed to.

The next amendment was, on page 53, after line 14, to insert:

Ordnance contracts: Hereafter whenever contracts which are not to be performed within sixty days are made on behalf of the Government by the Chief of Ordnance, or by officers under him authorized to make them, and are in excess of \$500 in amount, such contracts shall be reduced to writing and signed by the contracting parties with their names at the end thereof. In all other cases contracts shall be prepared under such regulations as may be prescribed by the Chief of Ordnance.

The amendment was agreed to.

The next amendment was, on page 53, after line 23, to insert:

The Secretary of War is hereby authorized to make such issues of ordnance and ordnance stores, from time to time, without charging the cost or value thereof, to the governor of each State and Territory, and to the commanding general of the National Guard of the District of Columbia, as are required to keep on hand a sufficient supply of arms and the necessary accouterments and equipments therefor, of the model that may at the time of any issue be in use by the corresponding arm, corps, or department of the Regular Army, for the use of the maximum number of organized militia authorized by law or regulations; such issues to remain the property of the United States and to be accounted for as now provided by law.

The amendment was agreed to.

The reading of the bill was concluded.

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

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

DEWITT EASTMAN.

Mr. BULKELEY. Mr. President, I inquire if it is in order at this time to ask unanimous consent for the consideration of a bill on the calendar?

The VICE-PRESIDENT. It is.

Mr. BULKELEY. Then I ask unanimous consent for the present consideration of the bill (S. 614) to amend an act entitled "An act for the relief of Dewitt Eastman," approved January 8, 1900.

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

The bill was reported from the Committee on Military Affairs with an amendment, in line 7, after the word "sixty-five," to insert "and the Secretary of War is hereby authorized and di-

rected to issue to him an honorable discharge as of said date;" so as to make the bill read:

*Be it enacted, etc.,* That Dewitt Eastman shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of Battery I, Fourth Regiment United States Artillery, on the 13th of June, 1865, and the Secretary of War is hereby authorized and directed to issue to him an honorable discharge as of said date: *Provided,* That no pay, bounty, or other emoluments shall accrue by virtue of the passage of this act.

The amendment was agreed to.

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

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

#### INCREASED COST OF LIVING.

Mr. ELKINS. Mr. President, if it be in order, I should like to ask the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate when it would be convenient for him to report the resolution submitted by me and referred to his committee on January 5?

Mr. GALLINGER. What is the resolution?

Mr. ELKINS. The resolution is No. 115. It relates to the cost of living.

Mr. KEAN. Mr. President, I should like the Senator from West Virginia to inform me what is his pleasure in the matter.

Mr. ELKINS. I do not like to disclose personal conversations had with my amiable friend the Senator from New Jersey about this or any other subject, but I am sure he will not be offended if I say I have asked him almost every day that I have been in the Senate for the past two or three weeks to report the resolution favorably or unfavorably. All I desired was that the resolution be reported for action by the Senate.

Mr. KEAN. I will endeavor at the proper time, when reports of committees are in order, either to report or not to report the resolution of the Senator from West Virginia.

Mr. ELKINS. I hope the Senator will agree to one thing or the other, either to make some report or not to on the resolution. I think this is due the Senate and myself as the author of the resolution. I do not understand that even so able and experienced a chairman as he is of his committee has a right to indefinitely postpone the consideration of a resolution before his committee. I think it is due to a Senator and the Senate, when a resolution is introduced in good faith, to have it acted upon. I do not want it to sleep the sleep of death in some pigeonhole of the Senator's committee room. The subject is too important. Eighty millions of people are demanding to know why the cost of living is advancing, and if there is not some remedy to stop this alarming increase. For my part, I earnestly desire a fair and impartial investigation of this great subject. The Senate owes it to the people of the United States to promptly examine into and investigate the high and advancing cost of living, and if any remedy can be found by legislation, to take prompt action. At least the Senate can ascertain the facts and report them to the country.

#### FLATHEAD INDIAN RESERVATION, MONT.

Mr. DIXON. I ask unanimous consent for the present consideration of the bill (S. 3983) to amend the act of April 23, 1904 (33 Stat. L., p. 302), entitled "An act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment," and all amendments thereto.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and insert:

That the act of April 23, 1904 (33 Stat. L., p. 302), entitled "An act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana," and all amendments thereto, be amended by adding thereto the following sections:

"Sec. 23. That the Secretary of the Interior be, and he is hereby, authorized to immediately cause to be surveyed and subdivided into lots, not less than 2 acres and not more than 5 acres, all of the unallotted lands fronting on Flathead Lake, in the State of Montana, that are embraced within the limits of the Flathead Indian Reservation, whether classified as grazing, agricultural, or timber lands.

"That when said lands are so surveyed and subdivided into lots as aforesaid, the Secretary of the Interior shall sell the same to the highest bidder, either at public sale or under sealed bids, as in his judgment he shall deem best for the interest of the confederated tribes of the Flathead, Kootenai, and Upper Pend d'Oreille Indians. The proceeds from the sale of said lands, after deducting the expenses of the survey and sale of the lands, shall be paid into the Treasury of the United States and expended as heretofore provided in section 14 as amended by the act of May 29, 1908.

"Sec. 24. That where allotments of lands have been made in severalty to said Indians from the lands embraced within the area of said Flathead Indian Reservation, which are or may be irrigable lands, the Secretary of the Interior may, upon application of the Indian allottee, sell and dispose of not to exceed 60 acres of such individual allotment

of land under such terms and conditions of sale as the Secretary of the Interior may prescribe, one half of the proceeds of the sale of said individual allotment to be paid to the Indian allottee and the remaining half of the proceeds of sale to be held in trust for the said Indian allottee, upon which he shall be paid annually not less than 3 per cent interest, the remaining principal sum to be paid to said allottee or his heirs when the full period of his trust patent for the remaining lands covered by his allotment shall have expired, or sooner, should the Secretary of the Interior, in his judgment, deem it best for said Indian allottee.

"And in the event of the failure, neglect, or refusal of any such allottee to relinquish any allotment made to him on any land reserved or necessary for reservoir sites, as aforesaid, the Secretary of the Interior is authorized to bring action under the provision of the laws of the State of Montana to condemn and acquire title to any and all lands necessary or useful for said reservoir sites that have heretofore been allotted on said Flathead Indian Reservation lands."

Mr. DIXON. I offer an amendment to the amendment. In preparing the report my stenographer inadvertently left out a part of the recommendation of the Secretary of the Interior, and the amendment is to cover that. It should be inserted after the word "allottee," on line 3, page 5.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. Insert, after the word "allottee," in line 3, page 5, the following:

SEC. 25. That the Secretary of the Interior is hereby authorized to set aside and reserve so much of the surplus unallotted and otherwise unreserved lands of the Flathead Indian Reservation as may be necessary to provide an allotment to each Indian having an allotment on any of the lands set aside and reserved for power or reservoir sites, as authorized by section 22 of the act of March 3, 1909 (35 Stat. L., 796), who may relinquish his allotment within such power or reservoir site.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

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

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

#### INVESTIGATION OF INTERIOR DEPARTMENT, ETC.

The VICE-PRESIDENT. The Chair appoints the Senator from North Dakota [Mr. PURCELL] to fill the vacancy on the joint committee authorizing an investigation of the Interior Department and the Bureau of Forestry, Agricultural Department, caused by the resignation of the Senator from Kentucky [Mr. PAYNTER].

#### POSTAL SAVINGS DEPOSITORIES.

Mr. CARTER. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 5876) to establish savings depositories for depositing savings at interest, with the security of the Government for repayment thereof, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. CARTER obtained the floor.

Mr. DAVIS. Mr. President—

The VICE-PRESIDENT. For what purpose does the Senator from Arkansas rise?

Mr. DAVIS. I wish to offer an amendment to the bill.

The VICE-PRESIDENT. The Senator from Arkansas offers an amendment which will be stated.

The Chair would like to be advised whether the Senator from Iowa [Mr. CUMMINS] is present. The Senator from Iowa had an amendment printed, but, as the Chair recollects, it was not offered, but simply submitted for the information of the Senate.

Mr. CARTER. The Senator from Iowa will return to the Chamber presently.

Mr. GALLINGER. It was not offered.

The VICE-PRESIDENT. The Secretary will state the amendment proposed by the Senator from Arkansas.

The SECRETARY. On page 5, line 15, strike out the word "public" and insert "state or national," so that it will read:

That postal savings funds received under the provisions of this act shall be deposited in any solvent bank or banks, subject to state or national supervision and examination in the State or Territory, and as nearly as practicable in the immediate neighborhood, etc.

Mr. CARTER. The committee understood the word "public" to embrace state or national inspection and examination. The amendment of the Senator from Arkansas makes that more explicit, perchance, and I see no objection to its adoption.

Mr. DAVIS. Mr. President, the only purpose I had in mind in offering the amendment was to fix it so that the board of trustees having in charge this money might not so interpret the word "public" with respect to examination and inspection as that it should mean only a national inspection and examination.

This does not help my State. Neither does it help any of the other Southern States—Mississippi, Virginia, Tennessee—which have no law relating to inspection and examination of banks. But it does make it certain that either state or national inspection is

all that is required by this bill; and I think the Senator in charge of the bill very much for accepting the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Arkansas.

The amendment was agreed to.

Mr. SMOOT. I offer an amendment.

The VICE-PRESIDENT. The Senator from Utah presents an amendment which will be stated.

The SECRETARY. On page 6, line 12, after the word "received," at the end of the line, insert:

*Provided*, That money deposited in the banks and secured to the satisfaction of the board of trustees, as herein provided, shall only be withdrawn to pay depositors and other obligations of the Government under this act and shall not be withdrawn for investment so long as the banks are willing to retain it and pay not less than 2½ per cent interest.

Mr. CARTER. I suggest to the Senator from Utah the propriety of inserting "willing to retain it and to comply with the provisions of this law with reference to security." It might be well as a matter of caution to insert those words.

Mr. SMOOT. The amendment says, "money deposited in the banks and secured to the satisfaction of the board of trustees as herein provided;" that is, as provided in this bill.

Mr. CARTER. Let the amendment as proposed be read again at the desk.

The VICE-PRESIDENT. Without objection, the Secretary will again read the amendment.

The Secretary again read the amendment.

Mr. CARTER. I observe that the Senator's amendment provides for the point I had in mind.

Mr. PAGE. I should like to inquire if it is the purpose of this amendment to fix the rate absolutely for all future time at 2½ per cent?

Mr. SMOOT. The rate of 2½ per cent is provided for in the bill, and the amendment provides that this money shall not be withdrawn for any other purpose than to pay depositors and other obligations of the Government under the act, so long as the banks where the money is deposited desire that it shall remain there and are willing to pay not less than 2½ per cent interest.

Mr. PAGE. But I do not understand that this bill does absolutely fix the rate at 2½ per cent, but rather says it shall not be less than 2½ per cent.

Mr. SMOOT. That is just exactly what my amendment says—and pay not less than 2½ per cent interest.

Mr. PAGE. But suppose in the future it should be found necessary or best for all in interest that this rate be changed. It seems to me that the amendment of the Senator from Utah would make it impossible to change that rate so long as the bank was willing to pay 2½ per cent.

Mr. SMOOT. The whole bill would have to be amended then, because this amendment simply follows out the provisions of the bill. The Senator will find it in the bill itself. It says that the rate of interest shall not be less than 2½ per cent.

Mr. PAGE. Yes; but it may be more, it seems to me.

Mr. SMOOT. And so it may be with this amendment.

Mr. PAGE. No. But having been once deposited at 2½ per cent, it is beyond the power of the trustees to withdraw that fund so long as the bank is willing to pay 2½ per cent.

Mr. SMOOT. So long as they are willing to pay not less than 2½ per cent. That is what the amendment states.

Mr. PAGE. I may be wrong in my understanding of the amendment, but it seems to me it fixes the rate so that it is beyond the power of the trustees to change it.

Mr. SMOOT. It will be beyond their power to accept a less rate than 2½ per cent, but not a greater one.

Mr. CRAWFORD. Mr. President, it seems to me there is something in the suggestion of the Senator from Vermont; that is, that the effect of this amendment and the effect of the bill as it is now presented is to fix a rate, a stipulated rate, and have that rate prevail for all time to come. I do not say it is 2½. It can not be less than 2½, but it must be some rate—2½ or 2½ or 3 per cent—and whatever rate it is is fixed for all time to come, and a contract relation is established between the banks and the Government as the depositor in which the rate is fixed forever, irrevocably.

Mr. SMOOT. I call the attention of the Senator to section 8 of the bill, in which it is said:

That postal savings funds received under the provisions of this act shall be deposited in any solvent bank or banks subject to public supervision and examination in the State or Territory, and as nearly as practicable in the immediate neighborhood in which the funds are received, at a rate of interest not less than 2½ per cent per annum.

Mr. CRAWFORD. Very true. I am not stating that the Senator's amendment changes that provision, but I do call attention to the fact that this provision, as well as the Senator's amendment, contemplates that a rate shall be fixed—

Mr. SMOOT. That is right.

Mr. CRAWFORD (continuing). At the time the deposit is made, and it shall remain at that fixed rate for all time to come.

Mr. SMOOT. Unless by amendment.

Mr. CRAWFORD. No; there is no "unless" about it. It is a contract, and a subsequent act can not annul the contract. It is a contractual relation.

Mr. SMOOT. So far as that is concerned—

Mr. CRAWFORD. Can you withdraw a deposit simply because you can not get a higher rate of interest than you have agreed to accept by contract? I do not so understand it. I should think that ought to be made clear here. Is money to be deposited in one of these banks, with a stipulation fixing the rate of interest—2½, or 2½, or 3 per cent—and is that contract to run forever and that rate of interest to be fixed and remain unchanged for all time to come and a contract established that can not be repealed?

Mr. SMOOT. Under the provisions of this bill the board of trustees can withdraw this money.

Mr. CRAWFORD. They can withdraw it for what purpose?

Mr. SMOOT. For the payment of depositors.

Mr. CRAWFORD. They can withdraw it for the payment of depositors; but suppose the depositor elects to leave it there?

Mr. SMOOT. Then the Government is not out anything in any way, shape, or form.

Mr. CRAWFORD. That is possibly true. If the depositors are satisfied, that may leave the question where it will be safe.

Mr. CARTER. Mr. President, I think this is such an important matter that no ambiguity should be left in the text. The construction suggested by the Senator from Vermont [Mr. PAGE], supported by the Senator from South Dakota [Mr. CRAWFORD], might obtain as to this particular amendment. Unquestionably the board of trustees may in the beginning fix the rate of interest to be paid by a bank, subject to the limitation that it shall not be less than 2½ per cent per annum. But this amendment deals with the withdrawal of money, and as far as its provisions go would seem susceptible of the construction that the rate of interest fixed by the board on the receipt of the deposit could not thereafter be changed by the board. That might lead to the situation of two rates of interest, one on a set of deposits received prior to a certain date and another rate on other deposits received at a subsequent time, whereas it seems desirable that the rate of interest should be uniform all the time and everywhere.

Mr. President, I can see no objection to the insertion here of language that will relieve this of any ambiguity. I suggest, without having the text before me, that the substance be inserted as follows:

Retain it at such rate of interest, not less than 2½ per centum per annum, as the board may prescribe.

Mr. BURTON. Will the Senator from Montana yield to me for a question?

Mr. CARTER. Certainly.

Mr. BURTON. Does the Senator understand that in the operation of this law there would be one invariable rate of interest for the whole country as to all the banks in which deposits are made or that the board would have discretion to fix the rate according to conditions in different localities?

Mr. CARTER. I presume the rates will be fixed by the board. There is nothing in the law requiring uniformity of rate. But I should think in the execution of the law, inasmuch as the funds in the respective States are to be retained there, that uniformity of rate would be just and fair throughout the whole country. But the board is not bound to establish a uniform rate.

Mr. BURTON. Then the Senator from Montana does not consider this bill as intimating any rule to the board upon that point?

Mr. CARTER. No; no rules are established by the bill.

Mr. BURTON. That is left to their discretion.

Mr. SMOOT. Mr. President, referring to the remarks of the Senator from Montana, it seems to me that there can be no question about the rate of interest, or that there could be a higher rate of interest than 2½ per cent for this reason: If the board should increase that interest, say, to 3 per cent, all that the depositor would have to do would be to withdraw his money and redeposit it at 3 per cent, and even if he did not withdraw his deposit, then, of course, it would draw the 2½ per cent, as provided in the contract at the time of deposit.

Mr. CARTER. I doubt if the Senator from Utah and the Senator from Montana understand the "depositor" in the same sense. This amendment goes to the deposit in the bank by the Government, not by the original depositor at the post-office. He is disposed of by the postmaster.

Mr. SMOOT. The Senator from Montana is correct.

Mr. PAGE. Mr. President, I do not like any feature of the amendment of the Senator from Utah. I believe there ought to be no conditions imposed which would prevent the trustees acting in their discretion. The time is coming, it seems to me, when the whole question of interest may be very important, and for this reason: We are now making a law, as it seems to me, which virtually makes the Government a preferred creditor. For one, I think the commercial interests of the States should be regarded and protected. If we have a bank in our little village doing a business which invites deposits from merchants generally, those merchants take a risk, and have been taking a risk for years, which is the ordinary risk of a creditor, and that is all right. I think the merchant should stand absolutely upon a par with the Government. I do not believe there should be any preferred creditor in connection with this matter.

I do not think very much loss would grow out of taking the ordinary risk of banking; and we may well later on think it better to make the rate  $2\frac{1}{2}$  per cent and let the added one-quarter per cent cover the risk and not insist upon the bank taking all its assets and shoving them up to the Government for these deposits, so that when it comes to fail, if it does, the merchants and the ordinary business men will be compelled to take the poorer assets which are left.

I do not like that provision. But I imagine it may be taken care of by the trustees under this bill if we do not hamper them by some such restriction as that suggested by the Senator from Utah.

Mr. SMOOT. The object of this amendment is not to interfere with the interest rate whatever, because that is provided for in section 8 of the bill. But it is for the purpose of retaining the money deposited in one section of the country in that particular section.

Mr. PAGE. Let us imagine a case that may arise. A deposit of these funds may be made in the banks of Utah. Those banks may create a little trust of their own, and say "We will agree to pay  $2\frac{1}{2}$  per cent, and we will not pay any more." Under this statute you are compelled to leave the money in Utah.

Mr. SMOOT. No. The Senator has not read the bill carefully when he makes that statement.

Mr. PAGE. I have listened to your amendment, Mr. Senator.

Mr. SMOOT. No; it is provided in the bill, in the same section—

If such bank or banks refuse to receive such deposits on the terms prescribed, said funds may be deposited with the Treasurer of the United States, who shall be the treasurer of said board, and may be withdrawn from deposit upon their order for the repayment of postal savings depositors, or for investment in bonds or other securities of the United States.

Mr. PAGE. But this fund can not be withdrawn except for the purpose of paying depositors.

Mr. SMOOT. Mr. President—

Mr. PAGE. It can not, under your restrictions, be withdrawn because the bank refuses to pay more than a given rate.

Mr. SMOOT. Not at all, Mr. President. This fund, if the bank refuses to take it, can be withdrawn for the payment of the postal savings depositor or for investment in bonds or other securities of the United States, and so forth.

Mr. PAGE. But having been deposited, the amendment of the Senator from Utah, as I understand, enjoins the trustees from withdrawing it, and that is the condition to which I object.

Mr. SMOOT. That is, withdrawing it with the exception of some specific purpose—for the purpose of paying the depositor.

Mr. PAGE. Yes. I do not imagine that case will ever arise.

Mr. SMOOT. Then the whole difference between the Senator from Vermont and myself is this, that he thinks the trustees ought to have the power to withdraw all this money from one State and put it anywhere else they desire.

Mr. PAGE. Most assuredly, Mr. President. If there should be a combine in Utah or Vermont that would say, "We will not pay more than  $2\frac{1}{2}$  per cent," having secured the deposits, the amendment of the Senator from Utah has so arranged matters that the trustees under this bill are forbidden to withdraw it, and the trust can continue to enjoy indefinitely the  $2\frac{1}{2}$  per cent rate, while in other States, where there is no combination, no trust, the banks might be paying 3 or 4 per cent.

The VICE-PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Utah.

Mr. CARTER. Mr. President, I desire to suggest to the Senator an amendment which I think he will accept. It is that the amendment shall read as follows:

*Provided*, That money deposited in banks and secured to the satisfaction of the board of trustees as herein provided shall only be withdrawn to pay the depositors and other obligations of the Government under this act, and shall not be withdrawn for investment so long as the banks are willing to retain it and pay the rate of interest prescribed from time to time by said board, which rate shall not be less than  $2\frac{1}{2}$  per cent per annum.

Mr. SMOOT. I am quite willing to accept it.

Mr. PAGE. I am in hearty accord with that amendment. I do not see any objection to it.

The VICE-PRESIDENT. Does the Senator from Utah accept it in lieu of his amendment or does the Senator from Utah withdraw his amendment?

Mr. SMOOT. I will accept it as a modification of my amendment.

The VICE-PRESIDENT. The Secretary will read the modification of the amendment of the Senator from Utah.

The SECRETARY. On page 6, at the end of line 12, insert the following proviso:

*Provided*, That money deposited in banks and secured to the satisfaction of the board of trustees as herein provided shall only be withdrawn to pay the depositors and other obligations of the Government under this act, and shall not be withdrawn for investment so long as the banks are willing to retain it and pay the rate of interest prescribed from time to time by said board, which rate shall not be less than  $2\frac{1}{2}$  per cent per annum.

Mr. PILES. I should like to ask the Senator a question. Under the amendment, as I catch it from the reading, can a deposit be withdrawn for the purpose of investment?

Mr. CARTER. It can not be withdrawn for the purpose of investment so long as the money is not needed to pay, for instance, the current expenses of administration and the obligations of the Government under the act, and it can only be withdrawn then in case the banks refuse to pay the rate of interest or to give the security.

Mr. PILES. Then, under the amendment is it not possible, if the banks in a given State should believe that they were unable to pay more than  $2\frac{1}{2}$  per cent, we will say, by way of illustration, that every dollar of the money raised in the State and deposited in the local banks could be removed from that State to another State which would pay  $2\frac{1}{2}$  per cent?

If that is the purpose of the amendment, I am not in favor of it; because it seems to me that it would be much better to permit the banks in a State to pay only  $2\frac{1}{2}$  per cent rather than to have it removed, for instance, from the State of Washington to the State of Vermont. In other words, I prefer that the people of the State of Washington should deposit their money in their local banks, and if the local banks are unable to pay more than  $2\frac{1}{2}$  per cent that the people of that State shall have the benefit of that fund in the State rather than that it should go to the State of Vermont for  $2\frac{1}{2}$  per cent. Do I understand that that is the purpose of the amendment?

Mr. CARTER and Mr. SMOOT addressed the Chair.

Mr. CARTER. I will let the Senator from Utah explain it.

Mr. SMOOT. The Senator from Washington must certainly understand that the board of trustees can not make one rate for one section and another rate for another; at least it is not so contemplated in this bill.

Mr. FLINT. I understood the Senator from Montana to say a moment ago that the act did not provide for a uniform rate and that the board of trustees might make one rate at one place and another rate at another place.

Mr. SMOOT. I think the Senator misunderstood the Senator from Montana in his construction of the amendment.

Mr. CARTER. The statement of the Senator from Montana was that the act did not pretend to prescribe any rule with reference to interest binding upon the board except that the rate should be at least  $2\frac{1}{2}$  per cent. He further stated that in the administration of the law the board would unquestionably be called upon to establish a uniform rate throughout the country.

Mr. SMOOT. And along that line I was simply saying to the Senator from Washington that I did not believe the trustees would at any time make one rate for one section of the country and another rate for another section of the country.

The amendment simply means that at the present time the rate will be  $2\frac{1}{2}$  per cent per annum, but if some unfortunate circumstances should arise, as suggested by the Senator from Vermont [Mr. PAGE], and the rate should be  $2\frac{1}{2}$  or  $3\frac{1}{2}$  per cent per annum, then the banks all over the country must pay that rate, or else the money can be withdrawn from those banks.

Mr. PILES. Then let me ask the Senator this question: Suppose the banks should start in at a rate of  $2\frac{1}{2}$  per cent; that the board of trustees should raise the rate to 3 per cent; and the banks in the State of Utah should say they were unable to pay 3 per cent on account of financial conditions in that State; would not the board of trustees have the power under this law to remove the money from Utah, deposited by citizens of that State, to the State of Ohio, if the banks there would pay 3 per cent?

Mr. CARTER. I will state to the Senator in that behalf, I think the bill would clearly prohibit the transaction to which he refers. The bill would not allow deposits refused in the

State of Washington to be transferred to the State of Pennsylvania or to the State of Montana, but the money refused because of the refusal to pay the interest prescribed or to give the security required would then be invested in bonds of the United States or the classes of security prescribed in the act.

Mr. PILES. I am speaking of the amendment, which I have not seen, as it has not yet been printed.

Mr. CRAWFORD. If I may ask a question there, this money could not be invested in government securities except in a case where all the banks in the State refused to accept the money at the rate of 2½ per cent?

Mr. CARTER. Not less than 2½ per cent. Their refusal to accept it at the rate of 3 per cent would not justify investing the money in United States securities or anything else. It is only when they refuse to accept the money at a rate of not less than 2½ per cent.

Mr. PAGE. Mr. President, it is just a little amusing to hear my good friend from Washington suggest that Vermont would pay a rate that would call the money from Washington to Vermont. If the bidding for a rate was to determine this matter, I imagine that Utah would take all of our Vermont money without much doubt.

I wish to say in this connection that I do not suppose this bill will have very much to do with Vermont. Our banks there have the entire confidence and faith of the depositing public, and if I vote for the bill, as I expect to do, it is because it may do some good in those States which have not the banking facilities we have in Vermont. But if the question of bidding is to determine the location of this money, then certainly Vermont will have no share in it. Utah and Washington will probably get it all.

Mr. SMOOT. As far as the rate is concerned, I want to say that in Utah it is about as low to-day as it is in Vermont.

Mr. CUMMINS. Mr. President, I understood the Senator from Montana to answer the Senator from South Dakota—possibly it was just the reverse—that if this board fixed the rate of interest at 3 per cent and the banks of South Dakota refused to take the money at 3 per cent thereupon the board could not withdraw the money from the banks of South Dakota. If that be his construction of the bill, I am sure he is mistaken.

Mr. SMOOT. The board could not withdraw money from the banks of South Dakota to put it into the banks of Iowa or Utah, or any other State.

Mr. CUMMINS. If the board fixed the rate of interest at 3 per cent and the banks of South Dakota refused to take it at that rate, then the board could withdraw every penny of the money of South Dakota that was so refused and invest it in the securities that are named in this section; not deposit it in any bank, but invest it in government bonds or other bonds, or such other securities as the State of South Dakota permits its savings banks to invest their money in. But I want it to be perfectly clear that this does permit, as it is now drawn, the withdrawal of the money from a State if the banks of that State refuse to take it at the rate of interest that is prescribed by the board; and I do not believe there is any requirement in the bill that will compel the board to fix a uniform rate of interest throughout the United States.

Mr. CRAWFORD. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from South Dakota?

Mr. CUMMINS. I do.

Mr. CRAWFORD. I have not made a careful, detailed study of the bill, but am I not correct in assuming that the rate of interest paid to the depositor is 2 per cent, and not more than 2 per cent? I do not mean the Government as the depositor, but to the individual whose savings are supposed to be promoted by the bill.

Mr. CUMMINS. That is right.

Mr. CARTER. It is a uniform rate.

Mr. CRAWFORD. It is only 2 per cent. It occurs to me that it is hardly fair to the poor man, whose small earnings are being conserved by the bill, to confine him absolutely to a rate of 2 per cent and say that unless all the banks in his State shall agree to pay a rate not limited to 2½ per cent but some rate fixed by the board—it may be 4 per cent or it may be 5 per cent—the board can drain the money out of the community and invest it somewhere else. Yet the poor man whose pennies are being collected for the making of this fund is to receive only 2 per cent. Who gets the difference if it is being loaned at 4 or 5 per cent? Who gets the 3 per cent increment?

Mr. CUMMINS. Undoubtedly the Government gets the surplus.

Mr. CRAWFORD. I should feel as though that was a satisfactory provision if the bill means that.

Mr. CUMMINS. Permit me to say that I agree with the Senator from South Dakota that this is not a scheme for profit on the part of the Government, and it ought not to be. I do not like the provision which will enable the Government to withdraw the money from a State if the banks of that State refuse to pay the interest that may be fixed by the board; but nevertheless—

Mr. CRAWFORD. If the Senator will pardon me, that is why I assume strongly that the only justification for removing the funds from a State or investing them elsewhere would be the refusal of all the banks in the State to pay the 2½ rate and not any rate above that which the board might fix.

Mr. CUMMINS. That was the original amendment, as I understood it, of the Senator from Utah, and I hoped that it would so remain, but under the persuasive influences of the Senator from Vermont [Mr. PAGE] a change has been induced that will put all the States of the Union into competition with each other.

Mr. CRAWFORD. What change? The Senator says a change was made.

Mr. CUMMINS. If Vermont or any considerable number of States are willing to pay more than 2½ per cent, naturally the board will fix a higher rate for the entire country, and that may result in the very thing against which we have been contending, namely, the withdrawal of the money from the State in which it was collected.

I really hoped that the original amendment of the Senator from Utah would be adopted, for I do not believe that the Government wants to enter into an enterprise for the purpose of getting all the interest that the varying fortunes of the whole country will enable some particular locality to offer for these funds.

Mr. CRAWFORD. Mr. President, I would suggest that if the Government should take down the limit the poor man whose savings are making this fund should be the one to get the benefit of the increased rate, and not the Public Treasury.

Mr. CUMMINS. I was about to suggest, if I may add one additional word, that it seems to me if the original amendment of the Senator from Utah had been changed to the extent only of creating or taking advantage of competition in the State itself our general purpose would have been served, and still the Government would not have been injured. But I do not believe in the proposition to bring the interest on the deposits to a uniform standard throughout the country and to have that standard measured by the willingness of certain banks in certain States to pay a specific rate of interest.

Mr. CARTER. Mr. President, if the Senator will permit me, there is no disposition, I think, on the part of anyone to bring about an unseemly competition among banks in bidding for this money. The board of trustees will certainly not be unmindful of the fact that this institution is being created not for profit, but for the public welfare. In order that the postal depository may recoup for losses sustained, it must have the power to increase the rates of interest charged for the use of the money. The rate fixed to be paid to the citizen is arbitrary. Two per cent must be paid, and out of the funds deposited the trustees must make an amount equal to the 2 per cent plus the cost of operation.

In Great Britain some instructive figures are furnished with reference to this matter. For instance, a continual loss of profits accrued, according to the table before me, from 1876 to the year 1895. In 1896 losses; that is, the amount of the expense to the Government exceeded the receipts by £6,162, and this continued down until 1899. Then a profit set in in 1900, 1901, and 1902.

Again, in 1903, a loss of £107,403 was incurred, and this continued without abatement or change, except some variation of amount, until 1908. The total profits accruing thus far to the Government from the operation of the savings banks of Great Britain amount to £1,665,208. The losses aggregate £709,270.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER (Mr. JONES in the chair). Does the Senator from Montana yield to the Senator from New Hampshire?

Mr. CARTER. In just a moment. I wish to complete the sentence. There has been a net gain on the whole operation since 1876 of £955,938, or \$4,652,072. The losses have occurred through the abnormal increase of the price of consols for one period and the subsequent drop in the market value or quotations.

Beginning about 1903 the rate of interest paid on the par value of the consol dropped down to 2½ per cent, whereas the rate paid to depositors was 2½ per cent. The loss occurred because the whole burden of operation was cast upon the treasury, the amount of interest collected being just the equivalent



of the amount paid out. But the Government thought better to continue to pay the regular rate of interest out of the surplus which had accrued through the year than to decrease the rate for the time being.

This is the situation: What we desire for the United States board of trustees is the right to raise the rate of interest if the payments, to meet obligations for expenses and interest, are found to be greater than the interest charge will supply.

Mr. GALLINGER. Mr. President, I have seen no statement that would indicate approximately whether or not this is to be a good transaction, so far as the Government is concerned, in a financial way. I want to ask the Senator from Montana if he can state to the Senate the rate of interest that is allowed in Great Britain to the depositor and the rate that is charged to the banks or other institutions receiving this money? Is it about the same difference that is carried in the bill?

Mr. CARTER. The rate paid to the depositor in Great Britain at present—and that has been the rate for a long time—is 2½ per cent. All the funds are invested in government securities, the consols of the United Kingdom; and the consols now paying only 2½ per cent, the rate paid results in the loss to which I have referred.

Mr. GALLINGER. It fluctuates because of the fluctuation in the price of consols.

Mr. CARTER. The price of consols determines the receipts of the Government.

Mr. GALLINGER. While I am on my feet, I wish to ask the Senator if he has any objection, in line 18, page 5, to inserting before the word "rate," the word "uniform?" Is there any objection to making that change in the text of the bill, on page 5, line 18, so as to read, "That the funds shall be received at a uniform rate of interest of not less than 2½ per cent per annum?" If there is objection, I will not offer it; but it occurred to me—

Mr. BURKETT. I think that would refer only to the immediate neighborhood. I have an amendment here that I think would cover the point, and that is the reason why I have been studying it.

Mr. GALLINGER. I will not press it now.

Mr. BURKETT. I ask the Senator if the rate at that point in the bill does not apply to the immediate neighborhood?

Mr. GALLINGER. My purpose was to make it of general uniformity, of course.

Mr. BURKETT. I understand that the Senator wants it uniform throughout the country.

Mr. GALLINGER. I do.

Mr. BURKETT. I will say, while I am on my feet, that it seemed to me if there is any doubt left in the bill as to the authority of the board to make a rate in different sections of the country, we ought to foreclose that doubt.

Mr. GALLINGER. I think so.

Mr. BURKETT. We ought to provide, in my judgment, that the rate shall be uniform throughout the country, and as I sat here I have been thinking about it. I thought of suggesting, after the words "per annum," in line 19, to insert "and which rate shall be uniform throughout the country."

Mr. GALLINGER. I had it so written myself.

Mr. BURKETT. It had not occurred to me, I will say, in my consideration of the bill that there would be any thought anywhere that different rates of interest would be made in different States. It seems to me that there ought to be a uniform rate throughout the country. Since this question has arisen I am of the opinion that we ought certainly to put in the bill a provision that the rate shall be uniform.

I will merely suggest to the chairman that possibly we might cover the other question that has been raised by an amendment after the words "per annum." Section 8 reads:

That postal savings funds received under the provisions of this act shall be deposited in any solvent bank or banks subject to public supervision and examination in the State or Territory and as nearly as practicable in the immediate neighborhood in which the funds are received at a rate of interest not less than 2½ per cent per annum.

We might follow that by this provision:

Nor more than is reasonably sufficient to meet the expenses of the system herein established, and which rate shall be uniform throughout the country.

I am very certain of the latter part of my amendment. I am not so certain yet as to the first part of the amendment.

Mr. CRAWFORD. Mr. President, I will only say that the thought expressed by the Senator from Nebraska is the one I had in mind; that is, if it is not the purpose of the Government in any sense to profit by the increase in the rate of interest, that purpose ought to be declared in the act, and the increase over what the individual depositor gets should be limited to such an amount as is necessary to reimburse for the additional

expense incurred in administering the law and in making good the losses sustained.

Mr. HEYBURN. Mr. President, has it occurred to Senators that when you place the use, for a convenient expression, of \$700,000,000 under the control of a board they will dictate to the entire financial world the rate of interest that they will receive on their money? The deposits in this bank, according to the statements made, will be two-thirds of the amount now deposited in national banks, of private money, and if the money can be obtained from the Government at 2½ per cent it certainly will have a very serious effect upon the rates of interest that private individuals or business concerns may receive for their money. In other words, the Government will come into the loaning market to compete with the people who to-day furnish the money of the country.

Do you see what effect it is going to have upon incomes? Instead of 5 or 4½ or 6 per cent that may be realized to-day, with a competing market for money that has no individuality behind it, do you suppose that the incomes to-day derived from investments will maintain their status? Do you not realize that you are bringing a competitor into the market against those who live upon the income of their money that will, if not destroy it, at least reduce it to a point which will count for hundreds of millions of dollars in the incomes of the people?

Does not that phase of the case appeal to you? You are going to build up a great money-lending institution in the country upon the minimum basis of 2½ per cent. I merely make the suggestion at this time, and I shall probably develop it a little later on.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Utah [Mr. SMOOT].

Mr. HEYBURN. Let the amendment be stated.

The SECRETARY. On page 6, at the end of line 12, it is proposed to insert:

*Provided*, That money deposited in banks and secured to the satisfaction of the board of trustees, as herein provided, shall only be withdrawn to pay the depositors and other obligations of the Government under this act, and shall not be withdrawn for investment so long as the banks are willing to retain it and pay the rate of interest prescribed from time to time by said board, which rate shall not be less than 2½ per cent per annum.

Mr. HEYBURN. Mr. President, is it possible that a bank whose right to use the money was limited to the neighborhood would pay any interest on it?

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Utah?

Mr. HEYBURN. In a moment. Is it possible that a bank that could look nowhere beyond the local community for the use of its money would receive it at any rate of interest? I should like to know what the Senator from Utah [Mr. SMOOT] thinks of that proposition.

Mr. SMOOT. Mr. President, I will simply say to the Senator from Idaho that many of the banks in the West do pay interest on their deposits.

Mr. HEYBURN. But with the privilege of using their money wherever they can find a market for it.

Mr. SMOOT. Why, Mr. President, this bill does not prevent any bank from using the money anywhere on earth.

Mr. HEYBURN. Let the amendment be again reported. I think the amendment does.

Mr. SMOOT. Mr. President, the Senator from Idaho has mistaken the language of the amendment.

Mr. HEYBURN. Let us hear it read. I am mistaken sometimes; and we shall see whether I am now mistaken.

The PRESIDING OFFICER. The amendment proposed by the Senator from Utah will be stated.

The Secretary again read Mr. SMOOT's amendment.

Mr. HEYBURN. It shall not be withdrawn by the Government except for the limited purpose, under the limited conditions—

Mr. SMOOT. Mr. President, that is where the Government is limited, not the bank.

Mr. HEYBURN. I have just stated—

Mr. SMOOT. No; I understood the Senator to say that we are limiting the bank as to investment.

Mr. HEYBURN. What is the effect of it?

Mr. SMOOT. It is this—

Mr. HEYBURN. It shall be drawn from the bank for the limited purpose of paying depositors. If you have any adequate provision for paying—which you have not yet—it shall be withdrawn from the bank by the Government only for that purpose.

Mr. SMOOT. Mr. President, so long as the money is deposited in the bank, whoever deposited it should have at least a right to withdraw it.

Mr. HEYBURN. There is as yet no provision in this bill giving him any such right.

Mr. SMOOT. Oh, yes; I think there is such a provision, and I think it is a very broad provision, because it confers upon the board of trustees almost unlimited power.

Mr. HEYBURN. Oh, the power is not to the depositor, but it is to the board of trustees.

Mr. SMOOT. Why, Mr. President, the depositor in this case is the Government, not the man who deposits in the post-office. He draws it direct from the Government under the rules and regulations as provided to be prescribed under this bill; but this amendment does not apply to the person who makes the deposit at the post-office. It simply applies to the Government as a depositor.

Mr. HEYBURN. I think I understand the Senator from Utah. He says that money is deposited by the Government. I find an absence in this bill of the provision contained in the previous bill, which declared these to be public moneys. What is the character of this money? To whom does it belong when it is deposited in the banks? That is the question.

Mr. SMOOT. I should say that it was a trust fund deposited by the Government of the United States.

Mr. HEYBURN. Well, then, these are public funds, are they?

Mr. SMOOT. Not in the broad sense in which the Senator would say that moneys collected for customs revenue or other taxes of any kind were public funds.

Mr. HEYBURN. It is a trust fund, then, deposited in private banks, and it may be drawn by the Government for limited purposes? Is the use that the bank may make of it limited?

Mr. SMOOT. No, Mr. President; banks can do whatever they please with it as long as they are solvent concerns.

Mr. HEYBURN. With trust funds? Was ever such a provision contained in any law on earth?

Mr. SMOOT. Yes; it is contained in the law and practiced in all parts of this country. Whoever heard of trust funds being deposited in a bank and held within a vault? The bank handles the money; the bank makes the loan; the bank is responsible for the return of the money; and the bank, in this case, will be responsible to the Government for the return of the money.

Mr. HEYBURN. The Senator from Utah is speaking of the practice rather than of the law—an unfortunate practice—very sharp evidence of which is forced upon us with too much frequency.

Now, Mr. President, until you define the character of this fund you can not apply the rule suggested by the Senator from Utah to it. If it is a trust fund placed there by the Government there must be some limitation which will secure the integrity of the fund. If it is public money, then it is subject to appropriation by Congress. Is it subject to appropriation by Congress? No. Congress will have no control over this fund—none whatever. They can not use it for any public purpose. If 10 per cent of \$700,000,000 is in the Treasury, as is provided for by one of the sections of this bill, can Congress regulate the use of that \$70,000,000? Is that public money?

Mr. SMOOT. I do not think anybody has ever claimed that it is public money.

Mr. HEYBURN. The bill which we dealt with at the last Congress expressly said that it should be, but this bill is silent; and silence breeds suspicion in a case of that kind when the measure comes from the same source. Why not be as candid in this bill as you were in the bill before the last Congress and define the character of this money? In that measure it is expressly provided that it shall be public money.

Mr. SMOOT. As I understand, the bill a year ago, if I remember it correctly—

Mr. HEYBURN. I have it before me.

Mr. SMOOT (continuing). That bill declared this money to be public money, in the sense that it should not be garnisheed. I have not read the bill for some time.

Mr. HEYBURN. I will read the whole sentence:

The postal savings-depository funds are hereby declared to be public moneys and subject to the safeguards and preferences provided by statute therefor.

What "safeguards and preferences" are established by this bill for this fund?

Mr. SMOOT. I ask the Senator from Idaho to continue the reading.

Mr. HEYBURN. I have read the whole sentence.

Mr. SMOOT. But not the remainder of the section.

Mr. HEYBURN. I have not read the whole bill; but I read a sentence that is complete in itself.

What was the object of declaring these to be public moneys, except to stamp upon them the character that pertains to public moneys that are under the control of Congress? I understand

the Senator to say that Congress will have no control over this fund, but that it will be subject to the sole administration of this board.

Mr. SMOOT. Congress, Mr. President, can change the law at any time it so desires.

Mr. HEYBURN. I know, but if we are to enact bad laws here because we may change them, we establish a very dangerous and reckless rule.

Mr. President, we are far from a safe conclusion as to the provisions which should be contained in this bill.

Mr. SUTHERLAND. Mr. President—  
The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Utah?

Mr. HEYBURN. Certainly.

Mr. SUTHERLAND. I think the Senator from Idaho [Mr. HEYBURN] and my colleague [Mr. SMOOT] are talking about two different things.

Mr. HEYBURN. Your colleague is talking about three different things. [Laughter.]

Mr. SUTHERLAND. The Senator from Idaho is evidently talking about one thing and my colleague is talking about another, as I understand.

Mr. HEYBURN. Inasmuch as I had the floor, he should have confined himself to the subject that we are discussing or else have taken the floor in his own right.

Mr. SUTHERLAND. Will the Senator from Idaho permit me to make a suggestion?

Mr. HEYBURN. Certainly.

Mr. SUTHERLAND. My understanding is that under the former bill, from which the Senator from Idaho has quoted, these moneys, when they were deposited in the post-offices, were public moneys.

Mr. HEYBURN. They were public moneys.

Mr. SUTHERLAND. They were public moneys then, but when the moneys were deposited in the bank by the Government the relation, as I understand it, of debtor and creditor would be created between the banker and the depositor. They would not be trust moneys; they would not be public moneys in the sense that they could be followed.

Mr. HEYBURN. Let us see. We gather some wisdom from the language of this. There is no limitation as to the place.

That postal savings-depository funds—

No matter where they are—

are hereby declared to be public moneys.

The postal savings-depository funds—and there is no limit as to where they may be.

Mr. SUTHERLAND. The moment the moneys were deposited in a bank they would become merged with the general funds of the bank. They could not be traced; they would not be a special deposit. They could not be considered as trust funds, then. They are not in any manner controlled by the Government. They become the property of the bank precisely the same as money deposited by the Senator in a private account becomes the property of the bank.

Mr. HEYBURN. No; here is the provision that controverts that:

If any bank in which such funds are so deposited shall become insolvent, such funds shall be a prior lien upon its assets, and shall be first paid, to the exclusion of all other indebtedness of every kind and nature whatsoever.

What character does that stamp upon the funds?

Mr. SUTHERLAND. That simply means that the Government, for its debt owed by the bank to the Government, has a prior lien upon the funds of the bank.

Mr. HEYBURN. It says "such funds shall be a prior lien." The word is "funds," not "credit;" not a prior right of recovery. Does not that stamp them with the character of a special deposit? It says:

Such funds shall be a prior lien—

Not "such credit."

Mr. SUTHERLAND. I do not see how the funds could be a prior lien upon anything.

Mr. HEYBURN. Neither do I. We discussed that, but I am only comparing—

Mr. SUTHERLAND. Will the Senator permit me to interrupt him?

Mr. HEYBURN. Yes.

Mr. SUTHERLAND. The Government might have a prior lien for the funds.

Mr. HEYBURN. That is another proposition.

Mr. SUTHERLAND. But the funds themselves could not be a lien upon anything.

Mr. HEYBURN. That is another proposition, that the Government might have a prior lien; but this does not say that.

Mr. SUTHERLAND. There must be some inaccuracy.

Mr. HEYBURN. I should like to state my purpose. I was not calling attention to these provisions because I approve of them, but I was calling attention to them in the nature of an inquiry as to why they had been abandoned.

Mr. CARTER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Montana?

Mr. HEYBURN. Certainly.

Mr. CARTER. Mr. President, I cheerfully answer that inquiry by stating that I reached the conclusion that it was not in the power of Congress to create any such lien as that contemplated by the provision the Senator has just read; that the Government would be a mere depositor, and one depositor could not, certainly as to a state bank, create a prior lien on the resources made up in part of the deposits of other people.

Mr. SUTHERLAND. That is, that a deposit of money by the Government would simply create the relation of debtor and creditor between the bank and the Government, precisely the same as if a private individual had made the deposit.

Mr. CARTER. I answer that a lien could not be created by Congress. It was futile to attempt it, and we therefore eliminated that feature.

Mr. HEYBURN. I not only contended then, but I contend now, that it is not within the power of Congress to say that these funds, which are deposited in banks as other deposits are, might be exempted from the operation of the laws of preference and of the attachment and execution laws of a State. The Senator is right in saying that it can not be done. I am simply comparing the wisdom of that hour with the wisdom of this hour, in order that we may draw obvious conclusions.

Mr. CARTER. Very greatly to the credit of the Senator's judgment, of course.

Mr. HEYBURN. Mr. President, the amendment of the Senator from Utah [Mr. Smoot], which is in the inconvenient position of not being printed, necessitates the carrying of its wording in mind when discussing it. The Senator takes a part of the suggestion I made with reference to these moneys and undertakes to base an argument upon it. I was discussing the relation of that money to the Government and to the depositor and the right of the use of that money by those parties. You have to discuss it from the dual standpoint. I commenced the consideration of it by calling attention to the fact that this would create a new reservoir from which to draw funds to meet loans for the necessities of business, and I rose to call attention to the results that that would have upon the money market of the world; and the money market of the world, when I discuss it, does not relate solely to the speculators, but it relates to those who find a market for their earnings and savings or accumulated wealth and live upon the interest that they may derive from it.

The price of money is regulated by its volume, its accessibility, and the convenience of obtaining it, and I am surprised that those who have in their hearts the welfare of the invested funds of this country that represent the estates of the helpless, the accumulation that stands to the credit of the children, should so far forget the duty that rests upon us as to disturb it, either as to its safety or as to its earning capacity.

They come in here with a bill that might be denominated "An act to provide a collection agency for the banks in order that the people who, in the imagination of those who are favoring this measure, are incapable of taking care of their money, may be protected." They have shown themselves capable of accumulating it. They must be capable of accumulating it before they can deposit it, and yet they are held up here as objects of pity because they are not capable of investing or depositing their own money. I think there is no more firmly demonstrated capacity to take care of money anywhere than that shown by the very people out of whose hands you are seeking to take it. You are planning to take out of the hands of a community that has accumulated hundreds of millions of dollars the custody of it, under the pretense that you are going to make it more useful to them. You certainly are not going to make it more convenient to them, because you have provided no means on earth by which they can regain it within any reasonable bounds.

Mr. CUMMINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Iowa?

Mr. HEYBURN. I do.

Mr. CUMMINS. The Senator from Idaho has used several times the word "take." The word, as he uses it, implies that the Government proposes to forcibly take—

Mr. HEYBURN. Oh, no.

Mr. CUMMINS (continuing). From these people a certain part of their earnings.

Mr. HEYBURN. No; Mr. President, I can not yield to a criticism—

Mr. CUMMINS. I am sure the Senator does not intend to create any such impression, but I hope he will remember that this is simply an opportunity given to the people, which they can embrace or not as they see fit, and if they are the intelligent men and women whom we know them to be they will not give the Government their money unless they believe it is for their interest to do so.

Mr. HEYBURN. Mr. President, the Senator has placed a limited meaning upon the word "take." The word "take" does not necessarily imply a forcible taking. We take things in the ordinary course of business with no element or suggestion of force behind it. I did not use the word in the sense of forcibly taking, and I think the Senator will understand now, if he did not before, that I did not so use it.

Mr. CUMMINS. I think I understood the Senator; but I am sure that the word as he used it in connection with the argument concerning it, would lead to but one conclusion, and that is that the Government was attempting to compel somebody to give it their money for safe-keeping.

Mr. HEYBURN. No; Mr. President, I do not think the Senator understood me—

Mr. CUMMINS. I did not—

Mr. HEYBURN (continuing). To mean that; and I doubt if anyone else would. But they are proposing by this bill—and I will use another term—to inveigle the people into placing their money in the hands of the Government for safe-keeping and interest bearing under conditions which will confront them with a very serious feature when they come to get it back. Suppose, as has been suggested, that the account must be viséed and verified at Washington, just think where the depositor in Alaska or Porto Rico would stand when he wanted to draw his money. There is no separate provision for those people. Are they to apply to the local post-offices for permission to withdraw their money and to have that application sent to Washington to be authorized?

Mr. CARTER. Mr. President, the Senator realizes that every savings bank in the country reserves unto itself the right to have from thirty to ninety days after demand, for payment.

Mr. HEYBURN. Well, Mr. President, every stocking or tin can in the country does not. [Laughter.] And that is where you are supposed to draw this money from.

Mr. CARTER. Mr. President, we have, we think, a better thing than the stocking or a tin can, and therefore—

Mr. HEYBURN. Is it proposed, Mr. President, that you are going to draw these funds from savings banks?

Mr. CARTER. Not at all.

Mr. HEYBURN. Well, then, why put that argument forth at all?

Mr. CARTER. Mr. President, the Senator's argument proceeded to illustrate, if you please, the great hardships imposed upon a depositor in the post-office by requiring him to file an application for repayment and wait a week or ten days for his money—

Mr. HEYBURN. Yes; or three months.

Mr. CARTER. We propose to pay on demand, and I cite the fact that every depositor in every savings bank in the country is constantly faced with the rule of the bank which enables that institution to exact from thirty to sixty days' notice before paying one farthing.

Mr. HEYBURN. Well, Mr. President, is it suggested by the Senator from Montana that such rules and regulations will be made relative to withdrawing the deposits from these banks?

Mr. CARTER. This bill provides that these funds shall be repayable to depositors on demand, subject to the rules and regulations prescribed.

Mr. HEYBURN. Let us see about that.

Mr. CARTER. Section 7 is the one that applies to this case.

Mr. HEYBURN. I will read it:

SEC. 7. That any depositor may withdraw the whole or any part of the funds deposited to his or her credit, with the accrued interest—

It does not say "on demand"—

after complying with such regulations as the board of trustees may prescribe.

Who will be the members of that board?

Mr. CARTER. The officers known as the Secretary of the Treasury, the Postmaster-General, and the Attorney-General.

Mr. HEYBURN. But what are the names of those gentlemen?

Mr. CARTER. The names are well known at the present time.

Mr. HEYBURN. What will their names be five years hence?

Mr. CARTER. They will be honorable men, thoroughly capable for the respective positions, regardless of the party that may be in power.

Mr. HEYBURN. Better capable of making laws than the Congress of the United States?

Mr. CARTER. Better capable of judging of conditions that may exist then than is Congress, that has no knowledge of the various details to be dealt with.

Mr. President, at this point I desire to call the attention of the Senator, who wants to incorporate all these rules and regulations into an act of Congress, to the fact that this book [exhibiting], embracing rules and regulations, is called "Staff instructions for the guidance of officials in the savings banks of Victoria."

Mr. HEYBURN. Is that entire book devoted to that subject?

Mr. CARTER. This entire book.

Mr. HEYBURN. How much did that book cost?

Mr. CARTER. It cost me nothing, I will say to the Senator. I do not assume ownership of it, however. Just what price may be paid for it by the officials who are in charge of the administration of the law there I am unable to say; but I presume the books are sent out as our public documents are to public officials for their instruction.

Mr. HEYBURN. I will ask the Senator to say if there is an indication of the price of the book in the title-page or elsewhere?

Mr. CARTER. I do not observe any statement as to that, nor have I seen the book advertised for sale. I assume it is a public document. It is—

Issued under the authority of George E. Emery, inspector-general of savings banks in Victoria, and in conformity with sections 2 and 9 of General Order No. 26 of the commissioners of savings banks, together with the savings banks acts of Parliament and general orders.

The book is published in Melbourne by McCarron, Bird & Co., 479 Collins street. In the table of contents the first chapter relates to "I, cash and cashbooks; II, signatures and new accounts; III, deposits and repayments; IV, checks, orders, and so forth; V, garnishee orders;" and so on throughout an extensive table of contents dealing with every phase of the administrative work. We can not put a volume as large as that into an act of Congress, and therefore we propose to commission the board which will have charge of the work of administration to prescribe the needful rules and regulations under authority of law.

Mr. HEYBURN. Now, Mr. President, there is a volume before our eyes—and I will ask the Senator the courtesy of letting me look at it for a moment—that is supposed to contain the law corresponding with what is not in this bill. It covers 398 pages of a book. I suppose in order that a depositor should know what his rights were he would want to possess a copy of this or a similar book in order that he might know just exactly how he was to deposit and how he was to withdraw his money. I think it is estimated that there will be about 7,000,000 postal savings depositors.

Mr. SMITH of Michigan. More than that.

Mr. HEYBURN. Say 7,000,000 depositors. This book sells at something like \$3, I am informed.

Mr. CARTER. By whom?

Mr. HEYBURN. Where you buy it. [Laughter.] I do not mean it would cost that to the Senator from Montana, but to the poor depositor who would need it.

Mr. CARTER. Mr. President—

Mr. HEYBURN. I guess that would be quite an item in making up the affairs of the Government. Would the Senator propose that the Government should furnish each depositor with one of these books?

Mr. CARTER. Of course the Senator will be better informed after he has read the title-page of that book. The book embodies instructions for the officers charged with the execution of the law.

Mr. HEYBURN. Yes; but the man who is to be executed under the law will want to know something about it, too. [Laughter.]

Mr. CARTER. Undoubtedly. We have in circulation a very interesting volume, about four times as large as that and containing about ten times as much matter, known as the "Postal Guide." Does the Senator understand that everybody who mails a letter in this country must have a copy of that book?

Mr. HEYBURN. I will just refer that question to the Senator from Montana and ask him to report upon its wisdom and its application to the matter under consideration.

Mr. CARTER. I report now. It is just as wise as the assumption of the Senator from Idaho.

Mr. HEYBURN. I think I will refrain from indulging in anything like banter or recrimination in this matter. I find that this is the equivalent of that which this bill contemplates—the rules and regulations under which the money of the people may be deposited and withdrawn from this institution.

Mr. President, does not that point the absurdity of leaving unwritten in the law that which some private publisher must of necessity furnish to the people in order that they may know the law? Seven million books—well, if it was a million or a half a million books—is the burden that we are to shift to the people to pay for a knowledge of the rules and regulations that stand with them for the law which it is our duty to enact.

Are we incapable of legislation? Have we no time for legislation? Are our energies so sapped and depreciated that we can not bring them to bear upon the performance of our sworn duty, and that we have to refer that duty to an indefinite board and enact a law upon the faith and supposition that this board will furnish the people with some such publication as that? I am not more industrious than another member of this body, but I feel that I have the time, and I know that the duty rests upon me, to exercise the lawmaking power and functions here in this Chamber.

Mr. BURKETT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. HEYBURN. Yes.

Mr. BURKETT. Mr. President, it seems to me the Senator from Idaho might carry this matter far enough to be almost ridiculous if he is going to insist upon Congress, whenever it creates any such institution as this, going into all the details of making regulations. We never have done that with respect to any institution we have heretofore created. We created the whole rural free-delivery system in a very few lines, if I remember correctly, originating in an appropriation bill. We created the whole Department of Commerce and Labor by a bill containing not as many words as this, and I suspect that every one of the great departments has been similarly created. I have not read all of the bills, although I have read some of them. If the Senator will go through that book he will find it supplies the details, in the main, of carrying out the general proposition for which legislation is enacted.

The Senator has just called attention to the time of payment. Take it in Great Britain. I remember in their regulations it runs from three to twelve days, depending upon the particular portion of the country whence the depositor may call for his money. Then, again, there is a special provision as to certain amounts under certain conditions. The money can be even paid by telegraph.

Those are things with respect to which we can not legislate. Those are details for which we can not legislate. There must be rules and regulations putting into operation this postal system.

In the more remote portions of the country, if there is only one central paying place, the depositor could not expect to get his money as quickly as at some places closer to the central paying place; and on the other hand, it may seem advisable, with our great extent of territory and in view of the fact that this is made to include Alaska, to have different zones in which the money can be paid. That certainly should be a matter of regulation. The time of payment must be worked out by some one who can give time and attention to the details and to time tables and the necessary time required. It is not a thing we can do. It is not a matter of legitimate legislation. It is a matter of detail for carrying into effect this legislation.

Now, there may be certain things which have been omitted. If there are such, the Senator or anybody else can suggest them—any principle of law. But it does seem to me if the Senator goes to the limit, as he has been going here, it would make the law ridiculous to attempt to incorporate them in the bill, and it is almost ridiculous to contend for a law as extensive as such a law would be. I undertake to say now that the Senator himself could not go into those details.

Mr. HEYBURN. I think the Senator has developed his criticism all right. But, unfortunately, it has no application to that for which I was contending. Would the Senator think it would be sufficient for us to simply enact:

It is hereby enacted that a board of three, consisting of the Postmaster-General, the Secretary of the Treasury, and the Attorney-General, shall have authority to establish and make rules and regulations for the establishment and conducting of the business of postal savings banks, this act to take effect ten days hence.

Mr. BURKETT. We have not done that. There is not any occasion for such a question, because that is not what is done.

Mr. CARTER. Three months.

Mr. HEYBURN. That is exactly the principle upon which we are proceeding in this bill.

My attention is called to an inscription in this book:

These general instructions are to be regarded by officers as strictly confidential, and care is to be exercised to prevent them from being read by persons outside the service.

You do not know what is going to hit you or exactly where it is going to hit you. There are some men who know. Does it not seem ridiculous that we should be aping that class of government and legislation? Is it consistent with the method and the purpose of our Government—holding up Great Britain and France and Germany; not Germany, probably Kamchatka, for all I know. We are going into strange climes for wisdom. There is enough at home. Has not this legislative body, the people's Congress, sufficient ability? The people ought to inquire; and if they find that they have not gathered together a body of men capable of legislating, or as capable as these Cabinet officers, they had better have an election.

This book is brought in here to demonstrate the wisdom of this proposed policy, and we find that it consists of instructions of a confidential nature that are not to be disclosed to the beneficiaries of the legislation at all. They are not to know what the law is. It is not to be written upon the high pillars.

I will read the second paragraph:

When an officer retires from the bank this book is to be returned to me.

GEORGE E. EMERY, *Inspector-General.*

That is the kind of rules and regulations. Are you going to adopt them, on that plan of secrecy—that this board shall stand behind a screen, and the people may not approach or peep around it?

Mr. CARTER. The national banking act has been suggested to me as a fair illustration. That act consists of a very few sections. The language is terse. It has been amended but little. And yet the Comptroller of the Currency, a bureau chief in the Treasury Department, is vested with the power to issue all needful rules and regulations, with the approval of the Secretary of the Treasury, for the guidance of all officials having to do with the inspection and conduct of every national bank in this country. That officer may to-night close any bank in the city of Washington or in any other city in this country—

Mr. HEYBURN. Yes.

Mr. CARTER (continuing). And put in a receiver to-morrow morning.

Mr. HEYBURN. Or open it with a jimmy.

Mr. CARTER. The jimmy method belongs to another class.

Mr. HEYBURN. It is not what he can do; it is what he can do under the law. The Senator speaks of every bank in this city. Are they subject to be closed under the law?

Mr. CARTER. The rules and regulations prescribed by the Comptroller of the Currency and approved by the Secretary of the Treasury, voluminous in character and relating to very numerous details, are not made public, and it would be contrary to the public interest to make them public. Those rules and regulations to which the Senator refers are directed to the administrative officers who are guarding and protecting money from the jimmy man, to whom the Senator refers, and people of his kind, and of course they are not for uniform publication, because if the man with the jimmy is put onto the job he will quickly evade the rule.

Mr. HEYBURN. I should like to know what the Senator from Montana meant, then, by bringing this book in and holding it up as an answer to my inquiry as to the volume and character of these rules and regulations made for the depositor. Why did the Senator bring this book in as an answer to that inquiry? [A pause.] Does the Senator want to answer that?

Mr. CARTER. Most assuredly, Mr. President. That book illustrates the vast number of details which will have to be prepared for the guidance of persons charged with the administration of this law. The law itself constitutes ample notice to the depositor, together with such terms as may be fixed in simple rules, everywhere easily understood, as to the time required and the manner of withdrawing deposits.

Mr. HEYBURN. Now, Mr. President, I will demonstrate an easy way of withdrawing something. I will ask the Senator to withdraw this book which he says has no application at all to the depositor.

Mr. CARTER. I am very glad to get the book back. [Laughter.]

Mr. GALLINGER (to Mr. HEYBURN). Ask him where he got it.

Mr. HEYBURN. No; I will not ask him where he got it. [Laughter.]

Now, where does this bill stand? I ask, again, Where are the rules and regulations, or where is there an instance of rules and regulations that affect the depositor and prescribe the terms

upon which he may withdraw or deposit his funds? And that book will not answer it.

Mr. CARTER. For the information of the Senator from Idaho and other Senators who may desire to be informed, I am having compiled the rules and regulations affecting depositors in all the countries where postal savings banks are in operation, and I hope to have this compilation ready to submit to the Senate, to be printed as a document, to-morrow. I think it will be instructive and will in some manner indicate the general class of rules and regulations which this board will be called upon to promulgate, and, perchance, to modify from time to time.

Mr. HEYBURN. I only desire to say now, in response to the suggestion made by the Senator from Montana with reference to national banks, that there is not a note issued which is not provided for by law; there is not a note issued pursuant to a rule or regulation of anybody; and there is not a note redeemed by the Government except pursuant to express statute.

Mr. KEAN. I move that the Senate adjourn.

The motion was agreed to, and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 3, 1910, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate February 2, 1910.*

##### PENSION AGENT.

Daniel Ashworth, of Pittsburg, Pa., to be pension agent at Pittsburg, Pa., his term having expired. (Reappointment.)

##### POSTMASTERS.

###### ARKANSAS.

U. S. Bratton to be postmaster at Little Rock, Ark., in place of Winfield S. Holt. Incumbent's commission expired January 31, 1910.

George E. Davis to be postmaster at Wynne, Ark., in place of George E. Davis. Incumbent's commission expires February 27, 1910.

Jacob Shaul to be postmaster at Marianna, Ark., in place of Jacob Shaul. Incumbent's commission expired January 31, 1906.

David F. Taylor to be postmaster at Osceola, Ark., in place of David F. Taylor. Incumbent's commission expires February 22, 1910.

Thomas A. Tennyson to be postmaster at Arkadelphia, Ark., in place of Thomas A. Tennyson. Incumbent's commission expires February 27, 1910.

Mattie Vanhooser to be postmaster at Siloam Springs, Ark., in place of David R. Hammer. Incumbent's commission expires February 5, 1910.

###### CALIFORNIA.

David W. Morris to be postmaster at Modesto, Cal., in place of David W. Morris. Incumbent's commission expires February 28, 1910.

Hiram L. Tripp to be postmaster at Santa Rosa, Cal., in place of Hiram L. Tripp. Incumbent's commission expires February 22, 1910.

###### COLORADO.

Olie Thorson to be postmaster at Glenwood Springs, Colo., in place of Olie Thorson. Incumbent's commission expires February 5, 1910.

###### CONNECTICUT.

William Caruthers to be postmaster at Norwich, Conn., in place of William Caruthers. Incumbent's commission expires February 28, 1910.

David L. Clinton to be postmaster at Clintonville, Conn., in place of David L. Clinton. Incumbent's commission expires February 28, 1910.

James W. Hague to be postmaster at Torrington, Conn., in place of James W. Hague. Incumbent's commission expires February 5, 1910.

James A. Howarth to be postmaster at New Haven, Conn., in place of James A. Howarth. Incumbent's commission expires February 28, 1910.

###### GEORGIA.

Frederick G. Boatright to be postmaster at Cordele, Ga., in place of Frederick G. Boatright. Incumbent's commission expires February 28, 1910.

Charles W. Moxley to be postmaster at Wadley, Ga., in place of Charles W. Moxley. Incumbent's commission expires February 22, 1910.

###### IDAHO.

S. D. Beebe to be postmaster at Coeur d'Alene, Idaho, in place of John M. Elder. Incumbent's commission expired December 15, 1909.

## ILLINOIS.

Ralph F. Bradford to be postmaster at Pontiac, Ill., in place of Ralph F. Bradford. Incumbent's commission expired January 23, 1910.

Perry J. Harsh to be postmaster at Sullivan, Ill., in place of Perry J. Harsh. Incumbent's commission expires February 27, 1910.

Maggie Kay to be postmaster at Camp Point, Ill., in place of William T. Kay, deceased.

William A. Koenigstein to be postmaster at O'Fallon, Ill., in place of William A. Koenigstein. Incumbent's commission expired January 23, 1910.

## INDIANA.

John W. Elam to be postmaster at Valparaiso, Ind., in place of John W. Elam. Incumbent's commission expires February 27, 1910.

## IOWA.

Thomas P. Hollowell, jr., to be postmaster at Fort Madison, Iowa, in place of Thomas P. Hollowell, jr. Incumbent's commission expires February 19, 1910.

John M. Lytle to be postmaster at Washington, Iowa, in place of John M. Lytle. Incumbent's commission expired January 15, 1910.

Samuel W. Moorehead to be postmaster at Keokuk, Iowa, in place of Samuel W. Moorehead. Incumbent's commission expires February 27, 1910.

Harold E. Scott to be postmaster at Sibley, Iowa, in place of Harold E. Scott. Incumbent's commission expires February 5, 1910.

Scott Skinner to be postmaster at Creston, Iowa, in place of Scott Skinner. Incumbent's commission expires February 27, 1910.

## KANSAS.

Delmar E. Deputy to be postmaster at Manhattan, Kans., in place of Delmar E. Deputy. Incumbent's commission expires February 7, 1910.

William A. Hopkins to be postmaster at Solomon, Kans., in place of William A. Hopkins. Incumbent's commission expires February 7, 1910.

William J. Watson to be postmaster at Pittsburg, Kans., in place of William J. Watson. Incumbent's commission expires February 27, 1910.

## MAINE.

Benjamin J. Woodman to be postmaster at Westbrook, Me., in place of Benjamin J. Woodman. Incumbent's commission expired January 23, 1910.

## MASSACHUSETTS.

Charles H. Mead to be postmaster at West Acton, Mass., in place of Charles H. Mead. Incumbent's commission expires February 28, 1910.

Harry S. Tripp to be postmaster at Spencer, Mass., in place of Harry S. Tripp. Incumbent's commission expires February 28, 1910.

## MICHIGAN.

Frank J. Battersbee to be postmaster at Crowell, Mich., in place of Frank J. Battersbee. Incumbent's commission expires February 28, 1910.

John J. Davis to be postmaster at White Pigeon, Mich., in place of John J. Davis. Incumbent's commission expires February 27, 1910.

Isaac Foster to be postmaster at Gladwin, Mich., in place of Isaac Foster. Incumbent's commission expires February 28, 1910.

Hugh B. Laing to be postmaster at Gladstone, Mich., in place of Hugh B. Laing. Incumbent's commission expires February 27, 1910.

David B. Menerey to be postmaster at Coleman, Mich., in place of David B. Menerey. Incumbent's commission expires February 27, 1910.

## MINNESOTA.

Minnie M. Holmes to be postmaster at Detroit, Minn., in place of Minnie M. Holmes. Incumbent's commission expires February 22, 1910.

Frank H. Juergens to be postmaster at Jordan, Minn., in place of Frank Juergens. Incumbent's commission expires February 22, 1910.

Edwin Mattson to be postmaster at Breckenridge, Minn., in place of Edwin Mattson. Incumbent's commission expires February 28, 1910.

Charles Scheers to be postmaster at Akely, Minn., in place of Charles Scheers. Incumbent's commission expires February 27, 1910.

## MISSISSIPPI.

Clara E. Mortimer to be postmaster at Crystal Springs, Miss., in place of Clara E. Mortimer. Incumbent's commission expires February 22, 1910.

## MONTANA.

Lucius Whitney to be postmaster at Joliet, Mont. Office became presidential January 1, 1910.

## MISSOURI.

William P. Brown to be postmaster at Princeton, Mo., in place of William P. Brown. Incumbent's commission expires February 28, 1910.

Simon P. Loebe to be postmaster at Charleston, Mo., in place of Simon P. Loebe. Incumbent's commission expires February 5, 1910.

William L. Moorhead to be postmaster at Hopkins, Mo., in place of Isaac N. Strawn, resigned.

Gus H. Page to be postmaster at Grandin, Mo., in place of Gus H. Page. Incumbent's commission expires February 5, 1910.

Warren S. Randall to be postmaster at Poplar Bluff, Mo., in place of Warren S. Randall. Incumbent's commission expires February 27, 1910.

Thomas J. Ulen to be postmaster at Dexter, Mo., in place of Thomas J. Ulen. Incumbent's commission expires February 5, 1910.

## NEBRASKA.

George W. Draper to be postmaster at Niobrara, Nebr. Office became presidential January 1, 1910.

Griffith J. Thomas to be postmaster at Harvard, Nebr., in place of Griffith J. Thomas. Incumbent's commission expires February 26, 1910.

Clarence O. Turner to be postmaster at Bethany, Nebr. Office became presidential January 1, 1910.

## NEVADA.

Charles A. Beemer to be postmaster at Sparks, Nev., in place of Charles A. Beemer. Incumbent's commission expires February 28, 1910.

## NEW HAMPSHIRE.

Charles E. Marsh to be postmaster at Greenville, N. H., in place of Charles E. Marsh. Incumbent's commission expires February 5, 1910.

## NEW JERSEY.

Jacob Feldman to be postmaster at Woodbine, N. J., in place of Jacob Feldman. Incumbent's commission expired December 19, 1909.

James W. Kelley to be postmaster at Tuckerton, N. J., in place of James W. Kelley. Incumbent's commission expires February 22, 1910.

Samuel L. Major to be postmaster at Roebling, N. J. Office became presidential January 1, 1910.

Louis Sabow to be postmaster at Chrome, N. J., in place of Louis Sabow. Incumbent's commission expires February 28, 1910.

Brice P. Walling to be postmaster at Sussex, N. J., in place of Brice P. Walling. Incumbent's commission expires February 19, 1910.

## NEW YORK.

George L. Jackson to be postmaster at Goshen, N. Y., in place of Charles T. Jackson, deceased.

George F. Vreeland to be postmaster at Far Rockaway, N. Y., in place of Henry A. France. Incumbent's commission expires February 5, 1910.

## NORTH DAKOTA.

John I. W. Durston to be postmaster at Bisbee, N. Dak., in place of John I. W. Durston. Incumbent's commission expired January 10, 1910.

George Leslie to be postmaster at Drake, N. Dak. Office became presidential October 1, 1909.

Edgar C. Lucas to be postmaster at Lisbon, N. Dak., in place of Harry S. Oliver, deceased.

Tobias R. Tobiason to be postmaster at Hatton, N. Dak., in place of Tobias R. Tobiason. Incumbent's commission expired January 24, 1910.

## OHIO.

Sarah E. Maddox to be postmaster at Ripley, Ohio, in place of William L. Maddox, deceased.

## OKLAHOMA.

David N. Smith to be postmaster at Sentinel, Okla. Office became presidential October 1, 1909.

## PENNSYLVANIA.

H. J. Jordan to be postmaster at Mount Pleasant, Pa., in place of Jacob R. Zuck. Incumbent's commission expires February 9, 1910.

## SOUTH DAKOTA.

George F. Fuller to be postmaster at Henry, S. Dak. Office became presidential January 1, 1910.

John G. Ropes to be postmaster at Groton, S. Dak., in place of John G. Ropes. Incumbent's commission expires February 28, 1910.

## TENNESSEE.

Abraham Lincoln Demarcus to be postmaster at Clinton, Tenn., in place of Rufus Rutherford. Incumbent's commission expired December 14, 1908.

Louis K. Freeman to be postmaster at Savannah, Tenn., in place of Laden F. De Ford. Incumbent's commission expired January 30, 1910.

A. D. Holt to be postmaster at Milan, Tenn., in place of Robert F. Haun. Incumbent's commission expires February 9, 1910.

John W. Jackson to be postmaster at Columbia, Tenn., in place of Archelaus M. Hughes, removed.

Daniel M. Nobles to be postmaster at Paris, Tenn., in place of Daniel M. Nobles. Incumbent's commission expired January 14, 1909.

John L. Sinclair to be postmaster at Dyersburg, Tenn., in place of John L. Sinclair. Incumbent's commission expires February 26, 1910.

William R. Sloan to be postmaster at Madisonville, Tenn., in place of Charles Parsons, resigned.

Daniel W. Starnes to be postmaster at Lawrenceburg, Tenn., in place of Daniel W. Starnes. Incumbent's commission expired March 1, 1909.

## WASHINGTON.

Joseph B. Furby to be postmaster at Almira, Wash. Office became presidential January 1, 1910.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 2, 1910.*

## COMMISSIONER OF INTERNAL REVENUE.

Royal E. Cabell to be Commissioner of Internal Revenue.

## COLLECTOR OF CUSTOMS.

John S. Parsons to be collector of customs for the district of Oswego, N. Y.

## REGISTER OF THE LAND OFFICE.

Valentine F. Gorman to be register of the land office at Independence, Cal.

## POSTMASTERS.

## ALABAMA.

J. Percy Freeman, at Bridgeport, Ala.  
James M. Stovall, at Carbon Hill, Ala.

## CALIFORNIA.

Frank L. Bostwick, at Laton, Cal.  
Henry W. Brown, at Coram, Cal.

## KANSAS.

Rodman A. De Forest, at Wetmore, Kans.  
John W. Willis, at Gypsum, Kans.

## NEBRASKA.

Levi M. Copeland, at Minden, Nebr.  
William A. McCool, at Indianola, Nebr.  
Charles Miner, at Ravenna, Nebr.

## NEW JERSEY.

Frederick C. Meyer, at Holly Beach, N. J.  
Horace E. Richardson, at Cape May Court House, N. J.  
Edward M. Sutton, at Ocean City, N. J.

## NEW YORK.

Fred M. Askins, at Schaghticoke, N. Y.  
George R. Vail, at Chester, N. Y.

## PENNSYLVANIA.

H. J. Jordan, at Mount Pleasant, Pa.

## UTAH.

Eva C. Wilcox, at Garland, Utah.

## WASHINGTON.

William F. Case, at Northport, Wash.

## WYOMING.

George W. Hoyt, at Cheyenne, Wyo.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 2, 1910.

The House met at 12 o'clock noon.

Prayer by the Rev. John Van Schaick, jr.

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

## COMMITTEE ON EXPENDITURES IN THE STATE DEPARTMENT.

Mr. EDWARDS of Kentucky. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Kentucky asks unanimous consent for the consideration of the resolution which the Clerk will report.

The Clerk read as follows:

House resolution 365.

*Resolved.* That the Committee on Expenditures in the State Department is hereby authorized during the Sixty-first Congress to have such printing and binding done as may be required in the transaction of its business.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the resolution is agreed to.

## ENROLLED BILL SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

S. 5236. An act granting pensions and increase of pensions to certain soldiers and sailors of the civil war and to certain widows and dependent relatives of such soldiers and sailors.

## MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had, on January 31, 1910, approved and signed bill of the following title:

H. R. 14579. An act to amend section 12 of an act entitled "An act to authorize the Secretary of the Interior to issue patents in fee to purchasers of Indian lands under any law now existing or hereafter enacted, and for other purposes," approved May 29, 1908, and for other purposes.

## COMPENSATION OF STOREKEEPERS AND GAUGERS.

The SPEAKER. This being calendar Wednesday, the Clerk will report the title of the unfinished business.

The Clerk read as follows:

The bill (H. R. 18813) to amend section 63 of the act of August 28, 1894.

Mr. LANGLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LANGLEY. As I recall it, the House was dividing upon the passage of the bill just reported as unfinished business when the point that no quorum was present was made, and thereupon the House decided to adjourn. The parliamentary question I submit now is whether debate on this bill is still in order.

The SPEAKER. The recollection of the Chair is that on calendar Wednesday a week ago the House was dividing, not by roll call, but while it was dividing so many in the affirmative and so many in the negative, the point of no quorum was made, and a quorum not being present, the House adjourned.

Mr. HENRY of Texas. Mr. Speaker—

The SPEAKER. One moment. The Chair reads from the Digest:

After the Speaker has put the affirmative part of the question any Member who has not spoken before to the question may rise and speak before the negative be put, because it is no full question till the negative part be put.

Mr. HENRY of Texas. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise? Mr. HENRY of Texas. I was just trying to understand what the parliamentary inquiry was. The Chair states the facts just as they were. I made the point of no quorum myself.

The SPEAKER. The Chair recollects.

Mr. MANN. Mr. Speaker, may I make this suggestion?

The SPEAKER. One moment.

Mr. HENRY of Texas. Mr. Speaker, if it will aid in the solution of the difficulty, I will withdraw the point of no quorum.

The SPEAKER. Unfortunately this is Wednesday, February, and that was Wednesday, January, so that the Chair fails to see that a nunc pro tunc order can be entered.

Mr. HENRY of Texas. I do not see myself, but I did not wish to be in the way of the bill.

Mr. MANN. Mr. Speaker, may I make this suggestion?

The SPEAKER. The Chair will hear the gentleman from Illinois.

Mr. MANN. The previous question was not ordered on this bill, having been a report from the Committee of the Whole House on the state of the Union. While the affirmative of the question was put on last Wednesday and the negative of the question was put on last Wednesday, it will be necessary in any event to put the affirmative on the question again to-day if the bill proceeds to a vote. And under the rule, as I understand it, even after the affirmative should be put to-day, it would be in order for any gentleman to rise and ask to be recognized in debate. What took place the other day, so far as the vote is concerned, is wiped out by the fact that there was no quorum present; and hence that point being raised it was not within the power of the House to vote, and all of those proceedings must necessarily be gone over again. The previous question not having been ordered on the bill, it seems to me that up to the time that the negative of the vote is ordered to-day it is in order to address the Chair and receive recognition in debate.

Mr. CLARK of Missouri. Is there anybody that wants to make another speech about this business?

The SPEAKER. The Chair presumes that there is. He is not informed, but the question was asked, and there probably will be.

Mr. LANGLEY. Mr. Speaker, in reply to the gentleman from Missouri [Mr. CLARK], I desire to state that I understand that some of the gentlemen who opposed this bill the other day are not now opposed to it. If that is the situation, I do not desire to be heard upon the question; otherwise, I shall desire to be heard.

Mr. MACON. Mr. Speaker, if the Chair will permit me, I will say that on the motion of the gentleman from Indiana [Mr. CRUMPACKER] all debate would close upon this bill.

Mr. LANGLEY. That was in Committee of the Whole House on the state of the Union, Mr. Speaker. That was before the bill was reported to the House.

Mr. MACON. Yes; that was done in Committee of the Whole. This was in the House.

The SPEAKER. The Chair will again read from the Digest, on page 237, as follows:

After the Speaker has put the affirmative part of the question, any Member who has not spoken before to the question can rise and speak before the negative be put—

That is, where the previous question has not been ordered—because it is no full question until the negative part be put.

Now, the affirmative was put and the negative was put, but upon the negative being put immediately the point of no quorum was made, and it was ascertained that no quorum was present. A quorum is absolutely necessary for the transaction of business. The Chair would be inclined to hold that everything that transpired in the House when no quorum was present would be void. The point of no quorum was not put when those who were in the affirmative voted, but it was put immediately when those who were in the negative voted, and it was ascertained that no quorum was present. There being no quorum present when the negative vote was put, it occurs to the Chair that the whole matter is void so far under the rule. Therefore the Chair, within the language, would say that debate is in order, because "any Member who has not spoken before to the question may arise and speak before the negative be put." The negative was put, but immediately it was disclosed that there was no quorum, and the putting of the negative to less than a quorum, it seems to the Chair, is void.

Mr. DOUGLAS. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. DOUGLAS. How far back does that presumption go? There were 50 men who left the House after the negative was put and those in favor of the negative—

The SPEAKER. There was a quorum present so far as the Journal discloses up to the time that the negative was put. Then it was immediately disclosed for the first time that there was no quorum, and therefore it occurs to the Chair that the House had no power to transact business.

Mr. SHERLEY. Admitting that the Chair is right as to the point of no quorum being made when the call for nays was had, of necessity does not the fact that no quorum was present go back, not simply to the time when the vote was on the negative of the proposition, but also to the time when the vote was had on the affirmative of the proposition?

The SPEAKER. The Chair is not informed from the Journal whether there was a quorum present when the affirmative was put or not.

Mr. SHERLEY. The way the point of no quorum is raised is after the negative vote has been taken, carrying that vote with the affirmative vote for the purpose of ascertaining whether the two together constitute a quorum. Does the Chair hold that after the counting of both the affirmative and negative vote the matter is open for debate, without regard to whether a man wants to speak on one side or the other?

The SPEAKER. The point was made when the negative vote was taken. Perchance there may have been a quorum—and the Chair is presuming from the Journal there was a quorum—when the affirmative was put; but when the negative was put there was no quorum; and therefore it appears that—

Mr. SHERLEY. Do I understand the Chair rules that debate shall be had only by those who have not spoken on the bill or that the matter is open to the same consideration as if no vote had been taken at all?

The SPEAKER. Well, acting on the letter of the rule and the Manual, the Chair would say that when the affirmative was put there was a quorum and when the negative was put there was no quorum; and it seems to the Chair, from the Journal, that the negative would have to be put again; and the Chair recognizes the gentleman who desires to talk.

Mr. LANGLEY. Mr. Speaker, I am very earnestly in favor of this measure, and there are several things that I would like to say in its support. But what I desire is results rather than an opportunity to make a speech. There are now upon the floor a great many gentlemen who were not here when the measure was debated one week ago. There were several assertions made in that debate which I should like to answer now if the House were not impatient to proceed with other business, and particularly the suggestion of the gentleman from New York [Mr. FITZGERALD] and the gentleman from Illinois [Mr. MANN] that the Committee on Expenditures in the Treasury Department had departed from its proper jurisdiction in reporting a bill the effect of which was to increase the expenditures of the Government. I thought at the time that these gentlemen were possibly correct, knowing, as I did, their reputation as parliamentarians and their familiarity with the rules of the House; but I have since found, upon investigation, that one of the very purposes for which these committees were created was, to quote the language of the original rule, adopted in 1817—

Also to examine into the pay and emoluments of all officers under the laws of the United States, and to report from time to time such a reduction or increase thereof as a just economy and the public service may require.

This bill is a typical case for the exercise of that jurisdiction. It merely proposes to follow out the recommendations of the present Commissioner of Internal Revenue and several of his predecessors, to pay the salary and expenses of these employees in traveling to and from their assignments.

The impression was made the other day that this bill applies to only one section of the country. That is entirely erroneous. It applies to all the employees of that service. I am informed by a number of gentlemen around me that they are ready to vote on the question, and I am convinced, from what they say to me now, that there is no longer any serious objection to the bill. If no other gentleman desires to address the House upon the question, and apparently none do, I move the previous question on the passage of the bill.

Mr. MANN. Before the gentleman does that, I would like to have a couple of minutes.

Mr. LANGLEY. Certainly; but I do not want to lose the floor.

The SPEAKER. The gentleman has the floor; he can yield such time as he may desire.

Mr. LANGLEY. To accommodate the gentleman, then, I withdraw, for the moment, the motion for the previous question.

The SPEAKER. The gentleman has not moved the previous question. He can make that motion when he desires. The gentleman is recognized for debate. Does he yield to the gentleman from Illinois?

Mr. LANGLEY. With the understanding that I retain the floor.

The SPEAKER. The gentleman has the floor. How much time does the gentleman yield?

Mr. LANGLEY. I yield two minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, this is a bill which was before the House the other day in Committee of the Whole. At that time it did not meet with great favor in the House. This is the result of the activity of one of the expenditure committees, and I compliment the committee on some activity. However, it seems that the first result of the activity of the committee, designed to reduce expenditures, is to recommend the passage of a bill to increase the expenditures of the Government. This bill is a proposition to increase the compensation of gaugers.



It does not seem to me to appeal to the House. There have been similar bills pending before the Committee on Ways and Means for years, which have never received favorable consideration by the committee in the main charged with the duties with reference to such matters. But the moment that the committee on expenditures—to reduce expenditures in the Treasury Department—gets possession of this bill to increase the compensation of gaugers and to increase the expenditures, it is brought into the House, and they undertake to pass it. If we pass this bill, every expenditure committee in the House will be busy reporting bills to increase the compensation of the various officials of the Government.

Mr. LANGLEY. Mr. Speaker, as well as I could understand the gentleman from Illinois in the confusion that is going on upon the floor, he contends that the business of these committees on expenditures is to reduce expenditures.

As I said a moment ago, I have had occasion to look up the history of this question, and I find that under the rules adopted nearly one hundred years ago one of the duties of these committees was to report, from time to time, such a reduction or increase of expenditures as a just economy and the public service may require. And the present rule, defining their jurisdiction, which was adopted in the Forty-sixth Congress, contains substantially the same provision.

Now, the Speaker did me the honor to place me on one of these committees. I was not particularly pleased with that assignment at the time, but since I have read up the history of these committees and have realized the importance of their jurisdiction, I desire to return my thanks to the Speaker for having placed me upon such an important committee. There are 70 Members of this House on these various committees on expenditures, and I hope to see the same activity on the part of the balance of them that this committee is showing. I insist that it is misleading to assert that this committee has reported to the House a bill that is not within the province of the committee.

Mr. MANN. I have not made any such charge. They have not reported any bill to reduce any expenditures, though.

Mr. LANGLEY. I understood that to be the purport of the gentleman's argument the other day, at least. If these committees have not reported more bills it is the fault of other committees of the House that have purloined our jurisdiction in matters of this kind.

In reference to the suggestion of the gentleman from Illinois [Mr. MANN] that this bill proposes an increase in expenditures, let me say that it involves a total increase of only a few thousand dollars, according to the estimate of the Commissioner of Internal Revenue; not an increase in the salary of anyone, but rather in doing what is done in the cases of other field employees of the Government; that is, to pay the salary and expenses of these revenue employees in traveling to and from the place of assignment, just the same as they are now paid when traveling from one assignment to another under transfer.

I shall not undertake any general discussion of the question as to how important this is to the Revenue Service, because the views of the Commissioner of Internal Revenue covering that point were read to the House when this matter was up for discussion a week ago, and gentlemen who were not present then have doubtless read it in the RECORD. It is, in my judgment, a very important matter, even if it does involve an expenditure of only a few thousand dollars. As the officers of the Treasury Department have reported, it will result in saving revenue amounting to many times as much as the slight increase in expenditures involved. Moreover, it will be simply an act of justice toward these revenue men, who are the most overworked and underpaid set of men in the government service to-day. I wish it were possible to do more for them now, in the way of increasing their emoluments, than this bill proposes to do.

I do not desire to detain the House on this question, but my colleague from Kentucky [Mr. SHERLEY] has requested me to yield three minutes to him, which I now do.

Mr. SHERLEY. So far as the statement of the gentleman from Illinois [Mr. MANN] went as a criticism of these committees for not being more active in proposing reforms, I am in accord with him; but I suggest to him and to the House that the fate of this bill should not be determined by the activity or lack of activity of the committees on expenditures, but that it ought to be determined by the question whether the particular change recommended here is warranted by the facts.

I have spoken here from time to time in regard to the desirability of lessening expenditures; but you are not going to reduce expenditures very much in these matters when you increase your expenditures by millions of dollars in other matters. I was very glad to second the gentleman from Illinois in attempting to do away with a proposition to expend over a mil-

lion dollars for a national encampment of the militia that I felt could be dispensed with at this particular time, and we found very little support. It is in things of that sort that you may reduce your annual budget, and not in denying legitimate and proper compensation to these men. A gentleman asked me privately if there were any of these gaugers in my district. I said: "Yes; there are quite a number; all Republicans." So that, speaking from a strictly personal point of view, it would not be of any special interest to me to promote the welfare of these men, as they have not shown any activity in regard to mine; but I do believe, on the merits of it, that these men are entitled to their traveling expenses, which the present law does not give them, and I believe the House can afford to pass this bill.

Mr. LANGLEY. Mr. Speaker, I yield five minutes to the gentleman from Kentucky [Mr. EDWARDS].

Mr. EDWARDS of Kentucky. Mr. Speaker, it seems to me that it is clearly within the proper province of the Committee on Expenditures in the Treasury Department to report or recommend legislation to equalize expenditures and salaries in that department. Therefore it seems to me that this committee has legal jurisdiction over the bill that is now before the House for consideration. This proposed legislation is certainly entitled to the consideration of the House.

Mr. CULLOP. Will the gentleman yield for a suggestion?

Mr. EDWARDS of Kentucky. I will yield to the gentleman.

Mr. CULLOP. On that subject of jurisdiction I desire to call the gentleman's attention to the rule, page 349, that gives the Committee on Expenditures in the Treasury Department jurisdiction of this matter. It is in paragraph 42 and in paragraph 44 where it is expressly given.

Mr. EDWARDS of Kentucky. I thank the gentleman for the suggestion. That is the rule I was referring to, and a rule with which Members of the House are more or less familiar. This bill simply seeks, as I understand it, to pay the expenses of a government employee when going to or from the place of assignment. This class of employees only get \$2 a day for doing practically the same work that the men who are on the eligible list under the civil-service rules get \$4 a day for, and during the past policy and under the present law they must make the trip to and from the place of assignment at their own expense.

Mr. LANGLEY. And not only that, but they must remain there without compensation until the distillery starts up and begins to work.

Mr. EDWARDS of Kentucky. Yes; I know of my own personal knowledge of cases where the man had been assigned to a small distillery at a compensation of \$2 a day and paid his own traveling expenses, amounting to \$5 or \$10; and then when he got there found that the water supply had given out, or something was wrong, and they decided not to start up, and the man had to return home. I submit to the membership of this House that it is not a question of extravagance, it is not a matter of increased salaries, but it is a matter of justice and equalization. This bill does not go quite as far as I would have it. It should increase the salaries of this class of employees as well as to reimburse them for their expenses. However, I think the House understands the question sufficiently to vote favorably upon it and that further debate is not necessary.

Mr. LANGLEY. Now, Mr. Speaker, if no one desires to address the House, I move the previous question.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

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

#### REPEALING PORTION OF SECTION 429, REVISED STATUTES.

Mr. BOUTELL (when the Committee on Expenditures in the Navy Department was called). Mr. Speaker, by unanimous vote of the Committee on Expenditures in the Navy Department I call up the bill (H. R. 18403) to repeal a portion of section 429 of the Revised Statutes of the United States. This bill is on the Union Calendar, and I therefore ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the second clause of section 429 of the Revised Statutes of the United States be, and the same is hereby, repealed.

The SPEAKER. The gentleman from Illinois asks unanimous consent that this bill may be considered in the House as in Committee of the Whole House on the state of the Union. Is there objection?

Mr. SLAYDEN. Mr. Speaker, there was so much confusion in the House that I could not hear what the bill was about.

The SPEAKER. The Clerk will again report the bill.

The Clerk again read the bill.

Mr. SLAYDEN. Will the gentleman from Illinois favor us with some information as to what the section is about?

Mr. BOUTELL. The bill is a bill to repeal an almost forgotten clause in a statute passed in 1843, requiring the Secretary of the Navy to annually print all contracts and bids received by that department, whether accepted or rejected, and under that law the Secretary has gone on all these years printing these statements until this unnecessary printing bill now amounts to several thousand dollars a year, and this bill will make an annual saving to the Government by doing away with this unnecessary printing.

Mr. SLAYDEN. I have no objection.

Mr. HARRISON. I would like to ask the gentleman why he calls it unnecessary printing; isn't it just as well that the public should know what the bids are and what was accepted?

Mr. BOUTELL. That would be disclosed by a reading of the report which will come while the bill is under consideration. All of these matters are made public, as will appear when the report is read.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the bill may be considered in the House as in Committee of the Whole House on the state of the Union. Is there objection?

There was no objection.

Mr. BOUTELL. Mr. Speaker, the reasons for the passage of this bill are set forth in the report, and I ask that the report may be read in my time.

The SPEAKER. The Clerk will read the report.

The Clerk read the report by Mr. BOUTELL, as follows:

The Committee on Expenditures in the Navy Department, to whom was referred the bill (H. R. 18403) entitled "A bill to repeal a portion of section 429 of the Revised Statutes of the United States," reports it favorably and recommends that the same do pass.

Section 429 of the Revised Statutes reads as follows:

"Sec. 429. The Secretary of the Navy shall make annual reports to Congress upon the following subjects:

"Second. A statement of all offers for contracts for supplies and services made during the preceding year, by classes, indicating such as have been accepted."

Under the provisions of this law the annual reports of the Secretary of the Navy must contain a detailed statement of all bids received by the department, whether rejected or accepted. It has been the practice of the Paymaster-General to furnish this detailed statement in his report to the Secretary.

The compilation and printing of these bids, as required by the second clause of this section, the committee believes involves an unnecessary expenditure, inasmuch as the publicity—which was originally, in 1843, when this clause was enacted, intended to be provided—is now secured by the fact that all bids for supplies are opened at an advertised time and place; that they are always on file and open to inspection by anyone interested; that they are published by a private journal devoted to that purpose; and that they are, under other provisions of law (secs. 3744, 3745, 3746, 3747, Rev. Stat.), furnished to the returns office in the Interior Department, where copies may be obtained by whomsoever may desire such information.

It is recommended by the Secretary of the Navy in his report for 1908, on page 24, under the head of "Unnecessary printing," and by the Paymaster-General in the same report, on page 726, under the head of "Annual schedule of proposals," as follows:

#### UNNECESSARY PRINTING.

"Wherever such action can be taken without prejudice to the public interests, the great expense involved in the printing of official reports, particularly when made in tabulated form, should be cut down. In certain cases this printing is required by ancient statutes for some object not now apparent, and the expense is continued merely because it is required by law. A striking example of this is afforded by the provisions of section 429 of the Revised Statutes, under which the annual report of the Paymaster-General of the Navy must contain a schedule of all bids received by the Bureau of Supplies and Accounts, 'indicating such as have been accepted.' This statute dates back to March 3, 1843, and at the time of its passage and for many years thereafter its observance would not necessarily have involved great expense. The business of the navy has, however, so grown that at present the printing of this information in the form required occupied last year 324 pages, enumerating 40,000 bids received by the bureau, at a very considerable cost for printing alone, not to mention the time lost in preparation of the necessary data. All bids for supplies are opened publicly at an advertised time and place; they are always on file and open to the inspection of anyone interested; are published in detail in a private journal devoted to that purpose, and, furthermore, are under other provisions of law furnished to the returns office, where copies may be obtained by whomsoever may desire such information.

"The annual publication in the report of the Paymaster-General of this information in detail seems, therefore, to be wholly unnecessary.

#### ANNUAL SCHEDULE OF PROPOSALS.

"Under the provisions of section 429, Revised Statutes, the annual report of the Paymaster-General must contain a schedule of all bids received by the Bureau of Supplies and Accounts, 'indicating such as have been accepted.' This law dates back to March 3, 1843, and it would seem as if the time had come to put a stop to such a useless and expensive waste.

"The report of 1907, which was typical of its predecessors, contained 372 pages, 324 of which were devoted to enumerating the 40,000 bids received by the bureau at a cost for printing alone of \$1,375, not to men-

tion the valuable time lost in its preparation. All bids for supplies are opened publicly at an advertised time and place. They are always on file and free to the inspection of anyone interested, and are published in detail in a private journal devoted to that purpose. It is recommended, therefore, that Congress be asked to repeal this obsolete law."

The bill was referred to the Secretary of the Navy and the appended letter is his recommendation for the repeal of this clause.

DEPARTMENT OF THE NAVY,  
Washington, January 22, 1910.

MY DEAR CONGRESSMAN: The receipt is acknowledged of your letter of the 19th instant, inclosing copy of a bill (H. R. 18403) "to repeal a portion of section 429 of the Revised Statutes of the United States," and requesting that the measure be examined and a report made to you thereon.

In reply I have the honor to inform you that this statute dates back to the year 1843, at which time compliance with its terms obviously would not have involved great expense. The navy, however, has grown to proportions which could scarcely have been contemplated at the time of its enactment, and the business of handling bids has correspondingly increased.

It may be remarked that the publicity which was originally intended to be provided is now secured by the fact that all bids for supplies are opened publicly at an advertised time and place; that they are always on file and open to inspection by anyone interested; that they are published by a private journal devoted to that purpose; and that, furthermore, they are, under other provisions of law, furnished to the returns office, where copies may be obtained by whomsoever may desire such information.

Besides, it is estimated that a considerable sum in each year might be saved by the repeal of the part of section 429 in question, and in view of all the foregoing facts such action is recommended.

The provision whose repeal is sought reads as follows:

"Second. A statement of all offers for contracts for supplies and service made during the preceding year, by classes, indicating such as have been accepted."

For the further information of the committee, there is inclosed a copy of the current report of the Paymaster-General, showing from page 110 to page 377 thereof, 267 pages in all, the matter that would be saved by the enactment of the proposed legislation.

Faithfully yours,

G. V. L. MEYER.

THE CHAIRMAN COMMITTEE ON  
EXPENDITURES IN THE NAVY DEPARTMENT,  
House of Representatives.

The SPEAKER (during the reading). The time of the gentleman has expired.

Mr. BARNHART. Mr. Speaker, I ask unanimous consent that the time of the gentleman be extended for five minutes.

The SPEAKER. Is there objection?

There was no objection.

The Clerk concluded the reading of the report.

Mr. BARNHART. Mr. Speaker, in the statement of the gentleman from Illinois [Mr. BOUTELL], and also in the report of the committee, it is alleged that these reports now published by the Government under authority of law are also reported and published in a private journal, and that the publication of this private journal would be all sufficient. I would like to inquire, if the authorized publication of these reports were abandoned, what reliability might be placed in this publication in a private journal? Might it not be misleading?

Mr. BOUTELL. Mr. Speaker, I would say to the gentleman that no one who is interested in these bids needs to rely upon the journal, which is called the "United States Government Advertiser," a copy of which I hold in my hand, and which is a journal about 28 years old. Anyone who is interested in the accuracy of the statements here can go to two different places to verify them. In the first place, all of these bids and offers and all the details are on file and open to inspection, as stated by the Secretary of the Navy, in the Navy Department. Also, this law of 1862, to which he refers, requires that all of these bids shall also be on file in the returns office of the Interior Department. Undoubtedly, if we could look into the minds of the legislators in 1862, when they passed this provision, we would find that they intended to repeal the old law of 1843.

Mr. BARNHART. Could the gentleman state what the cost of these publications is now to the Government?

Mr. BOUTELL. It can not be told with accuracy, but the report of the Paymaster-General for 1909 containing these printed statements occupy in very fine print pages 110 to 376, or 266 pages of fine print, which probably no mortal man ever looked at. It costs the Government in the first place from two to three thousand dollars simply to print it, and it also requires the services of clerks in tabulating and collating these matters when they might better be employed in some other work. The law is obsolete, and the work is absolutely useless in view of the compiling of the bids in the Navy Department and in the returns office.

Mr. COOPER of Pennsylvania. Mr. Speaker, I would like to suggest to the gentleman from Illinois that the Joint Committee on Printing had this very proposition under investigation. In a conversation I recently had with the Assistant Secretary of the Navy he called my attention to these facts, and it was his opinion that there was ample provision for publicity of these

matters outside of this statute. Now, there are other matters in this department in which we think there can be large saving made. The Navy Department seems to favor this economy, and it is our desire that every economy that is consistent with proper administration should be effected. We have their interest and cooperation, and we want it in bringing about a reform in printing in the executive departments. I hope this proposition will be received favorably by the House.

Mr. BOUTELL. Mr. Speaker, I am very glad to have the decision of the Committee on Expenditures in the Navy Department corroborated by the Joint Committee on Printing, of which the gentleman from Pennsylvania is a member.

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

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

#### FOOD FISHES IN INTERNATIONAL BOUNDARY WATERS.

The SPEAKER laid before the House the following message from the President of the United States (H. Doc. No. 638), which was read and, with the accompanying papers, referred to the Committee on Foreign Affairs:

*To the Senate and House of Representatives:*

I transmit herewith a report by the Secretary of State submitting "A system of uniform and common international regulations for the protection and preservation of the food fishes in international boundary waters of the United States and Canada," which have been "prepared by the International Fisheries Commission pursuant to and under the authority of the convention of April 11, 1908, between the United States and Great Britain."

The regulations are submitted to the Congress in order that due legislative action on the part of the Government of the United States may be taken as stipulated for in article 3 of the convention.

WM. H. TAFT.

THE WHITE HOUSE, February 2, 1910.

#### THIRTEENTH DECENNIAL CENSUS.

The SPEAKER. The Clerk will continue the call of committees.

Mr. CRUMPACKER (when the Committee on the Census was called). Mr. Speaker, by direction of the Committee on the Census, I desire to call up for consideration the bill (H. R. 18364) to amend section 8 of an act to provide for the thirteenth and subsequent decennial censuses, approved July 2, 1909, which I send to the desk and ask to have read.

Mr. Speaker, I ask unanimous consent that this bill may be considered in the House as in the Committee of the Whole House.

The SPEAKER. The gentleman from Indiana presents a bill, by direction of the Committee on the Census, and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

Mr. MANN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects. Under the rule the House resolves itself into the Committee of the Whole House on the state of the Union for the consideration of the bill.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 18364) to amend section 8 of an act to provide for the thirteenth and subsequent decennial censuses, approved July 2, 1909, with Mr. TILSON in the chair.

Mr. CRUMPACKER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. UNDERWOOD. Mr. Chairman, I would like to hear the bill read, so the House can be informed as to just what it is.

Mr. CRUMPACKER. All right, then. I will ask unanimous consent that the Clerk read the substitute instead of the original bill. The committee recommends a substitute.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the substitute be read in lieu of the bill. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

A bill (H. R. 18364) to amend section 8 of an act to provide for the thirteenth and subsequent decennial censuses, approved July 2, 1909.

*Be it enacted, etc.,* That section 8 of an act entitled "An act to provide for the thirteenth and subsequent decennial censuses," approved July 2, 1909, be amended to read as follows:

"SEC. 8. That the Thirteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, and to mines and quarries. The schedules relating to population shall include for

each inhabitant the name, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, number of years in the United States, citizenship, occupation, whether or not employer or employee, and, if employee, whether or not employed at the date of enumeration and the number of months unemployed during the preceding calendar year, whether or not engaged in agriculture, school attendance, literacy, and tenure of home, and whether or not a survivor of the Union or Confederate army or navy; and the name and address of each blind or deaf and dumb person; and for the enumeration of institutions, shall include paupers, prisoners, juvenile delinquents, insane, feeble-minded, blind, deaf and dumb, and inmates of benevolent institutions.

"The schedules relating to agriculture shall include name, color, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, and character of timber thereon, value of farm and improvements, value of farm implements, number and value of live stock on farms and ranges, number and value of domestic animals not on farms and ranges, and the acreage of crops planted and to be planted during the year of enumeration, and the acreage of crops and the quantity and value of crops and other farm products for the year ending December 31 next preceding the enumeration.

"The schedules of inquiries relating to manufactures and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, cooperative, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, co-partners, stockholders, and officers, and the amount of their salaries; number of employees and the amount of their wages; quantity and cost of materials used in manufactures; amount of miscellaneous expenses; quantity and value of products; time in operation during the census year; character and quantity of power used, and character and number of machines employed.

"The census of manufactures and of mines and quarries shall relate to the year ending December 31 next preceding the enumeration of population and shall be confined to mines and quarries and manufacturing establishments which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as the factory system, exclusive of the so-called neighborhood household and hand industries: *Provided*, That the census shall also include an enumeration of the number of cattle, calves, sheep, lambs, hogs, goats, and kids slaughtered for food purposes, and all hides produced, whether taken from animals slaughtered for food purposes or otherwise, during the year next preceding the year of the enumeration of population, irrespective of the character of the establishment in which slaughtered or produced.

"The inquiry concerning manufactures shall cover the production of turpentine and rosin, and the report concerning this industry shall show, in addition to the other facts covered by the regular schedule of manufactures, the quantity and quality of turpentine and rosin manufactured and marketed, the sources, methods, and extent of the industry.

"Whenever he shall deem it expedient, the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees, to be employed without respect to locality.

"The form and subdivision of inquiries necessary to secure the information under the foregoing topics shall be determined by the Director of the Census."

Mr. CRUMPACKER. Mr. Chairman, I would like to have the attention of the committee briefly upon this bill. It is not as formidable as it appears. All there is that is new is the proviso on page 4 of the bill. Under the original law, under the act providing for the thirteenth and subsequent decennial censuses, the Director of the Census is authorized to take a full and complete census of agriculture, and that includes the food animals slaughtered on the farms and the hides taken from animals on the farms. The act also authorizes or requires a census of manufactures, and that requires an investigation and the census of the food animals slaughtered in the large packing establishments; but the act provides that no census shall be taken of what is called the hand or neighborhood industries of the country, and the Director of the Census has construed that to mean the little butcher establishments, so that under the law now we are to have a census of the number of animals slaughtered in the large establishments with the number of hides produced, the number of animals slaughtered on the farms, but no account is to be taken whatever of the animals slaughtered in the thousands of country butcher shops all over the land. The amendment simply covers that gap. It provides that in addition to the census of the slaughterhouses and of the farms there shall be an account for the year 1909 of the animals slaughtered in the little butcher shops, and that is all there is to the amendment.

Mr. BARTLETT of Georgia. May I ask the gentleman a question?

Mr. CRUMPACKER. Certainly.

Mr. BARTLETT of Georgia. Is that all the change that is made in the law enacted last year?

Mr. CRUMPACKER. That is all the change that is made, and it is contained in the proviso on page 4. We add that proviso and there is no other change in the law whatever.

Mr. BARTLETT of Georgia. This provision in italics, page 4, line 23, or rather all these italicized words, is simply a repetition of the old law, and you have simply recommended the existing law and added to it the words in reference to the taking of the census of the number of cattle, calves, sheep, lambs, hogs, goats, and so forth, irrespective of where slaughtered.

Mr. CRUMPACKER. The gentleman is right about that. We propose that change because we thought it better legisla-

tion in amending the act to copy the amended section as it will be when amended, and that is the reason why the committee reported the substitute for the original bill.

Mr. BARTLETT of Georgia. Then another question. I understand that the provision as to the appointment of these special agents by the director, and the manner in which they shall perform their duty, is not a change of the existing law, but is the law as it now exists and as already passed.

Mr. CRUMPACKER. That is absolutely right. We made no change at all except to add the proviso on page 4.

Mr. BARTLETT of Georgia. May I ask the gentleman this question: Why it was put in the original law that these statistics which we have provided for here should be collected by agents to be employed without respect to locality? Why was it necessary to put such a provision as that in the law?

Mr. CRUMPACKER. Well, I do not know. I suppose that it is so agents could be sent from one place to another, experienced men, to make investigations. Then another reason is experienced men are taken in the line of manufactures from manufacturing establishments, and it is advisable, as a matter of policy, to send such men out of their own localities sometimes, away from rivals, for instance; but that was a matter that was determined when Congress passed the law.

Mr. BARTLETT of Georgia. This is simply repeating what is already the law?

Mr. CRUMPACKER. That is already the law.

Mr. COX of Indiana. Will the gentleman yield for a question?

Mr. CRUMPACKER. I yield.

Mr. COX of Indiana. What is the purpose of having this census of hides?

Mr. CRUMPACKER. Of course in taking a census of the number of animals slaughtered in the country butchering establishments it adds nothing to the expense to take a census of the hides also, because we all know that every animal that is slaughtered for food purposes has a hide; that is, most every animal. The supreme court of Indiana, I think the gentleman will remember, has said that chickens are animals, but probably it will not require a census of chicken hides.

Mr. COX of Indiana. I take it for granted that the gentleman has some other purpose than to simply know the number of animals that have been slaughtered in this country in the taking of the census of the hides.

Mr. CRUMPACKER. I intended to explain that in a moment. The object is to find out the percentage, for instance, of the food animals slaughtered in the United States that are slaughtered in the large packing establishments, the percentage that are slaughtered on the farms, and the percentage that are slaughtered in the country butcher shops. The law requires us to take a census of the number of animals slaughtered in the large establishments and the number slaughtered on the farm.

How much information in the way of statistics does that convey to the country? Here are twenty-five or thirty thousand local community butchering establishments, each one of which slaughters quite a number of animals each year, and we would have no account of those at all. This is to make the statistics complete and valuable. Then deductions may be made respecting, for instance, the price of meats, based upon the percentage of the meat product that may be controlled by the large packing houses.

Mr. COX of Indiana. Will the gentleman yield, in that connection, for another question? I would like to know whether or not the increased price of shoes and other finished leather goods has induced the gentleman to bring in this amendment to the bill, especially after hides were placed upon the free list last August in the Payne bill?

Mr. CRUMPACKER. No; not at all. If there is any argument—

Mr. COX of Indiana. I am not making any argument. I wish to know if it had anything to do with this proposed amendment?

Mr. CRUMPACKER. If there is any inference to be drawn from the fact that after placing hides on the free list they went up in price, it is that it is a dangerous thing to reduce the tariff schedules.

Mr. COX of Indiana. I am simply trying to get at the purpose of the gentleman in taking this census.

Mr. CRUMPACKER. The purpose of taking this census is to give statistical information upon some very vital questions; and the meat question is a vital one and the hide question is an important one. It is true, I understand, that since hides were put on the free list they have increased in price. Is it not important to know now if there are any artificial forces

operating on the price of hides? Is it not important to know now what percentage of the hides produced in this country may be under the control of the large packers and what percentage may be taken from the farm and what from the country butcher shop?

Mr. COX of Indiana. I quite agree with the gentleman that it is important, with a view of seeing whether or not the meat packers or any other institution in this country are controlling the hide market, with a view of not only forcing up the price of hides, but forcing up the price of finished leather goods as well. And if that is the purpose of this, I think it is commendable.

Mr. CRUMPACKER. It is the purpose to furnish statistical information. The gentleman must bear in mind that the Bureau of the Census is a statistical bureau alone. It is not engaged in throttling crime—

Mr. COX of Indiana. I quite agree with the gentleman there.

Mr. CRUMPACKER. Its business is not to hunt down criminals, but it is to furnish trustworthy and reliable information of the great industries of the country.

Mr. COX of Indiana. Will the gentleman yield to another question?

Mr. CRUMPACKER. I will.

Mr. COX of Indiana. Does he think if this amendment becomes a law and a complete census is taken of the hides, that that will furnish the country with the information as to whether the price of hides in this country is controlled by any combination of men?

Mr. CRUMPACKER. It would simply furnish such information as statistics would yield. All else is a matter of deduction and argument. It will furnish reliable statistical information. Then the gentleman, when he enters into a campaign, as he doubtless will many times in the future—I hope he will—

Mr. COX of Indiana. I desire to say again that I am heartily in favor of the gentleman's proposed amendment.

Mr. CRUMPACKER (continuing). Can have reliable information as to what percentage of hides is under the control of the big packers, what percentage of meats is produced by the large packers, what percentage on the farm, and what in the little country butcher establishments. It will be reliable information. There need be no guesswork. Our imaginations then will perhaps not be excited by the influences connected with the campaign, and the statistics will compel us to tell the truth to the people.

Mr. COX of Indiana. Oh, that is what we all want and what we are all supposed to do.

Mr. KEIFER rose.

Mr. CRUMPACKER. I had agreed to yield to the gentleman from Wisconsin.

Mr. WEISSE. Mr. Chairman, no doubt the gentleman from Indiana, as well as other Members of Congress, discovered last summer when we were in the tariff debate how hard it was to get any statistics on hides in these departments according to the tanners and hide dealers' classification. I got figures from the department, and I found that dry hides were taken and mixed in with green salted hides. The price of dry hides is usually double the price of green salted, weighing about 40 per cent of the green salted weight. When these are grouped together the average price is given for a number of pounds, which was practically no information to the tanner, as he did not know what per cent was dry or green; also could not tell the number of dry hides that were dutiable, and for this reason in the debate when the figures are taken and inserted in the RECORD you will see that they do not balance. I believe as long as we are keeping statistics we should keep them according to trade classification and not according to the department classification that can not be compared in any way in making an estimate or report. I believe that hides should be classified by the department, first, green cattle hides, 25 pounds and over; calfskins and kip, 25 pounds and under; horsehides; dry hides, 10 pounds and over; dry calfskins, 10 pounds and under; goatskins and all other kinds—this would cover hides from all animals not classified above.

I have introduced the following resolution:

*Resolved*, That the Secretary of Commerce and Labor be compelled to compile and publish a monthly statement showing the imports and exports on the following classification of tanned leather:

1. Sole leather.
2. Harness, skirting, and strap leather.
3. Belt leather.
4. Upper leather made of cattle hides.
5. Upper leather made of calfskins.
6. Upper leather made of goatskins.
7. Upper leather made of sheepskins.
8. Automobile and furniture leather.

Now, I believe this bill should have the support of every Member of Congress, as well as the people of the United States, so that we can get a trade classification that everybody can understand, not alone of what we import but what we produce at home.

In answer to the gentleman's question about the price of hides and shoes, I wish to state that buff hides have gone up 400 per cent from the lowest prices that we had some years ago, and shoes have only advanced about 10 to 40 per cent; and I for one resent the insinuation of the trust-paid lobbyists who come here and who try to defend the packer trust as against the tanning and shoe industries of this country.

Mr. CRUMPACKER. I now yield to the gentleman from Ohio.

Mr. KEIFER. Mr. Chairman, I am not opposed to this bill, and I only want to ask a question or two. I do not think we are dealing with a question of the tariff now. We have had our say about it. It is a matter on which many of us have different opinions. This is not a question of tariff upon cattle hides, but a question of the tariff on cattle hides that affect the price of beef. The important question is this: Whether in the proposed amendment to the census act we will take a census that will show all of the cattle killed upon the farms for farm-home consumption, or whether it is not by the language and by the interpretation construed merely to hides of cattle killed by the packers and by the small butchers?

Mr. CRUMPACKER. Oh, no; the agricultural provision requires a complete census of all agricultural products, and that means, of course, everything that is produced on the farm.

Mr. KEIFER. But that is not an answer, I believe, to my question. That is all true; but when we are taking a census to get such statistics as will show the number of hides taken from food animals under the provisions of the bill, does it include hides taken from food animals raised perhaps by the farmer and killed for his own use at home?

Mr. CRUMPACKER. Well, now, all I wish to say is that the Director of the Census, in a letter in reference to the advisability of this bill, said that he had ample authority to collect all information respecting animals killed on the farm and in large slaughtering concerns, but a provision in the law excluding household and neighborhood industries not conducted on the factory system excluded the country butcher. This bill is to give that authority. The director has prepared schedules for full information respecting the farm and packing houses.

Mr. KEIFER. It looks to me that you are simply, by this bill, extending the right to the Director of the Census, when a census is taken of the number of hides of animals of not only the packers—they seem to have been covered already—but the small butcher, wherever they may be located through the country, and not include the great number of cattle that are killed by individual farmers all over the country for their own use. If that is omitted here, I think this whole proposed new provision will be valueless for any purpose whatever.

Mr. CRUMPACKER. The Director of the Census says he has already ample authority to take the animals slaughtered on the farm and in the packing establishments, and the only thing this bill does is to cover the gap between those two. That is the purpose of the bill. We have got authority to take the census of the animals on farms. I reserve the balance of my time.

Mr. KEIFER. I was not quite through.

Mr. CRUMPACKER. I reserve the balance of my time.

Mr. RUCKER of Missouri. I would like to ask the gentleman if there is anything in this proposed amendment, or in the law which it proposes to amend, which either authorizes or may be construed as authorizing the supervisors of the census, or any of the census enumerators, to gather and accumulate data or political information for purely political purposes?

Mr. CRUMPACKER. Oh, no; there is no such thing in the law, and there is no such thing contemplated by the committee or by anybody connected with the census.

Mr. RUCKER of Missouri. I should like to ask the gentleman another question.

Mr. CRUMPACKER. I will yield for another question.

Mr. RUCKER of Missouri. I did not suppose there was anything in this bill that authorized any such procedure as that; but in view of the fact that information has reached the chairman that some efforts, at least, have been made along those lines, would not the gentleman consent to an amendment which would make it a criminal act for a census enumerator or supervisor thus to prostitute his duties and himself to such purposes?

Mr. CRUMPACKER. Of course in this bill we are undertaking to get statistics. It is not a proposition to reform anything or anybody.

Mr. RUCKER of Missouri. Would the gentleman consent to an amendment to make it a criminal offense?

Mr. CRUMPACKER. No; I will not consent to anything being added to the bill, except possibly—

Mr. RUCKER of Missouri. In view of matters that have come to the gentleman's attention, does he not think such a law ought to pass?

Mr. CRUMPACKER. Well, I think the man who is guilty ought to be sent to jail. I think we have sufficient law now to adequately punish anybody who has been prostituting the powers of his office to political or personal ends.

Mr. RUCKER of Missouri. What statute is there that would reach that kind of a case?

Mr. CRUMPACKER. I would be glad to take that up with the gentleman some time, but I do not care to do so now. We have this question up, and I want to get it disposed of.

Mr. RUCKER of Missouri. I thought, as the gentleman had the information himself, he would likely favor the amendment suggested.

Mr. CRUMPACKER. There is an abundance of authority in the census law and in the penal law of the country.

Now, Mr. Chairman, I reserve the balance of my time.

Mr. HAY. Mr. Chairman, the history of this legislation, as I understand it, is that the tanners of the country had their attention directed to the fact that the law providing for the taking of the Thirteenth Census did not provide for taking a full census of hides. They therefore requested the Director of the Census to take a census showing all the hides and the animals slaughtered, not only on the farms and in packing houses, but everywhere else. The Director of the Census said that under the law he could not do it; that he did not have the power to do it, and therefore he suggested the idea contained in this bill.

Mr. COX of Indiana. What do the tanners want this census taken for?

Mr. HAY. Because they want full information and not partial information on this subject.

Mr. COX of Indiana. What benefit did the tanners say they would get if they had this information?

Mr. HAY. So that they would know how many hides were produced in this country.

Mr. COX of Indiana. Do the tanners think they are being squeezed by some other organization?

Mr. HAY. I have no doubt they do.

Mr. COX of Indiana. Did they make any statement before the gentleman's committee to that effect?

Mr. HAY. No; they did not make any statement before the committee at all. They were not before the committee.

Mr. COX of Indiana. Has the gentleman any information whether or not the tanners of the country are getting squeezed by anybody?

Mr. HAY. I have no information as to whether they are getting squeezed. I presume they are getting squeezed by these trusts, like the rest of us.

Mr. COX of Indiana. Does the gentleman know that there is in this country such an institution as the leather trust, that is composed of a large number of tanners?

Mr. HAY. I do not know whether there is such a trust or not. I know there are a large number of independent tanners who do not belong to the trust, and who are very anxious to get this information; tanners who live in my district, and tanners who live probably in the gentleman's district, who want this information and who are entitled to have it. Now, if the census is to gather information it ought not to be partial information, it ought to be full information, and the law as it is now does not provide for full information. This bill is only for the purpose of getting full information on this subject.

Mr. COX of Indiana. Can the gentleman state whether the committee received any information that if the census of hides was taken, the tanner would be in a position to increase or decrease the price of hides?

Mr. HAY. There was nothing said about increasing or decreasing the price of hides. The price of hides did not enter into the question. It is a question of statistics. It is a question of whether you are going to take a census showing the statistics of this industry in full, whether you are going to get all the information, all the statistics, or only partial information.

Mr. COX of Indiana. Can the gentleman say whether or not information from the sources along this line will be of any benefit to the tanners?

Mr. HAY. It will not only prove of benefit to the tanners, but of benefit to the people generally and to anybody who wants to study this industry and look into it.

Mr. COX of Indiana. I quite agree with the gentleman; I think the provision incorporated in the amendment is a splendid

one, because I think somebody is being squeezed in this industry.

Mr. HAY. I yield to the gentleman from Arkansas [Mr. ROBINSON].

Mr. ROBINSON. Mr. Chairman, I think this bill ought to be passed, not alone for what it does, but also for what it does not accomplish. It has already been very clearly stated on the floor by other gentlemen that the primary purpose of the bill is to secure full information concerning hides and the number of animals slaughtered for food purposes.

Under the general law providing for the taking of the Thirtieth Census, the census as to animals slaughtered and hides obtained is limited to the packing houses and to animals slaughtered on farms, and this bill extends the inquiry to those slaughtered in country butcher shops. The bill does not, however, gentlemen of the committee, authorize the securing of information as to the political affiliations of citizens in any State, and in reply to a statement made by the chairman of the committee I desire to say here that efforts have been made to use the machinery of the Census Bureau for political purposes, and that fact is known to every Member of Congress who reads the daily newspapers and to the members of the Cabinet and the President himself, who a short time ago, I am informed, issued an order forbidding it.

I want to say to the committee that applicants for appointment as census enumerators in Missouri were informed, over the signature of a Member of Congress from the State of Missouri, that if he would present his application and undertake in advance to do political work, to ascertain the relative strength of the insurgents and the regulars in the State of Missouri, he could have easy sailing in getting the job. [Laughter.]

The chairman of the committee is apprised of that fact. Whatever may be the existing law on the subject, down in the State of Missouri applicants for appointment as enumerators of the census have been notified by a Member of Congress from Missouri that the only condition upon which they can get the job is that they shall be loyal, regular Republicans, and undertake to do work not connected with their duties as census enumerators and of a political character.

Mr. BARTHOLDT. Will the gentleman allow me a question?

Mr. ROBINSON. Certainly.

Mr. BARTHOLDT. Does my friend say that the letter which was written by one of my colleagues from Missouri—

Mr. ROBINSON. I want to say that it was not the gentleman addressing me.

Mr. BARTHOLDT (continuing). Was in any way attempting to speak for the administration? Was not it written solely on his own account and giving his own conception of the work that was to be done?

Mr. ROBINSON. Mr. Chairman, in response to that I will ask permission to read the letter and insert it in the RECORD, and gentlemen of the committee may form their own conclusions.

The letter is as follows:

CARUTHERSVILLE, Mo., September 9, 1909.

DEAR FRIEND: I received your letter and note all you say about being appointed census enumerator. Your being a Republican is the first qualification and you are O. K. in that line. You probably will be asked to do some extra work, not a part of your duty as enumerator, if you are appointed, but it is such work as any enthusiastic Republican will be glad to do, and will in no way conflict with your duty as enumerator.

This extra work will be outlined to you before you are appointed, so that you need not accept the appointment if you do not desire to do what will be asked of you.

Mr. BARTHOLDT. Outlined by whom?

Mr. ROBINSON. I leave it to the gentleman to draw his own inference when it is announced that before he can get the appointment he must obligate himself to do the work.

Mr. BARTHOLDT. I wonder if the administration was Democratic and had enumerators to appoint, whether the work would not be outlined for them.

The time of Mr. ROBINSON having expired, Mr. HAY yielded the gentleman five minutes more.

Mr. ROBINSON. I will finish reading the letter:

You get the indorsement of your county committee, and then if you are willing to do the extra work I think you will have easy sailing.

Yours, very truly,

C. A. CROW.

Mr. CLAYTON. What is his complexion in politics?

Mr. ROBINSON. He is a Republican from the State of Missouri.

Mr. CLAYTON. An insurgent or a regular?

Mr. LANGLEY. Will my friend permit me to ask what section of the bill he is addressing himself to?

Mr. ROBINSON. I am addressing myself to the fact that the bill does not embrace the legislation permitting enumerators to do political work, which I think the gentleman from Kentucky would like to see in it.

Mr. SHERLEY. Will the gentleman state whether this Member from Missouri was a regular or an insurgent?

Mr. ROBINSON. He is a regular of the regulars. I want to proceed now with the interview that was given by this gentleman. This letter was written after the executive order had been issued by the President.

Mr. Chairman, the gentleman is quoted in a current newspaper as follows:

"I did not realize how strictly President Taft intended his order," said Mr. Crow to-day. "The instructions I referred to as likely to be forthcoming were that the enumerators were to report informally to the Republican county or the district committee as to the sentiment they found—if the section they canvassed was filled with insurgent sentiment or whether it was inclined to stick by the regular party, or if there was defection that might take men out of the party altogether. We wanted to know where we stood, and this seemed a good and, I am sure, a legitimate way of ascertaining the lay of the land."

Mr. SHERLEY. Mr. Chairman, I would suggest to the gentleman that it is also an economical way of doing it. [Laughter on the Democratic side.]

Mr. ROBINSON. Yes. He is further quoted as saying:

Of course, just as soon as President Taft reiterated his order, I stopped writing to the candidates for enumerators.

Mr. RUCKER of Missouri. Mr. Chairman, as I understood the reading of that last interview, the gentleman said he wanted to know where he stood?

Mr. ROBINSON. Yes.

Mr. RUCKER of Missouri. Well, I want to suggest to the gentleman from Arkansas that if the gentleman lived in the Sixth district of Missouri he would know to-day darned well where he stands. [Laughter on the Democratic side.]

Mr. ROBINSON. Mr. Chairman, in connection with that statement, it may be stated that the authentic way of ascertaining a political census is by holding an election, and down in Missouri, in the State from which the Member of Congress who wrote this letter comes, in the State from which the member of the Cabinet who is charged with enforcing this census comes, they held a political census just a day or two ago, and the results are very gratifying to gentlemen upon this side of the Chamber. [Applause on the Democratic side.]

Mr. BARTHOLDT. Mr. Chairman, I ask the gentleman from Virginia to yield to me.

Mr. HAY. Mr. Chairman, I yield five minutes to the gentleman from Missouri.

Mr. BARTHOLDT. Mr. Chairman, the gentleman whose letter has been read on this floor happens to be absent from the floor, inadvertently, I suppose. I regret very much that my friend from Arkansas [Mr. ROBINSON] saw fit to bring this matter up at a time when the writer of the letter himself was not able to answer for himself. I saw that letter printed in the newspapers, and I must say as a Republican Member of this House, having to do with recommendations for all kinds of offices, I was as much surprised as my friend from Arkansas at seeing such a letter.

Mr. ROBINSON. Surprised at the publication of the letter or at the contents of the letter?

Mr. BARTHOLDT. At the contents of the letter; because nothing that I have heard either from the department or from the Director of the Census would authorize me in giving such instructions or writing such a letter to any candidate for enumerator in my district. If my colleague has seen fit to write such a letter, I am sure it will turn out, and no doubt he will make his own explanation to this effect, that he has done so without authority from anyone connected with the administration or the executive department. He has told his friend—

Mr. RUCKER of Missouri. Mr. Chairman, will the gentleman yield?

Mr. BARTHOLDT. In a minute. He has told his friend who made application for a position as enumerator simply that he expected him to be his political friend, and that is no more than any Republican or any Democrat on this floor would do.

Mr. CLAYTON. O Mr. Chairman, I submit that the letter says more than that.

Mr. BARTHOLDT. And where it says more, he has certainly exceeded his authority in representing the administration in a matter of this kind. I want to give to my friend from Alabama [Mr. CLAYTON] a sample of how strictly nonpartisan this administration is endeavoring to be in matters of census appointments. We had recommended in the city of St. Louis for superintendent of the census a well-known young business man, connected with a prominent business firm there for many, many years, known to the business world and known to all

bankers there as a business man. He happened, however, to be a member of the central committee of that city, representing the twenty-eighth ward, and for that reason, although all the powers that be in the city of St. Louis representing that party were in his favor, he was turned down by the Secretary of Commerce and Labor. In other words, he was turned down because of his connection with a political organization. I must say that I do not wholly approve that position, though the Secretary acted, no doubt, in accordance with the policy laid down by the administration. I want citizens to take an interest in party affairs. Because of the connection of a man with a party organization, I do not want him to be discriminated against when he seeks an office. I am sure my Democratic friends will agree with me in that respect; but he was turned down, and why? Because President Taft has laid down the policy that this census is to be taken as a nonpartisan task and that no man connected with a political organization should take part in it.

Mr. CLAYTON. Does not this letter say that this man must be an enthusiastic Republican and he must ascertain the strength of the insurgents in the district? Now, we Democrats expect Republicans, as a rule, to fill the offices; but we think that in your own family row, when it comes to taking the census, you might be fair with your insurgent brethren.

Mr. BARTHOLDT. Mr. Chairman, my colleague from Missouri will answer for that himself.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAY. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. BOOHER].

Mr. BOOHER. Mr. Chairman, I am very glad the gentleman from Missouri, who has just taken his seat, speaks for the Census Bureau and for the Secretary of Commerce and Labor. A resolution has been submitted to the Committee on the Census making inquiry or calling upon the Bureau of Census and Labor to find out whether any instructions had been given along the line of taking a political census, as stated in the letter just read by the gentleman from Arkansas, or whether any would be given, or whether it was a necessary qualification in a census enumerator that he should promise to take this political information. That resolution has not been reported. I do not know that it will be, but the gentleman from St. Louis [Mr. BARTHOLDT] says that the census is to be thoroughly nonpartisan, and that the Census Bureau has given out that kind of instructions. Then why, let me ask him, does the Census Committee refuse to call upon the Secretary of Commerce and Labor and let him so inform the House over his own signature, so we will know whether it is to be political or nonpolitical, and that he means exactly what he says? If we are to have a thoroughly nonpartisan census we are entitled to the information from the officer in charge and over his own signature.

Mr. CRUMPACKER. Mr. Chairman, I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. CRUMPACKER. And it is this. I should have made the point at the beginning of the remarks of the gentleman from Arkansas, but I was not listening until he got fully launched. The gentleman from Missouri is not speaking to the bill. I appreciate, Mr. Chairman, the latitude that is allowed as a general rule in general debate, but I want to know now whether that latitude of discussion is to apply to questions that come up on calendar Wednesday?

Mr. BOOHER. Mr. Chairman, I hope this is not coming out of my time; the gentleman is consuming it rapidly.

Mr. CRUMPACKER. I am presenting to the Chair a question of order. I think the gentleman is not in order because he is not discussing the bill, and that on calendar Wednesday even the custom of discussing all sorts of questions in connection with bills does not apply, and that calendar Wednesday ought to be confined to the transaction of business that is called up on that day. That is the proposition I make.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union, and so far as the opinion of the Chair goes it is that the debate has not exceeded the limit generally taken in general debate. [Applause on the Democratic side.] However, it is in the power of the Committee of the Whole House on the state of the Union to determine, and unless the committee should determine to arise and report to the House to close debate, the gentleman from Missouri will proceed.

Mr. BOOHER. Mr. Chairman, I propose to test the sincerity of my friend from Missouri upon this proposition to know whether or not he is in favor of taking a census so we will have it thoroughly nonpolitical and nonpartisan, and I now send to the Clerk's desk an amendment which I propose to introduce at the proper time, and I ask to have it read in my time for the information of the House.

The Clerk read as follows:

That whoever, being a census enumerator, or other person employed in taking the Thirteenth Decennial Census of the United States, shall ask any question of any person of whom he is obtaining information respecting the census as to his political affiliations or sentiments, or of the political affiliations or sentiments of others, or shall make known to anyone such information acquired by him in connection with his work as such census enumerator or other census employee, shall be fined not more than \$1,000 and imprisoned not more than one year.

Now, that will test the gentleman from Missouri. If he is in earnest, he will vote for the amendment.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BOOHER. Well, it must have been taken up by the gentleman from Indiana, because I have not occupied it all.

Mr. SHERLEY. Mr. Chairman, I submit that the gentleman from Missouri has not been speaking for five minutes; he has not been speaking two minutes even, excluding the time taken by discussing the point of order, and the gentleman is still entitled to the floor.

The CHAIRMAN. The Chair will state that the Clerk says ten minutes has expired since the gentleman took the floor.

Mr. JAMES. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

Mr. HAY. Mr. Chairman, I yield three minutes more to the gentleman from Missouri.

Mr. BOOHER. Mr. Chairman, I do not know whether the Member from Missouri who wrote that letter wrote it on his own initiative or not. It does not say so, and it does not bear that construction upon its face. He uses the pronoun "we" several times. "We" expect them to do thus and so. Who is "we?" The Secretary of Commerce and Labor, a gentleman for whom I have the highest admiration, is a member of the national Republican committee. He is a resident of the State of Missouri, and took an active part in the campaign that resulted in the election of the writer of the letter just read. The Secretary of Commerce and Labor also took an active part in the campaign which has just closed in the sixth district, as other gentlemen from Missouri have, and who knows but what the writer of that article was referring to the gentleman as "we" when he wrote. He certainly was not referring to the insurgents as "we." They are to be singled out.

Mr. GARDNER of Massachusetts rose.

Mr. BOOHER. And I hope my friend from Massachusetts will not interrupt me, because I believe the insurgents were mighty numerous yesterday out in the sixth district of Missouri, as the returns show.

Mr. GARDNER of Massachusetts. Does the gentleman think the Secretary of Commerce and Labor is in any way involved in that letter of the Congressman, or what does he mean by insinuating it?

Mr. BOOHER. I have not insinuated it unless a fair construction put upon language that anybody can understand would indicate it.

Mr. GARDNER of Massachusetts. Then the gentleman thinks, and is willing to say so to this committee, that, in his opinion, the Secretary of Commerce and Labor was back of that letter?

Mr. BOOHER. The gentleman can not put any words in my mouth. He is at liberty to put such construction on my language as suits him.

Mr. GARDNER of Massachusetts. The records put them there.

Mr. BOOHER. I have introduced a resolution, which is now pending before the Committee on the Census, to ask the Secretary of Commerce and Labor that very question. I have supposed I would get an answer to it, and I want the answer from the Secretary and not from anybody else. I will take the word of the Secretary of Commerce and Labor upon that or any other proposition, but I want it to come from him. We have had word from one Member of Congress, and we do not want another, because they will not agree.

Mr. BARTHOLDT. Does my colleague blame the insurgents for the result in the sixth Missouri district?

Mr. BOOHER. No; I am glad they turned out and got right once. The result of the election in the sixth district on yesterday shows conclusively that the people of this country can not be deceived all the time. Your party and its legislation was on trial there yesterday, and the verdict was overwhelmingly against you. If the insurgents, as you call them, aided in bringing about the result, it is a strong indication that their work here and elsewhere has not been in vain. [Applause.]

Mr. HAY. Mr. Chairman, I yield two minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. I want to come to the help of my friend from Missouri, Mr. BARTHOLDT, and also my other friend from Missouri, Mr. BOOHER, by saying that in order to have a nonpar-

tisan census taken in Tennessee every single supervisor in the State is a partisan Republican, and appointed because he is a Republican. They are competent to take the census, I have no doubt, but in order to have an absolutely nonpartisan census in Tennessee every man appointed is a partisan Republican, but they have delivered them a lecture to the effect that they must not be partisan. Does not that show that we are going to have a nonpartisan census? If you were going to have a nonpartisan election would you appoint all Republicans or all Democrats and then give them a lecture? I know from the statement of the gentleman from Missouri that the way to have a nonpartisan census is to have a partisan instrumentality by which it is to be—

Mr. MANN. Will the gentleman yield?

Mr. SIMS. Certainly.

Mr. MANN. Is the gentleman informed of the fact that in the appointment of census supervisors the usual rule has been in Democratic States to appoint Republicans and in Republican States to appoint mugwump or Democratic supervisors?

Mr. SIMS. Has that been the rule—the Republican rule?

Mr. MANN. That is the rule so far as my information has gone.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. MANN. That is the case in my territory.

Mr. STEPHENS of Texas. Out of 24,000 voters I have three Republican supervisors.

Mr. MANN. That is what I stated.

Mr. HAY. Mr. Chairman, I yield three minutes to the gentleman from Wisconsin [Mr. WEISSE].

Mr. WEISSE. Mr. Chairman, I am glad this matter came up. It gives me an opportunity to relate the experiences we are having in Wisconsin, the hotbed of insurgents. Up in one of the districts where we have an insurgent one of the most prominent Republicans who stayed by the Cannon system was defeated in the last election, and in that district they appointed a supervisor over the protest of that insurgent Republican, Mr. LENROOT. In another district represented by another gentleman from Wisconsin, Mr. NELSON, the condition is the same, according to newspaper reports. They did the same thing in the district of that great insurgent, Mr. CARY, who usually walks out of the caucus when it tries to gag and bind him and his constituents. They appointed a man over his recommendation. But they split there, because there was an insurgent and a standpatter in the city of Milwaukee, and the standpatter made the appointment. There is some excuse for that.

But the other two appointments, I am willing to say, were made absolutely against the recommendations of the insurgents. I have nothing in this fight, and I regret that a census for commercial and business purposes is going to be taken for political purposes, by politicians along partisan lines of the system, to the detriment of the public interest and good government.

Mr. LANGLEY. Does the gentleman think that is true?

Mr. WEISSE. I am willing to insert newspaper clippings and editorials from Republican papers in my State showing its truth, and I believe I can get a good number of them, and, if necessary, I think that the insurgents would be willing to get up on this floor and defend my position in the matter. My information comes from interested and well-informed persons. [Loud applause on the Democratic side.]

I believe men should vote according to their own ideas and represent their people, and not make a party issue out of every business question that comes up. It appears we are unable to take up even such a matter as the taking of the census without some one making it a party issue or some one wanting to use the enumerators, paid by the Government, for personal and political purposes. We had enough of this in Wisconsin the last few years, and it has cost our taxpayers thousands of dollars.

"DARE TO DO OUR DUTY."

[From the Milwaukee Free Press, Tuesday, January 11, 1910.]

"Let us have faith that right makes might, and in that faith let us to the end dare to do our duty as we understand it."—Abraham Lincoln.

CONSISTENT AT LEAST.

The opponents of Speaker CANNON in Congress and elsewhere must give him credit for one thing, at least, and that is consistency.

In some cases this devotion to expressed views and ideas, even though their origin lie in the mist-wreathed past, has given rise to the charge that "Uncle Joe's" mind is as fixed and steadfast as the northern star, and therefore unamenable to the allurements of progressive thought and enterprise.

In his attitude toward the victory of the combined Democrats and insurgent Republicans, however, his consistency is not likely to call forth any such criticism from his enemies; indeed, it should rather prompt them to see something of virtue in the despised "Cannon idea."

For the Speaker will not fight to regain his power to appoint the House members of the Ballinger investigation committee, and why?

Because to do so would be to repudiate his time-honored shibboleth, "The majority rules."

Should the Senate attempt to interfere with the desire of the House majority to elect its own members to the said committee, we doubt not that the Speaker will resent its attempt to interfere with the prerogative of his Chamber, although the majority of that chamber in this matter was composed of his enemies.

No doubt this attitude of Speaker CANNON is the part of wisdom, but even if we hold it thus, it is a wisdom which at least has the merit of consistency, which is a quality of which many more progressive politicians than the Danville fixture can not boast.

WILL BADGER BUNCH GAIN BY THE MOVE?—REPORTS THAT EMBARGO ON FEDERAL PATRONAGE IS TO BE REMOVED AND INSURGENTS ARE TO BE GIVEN RECOGNITION—GREAT INTEREST IN THIS STATE AS TO WHETHER THE WISCONSIN PROGRESSIVE MEMBERS OF CONGRESS WILL BE AMONG THOSE ADMITTED TO PATRONAGE PIE COUNTER—PLENTY OF EVIDENCE THAT THEY HAVE BEEN SHUT OUT OF LATE.

[From the Milwaukee News, January 15, 1910.]

MADISON, Wis., January 15, 1910.

Republicans in Wisconsin are watching eagerly to see if the lifting of the embargo from insurgents obtaining federal patronage applies to the Wisconsin bunch as well as those from other States. Outside magazines like *The Outlook* can write editorials ad infinitum and Wisconsin papers like the *STEPHENSON* organ can echo these editorials, but the people of Wisconsin know full well that federal patronage has been withheld from Wisconsin men because they have actual experience on the subject. Pen denials of the fact that patronage is being withheld from Senator ROBERT M. LA FOLLETTE will do no good when the public has only to think that months ago Senator LA FOLLETTE recommended William J. McElroy, of Milwaukee, for the position of United States district attorney for Milwaukee, and that the appointment has not yet been made, but instead that H. K. Butterfield, of Hartford, the incumbent from a former administration, still holds the place.

NO ACTION ON SCHULZ.

The Wisconsin public is also fully aware that Senator LA FOLLETTE during state-fair week recommended for the position of collector of customs for the city of Milwaukee Henry Schulz, of the ninth ward; but this place is still filled by W. H. Devos, with no indications that the federal Treasury Department is in any hurry to act on the suggestion of the Senator from Wisconsin in regard to the appointment. These facts in themselves show how Senator ROBERT M. LA FOLLETTE is being treated in the matter of appointments down in Washington and whether insurgents are being given any pie from the federal pie counter by President William Howard Taft and the other lights at the national capital who are angry because some Republicans are having the hardihood to dare disobey the dictates of the Republican national "machine" and not jump at the beck and call of the national whips.

MANY OTHER INSTANCES.

Then it might be mentioned, even in such a little matter as census appointments, the recommendations of Wisconsin insurgent Congressmen have not been recognized, President Taft having gone deliberately over the heads of Congressmen LENROOT, CARY, and NELSON in his selections of men for census enumerators in the district represented by these men and having selected men for the positions who did not have the recommendations of the Congressmen. This fact stares Wisconsin people in the face, and they know a thing or two about the way their Representatives at the national capital are being treated in the distribution of plums.

In fact, so flagrant was the turning down of some of the recommendations of Wisconsin insurgents in regard to the selection of census appointments that Senator LA FOLLETTE has felt constrained, as chairman of the Census Committee of the United States Senate, not to report two of the census appointments from Wisconsin for confirmation by the Senate, the idea of the Madison United States Senator in his stand being undoubtedly to impress on the people of the Nation the way Congressmen from Wisconsin districts have been treated at the national capital in the matter of recognition in the way of patronage.

AS TO POST-OFFICE JOBS.

Then there have been some recommendations from Wisconsin insurgent Congressmen in regard to the appointments of postmasters which have been mysteriously held up, just as has been the appointment of W. J. McElroy for United States district attorney, and the only result from these actions has been to show the people of Wisconsin how their Representatives are regarded by the national political officials because of their hardihood in making a fight for what they considered as just and right as regards legislation. No amount of denials by *The Outlook* or Wisconsin cuckoos will change opinions based on this state of facts.

The Washington dispatches are to the effect that President Taft has reconsidered his plans for the nonrecognition of recommendations from insurgents in regard to federal appointments, and from this time on these recommendations will be given some attention. It can be said that real friends of President Taft in Wisconsin hope this statement will prove correct, for as far as the President is concerned he has not improved his standing with the rank and file of the Republican party in this State by disregarding the recommendations of the insurgents.

REALIZE THEIR MISTAKE.

There have been a few old hard-shell Stalwarts who think that everything that can be done to hit Senator LA FOLLETTE is a political gain for them and who do not seem to remember that the pursuance of this course on their part in Wisconsin for years has strengthened Senator LA FOLLETTE with the people. These smirk and approve the President's course, but the wiser even among the political opponents of Senator LA FOLLETTE know that this withholding of the regular federal patronage which comes with their offices from Senator LA FOLLETTE and his supporters has been of great advantage to Senator LA FOLLETTE, who thrives on petty persecution of this kind.

The bulk of the supporters of Senator ROBERT M. LA FOLLETTE in Wisconsin are not people who are influenced a particle by patronage. They are people who are really for the issues to which Senator LA FOLLETTE has been showing his support down in Washington, and such political plays as the withholding of patronage from Senator LA FOLLETTE and his supporters merely emphasizes to these people that he is being struck by his political enemies with those blows because he has dared stand up against legislation which he has considered was for the benefit of the interests and against the people.



## THE SHAMELESS TRUTH.

[From the Milwaukee Journal.]

When the announcement first was made that President Taft, listening to the maladroitness of Spoilsman Hitchcock, had entered upon a policy to "discipline" the Republican insurgents by withholding from them patronage, *The Outlook*—Theodore Roosevelt, contributing editor—could not bring itself to believe that he would be capable of such action. "The President," it said, "has shown through the years of his public life so high a standard of disinterested public service that no one of intelligence could credit a report that he would use his appointing power in any arbitrary way without respect to the fitness of the appointees." And, besides:

"Those who are known to be 'insurgents' against the oligarchical group headed by Speaker CANNON are not enemies of Mr. Taft's administration or opponents of his policy. On the contrary, whether wisely or not, they have acted uniformly with a view to carrying out the very policies for which Mr. Taft is known to stand."

*The Outlook*, in making comment on current affairs, is published under the limitations placed upon a weekly newspaper designed for national circulation. A great deal may happen within a week. What it conceived several weeks ago to be incredible to one of intelligence actually came to pass. Upon that point all of the Washington correspondents of any standing were agreed. *The Washington Star*, which is a recognized administration mouthpiece, reported that the "official statement issued by the Republican congressional committee, which it is known has the approval of President Taft, states the attitude of the campaign committee toward insurgents within the party." They were warned that—

"The President, Vice-President, the Speaker, and many other Republican leaders have stated that the present law is the best tariff we have ever had, and the results of its operation confirm that statement. The Republican congressional committee makes no issues with any individual insurgents, but it will oppose to the full extent of its power the principle of insurgency and will advocate the nomination and election of regular and loyal Republicans. It concedes the right and privilege of individual opinion and its expression, but maintains with the President that there must be party solidarity if the best in legislation and administration is to be attained."

How stupid it is, then, for a daily newspaper, which should be conversant with the facts, to recite that President Taft has been the victim of "lying rumors" circulated by the "unrest papers," and that "he has not even contemplated using federal patronage to punish House insurgents." Yet we find the Younger Twin asserting that "the President has shown no disinclination to consult the patronage desires of any insurgent save those in the Senate."

And this in the face of the fact that Representative LENROOT's recommendation of census supervisor in the eleventh district was ignored by the President. He was punished and disciplined. So were Congressmen NELSON and CARY. So were insurgent Congressmen from other States. Senator STEPHENSON was rewarded, in the case of Dresser, for his fidelity to ALDRICH and the betrayal of his constituents. Dresser's chief qualification consisted in the fact that when a state officer he distributed several thousand dollars for the Senator in the primary campaign, and when placed on the witness stand had destroyed his account books, bank books, and other written evidence, and was unable to remember little save that he received the money and spent it. So he was appointed.

Such is the record, and neither stupidity, if it be such, nor the brazen impudence of a discredited organ, if it be not the folly of an obtuse mind, can change it to meet the exigencies of the administration's embarrassment.

The idea finds utterance in the Louisville Courier-Journal, Colonel Watterson giving it voice:

"We are not willing to see in the affaire Pinchot-Ballinger merely the first gun in the inevitable war between Taft and Roosevelt. Even that drives deeper than appears above surface. It will be, when it arrives, a kind of destiny. The protective system is as bound to go as ever the institution of African slavery was bound to go. Theodore Roosevelt, the most astute politician now alive, realizes that and has for a long time realized it. The Republicans of the West are with him almost to a man. BEVERIDGE and CUMMINS and DOLLIVER and NELSON and BRISTOW, not to mention LA FOLLETTE, and all the insurgents of the House—good Republicans every one—know they can long hold none of their States upon any high protectionist measure such as the Payne-Aldrich Act. By throwing himself into the arms of ALDRICH and CANNON and the standpatters, Taft commits his administration to a high-protective system and certain defeat. Roosevelt can alone save the day."

At Washington there is a cry of peace, peace; but there can be no peace. It would avail nothing, as long as privilege remains undisturbed, if CANNON and Ballinger should be forced to retire. It would not quiet the storm if in desperation the ship's crew should seize hold of ALDRICH, the captain, and HALE and LODGE and BURROWS and ELKINS, the mates, stewards, and engineers, and heave them overboard. These men represent the forces of exploitation. They typify certain evils and obstruct the way. But they are not the issue. The issue is not one of men, though men enter into it, but one of policies and principles. It has varied phases. It is not an issue confined to any country or people. It is world-wide. In England it finds emphasis in the land question. But wherever it is found the issue is the privilege of the few in conflict with the inherent rights of the many. It may be a franchise working to the public injury, a tariff privilege placing extortion on the people, a title defrauding the public domain of coal lands or water power; but whatever its phase, the issue remains the same.

Mr. Taft can not serve under the flag of exploitation—he can not make common cause with ALDRICH and the forces that he typifies—and lead the people to victory.

## LITTLE JOURNEYS LIGHTLY JOTTED.

Writing from Washington to the Detroit News, a Taft supporter in the presidential campaign, George E. Miller, says that "President Taft is thoroughly angry at those who are urging him to break with Senator ALDRICH and Speaker CANNON. To-day one of his intimate friends from Ohio made this explanation, as representing exactly the way President Taft feels: 'It is no secret that President Taft and his advisers have become vexed at the prevailing character of criticism that is sweeping the country in and out of the Republican party, criticism that is aimed at the cooperation that the President is trying to establish between himself and the leaders of party in the two houses of Congress. He

might entertain for all of them a profound dislike, personally and officially, and yet if the present session of Congress is to do anything to give the country the legislation it is demanding, he must work with these men and they must work with him.'"

## KILL THE INSURGENTS, AND THEN?

[From the Milwaukee Journal, January 6, 1910.]

There is quite general agreement among the Washington correspondents of the newspapers of the principal cities of the Middle West that it is the purpose of the Republican organization to invoke the aid of the administration in an effort to crush the congressional insurgents and end the progressive movement.

John Callan O'Laughlin, the correspondent of the Chicago Tribune, reports that "all the great forces of the Republican party are being used to crush the insurgents." The insurgents are to feel the weight of the administration's displeasure. They are to be denied patronage. None of their measures or amendments is to be given consideration. They are to be treated as outlaws—pariahs to be shunned and isolated. "The fact that President Taft has been drawn into the conflict between the standpatters and insurgents in Congress," Mr. O'Laughlin thinks, "is one of the surprising and, in many respects, sensational developments of this struggle."

The Washington correspondence in the Record-Herald states the situation essentially as it is set forth in Mr. O'Laughlin's dispatches. Postmaster-General Hitchcock, we are told, has stated without reservation that the administration purposes to make no appointments upon the recommendations of Republican insurgents. CANNON and ALDRICH and the discipline of the party organization are at stake. CANNON may go, undoubtedly will go, but discipline must be maintained if the organization's usefulness to "the interests" is not to be jeopardized. "Leaders in Congress on the Republican side," it is asserted by the Record-Herald correspondent, "have grown accustomed to perfect discipline and explicit obedience. They can not tolerate the presence in their ranks of insurgents or independents. Their own views regarding legislation and policy should be accomplished rather than the sentiments of the people represented by those they would now read out of the party."

The situation of affairs comes as no revelation to the readers of the Journal. From the very opening of Congress our Washington dispatches have recited that the administration and the CANNON-ALDRICH organization have joined in unholy alliance to punish insurgent Representatives and Senators for their unpardonable offending in voicing the sentiments of their constituents and standing out against the granting of greater privileges to the tariff beneficiaries at a time when the people have been led to expect a curtailment of privilege and release from the clutches of tariff-sheltered monopoly. The insurgents are to be punished for being true to their party's pledges and Mr. Taft's promises.

What will be the effect upon the constituents of the insurgents when they receive the ultimatum that if they would remain in the good graces of the administration they must repudiate the Senators and Representatives in Congress that have been true to their interests—that if they would love Taft, they must love his ALDRICH-CANNON dog? If human nature has not materially changed since Mr. Taft was inaugurated to the office of President, we should say that it will arouse a wave of indignation in the West which will leave the administration discredited and without the moral sanction of its people. If the issue shall be forced, it can have but one ending. There will be no second term for Mr. Taft, and the power of ALDRICH and CANNON and the forces of evil that they typify will be broken beyond repair.

## BADLY MISADVISED.

[From the Milwaukee Daily News, Thursday, January 13, 1910.]

As near as can be determined from the Washington reports, Postmaster-General Hitchcock seems to be the adviser who is principally to blame for President Taft's announced decision to punish the insurgents by depriving them of their patronage.

Those who remember Mr. Hitchcock's career as an Assistant Postmaster-General, and who have not forgotten the "steam-roller" methods adopted at the Chicago convention, will find little difficulty in believing that he is the person who is responsible for the presidential attitude.

Just at present, facing as he is a grave crisis in his administration, it is unfortunate for the President that he should have been advised by a man of the Hitchcock temperament and methods. The occasion was one which called for tact, not bluff; for diplomacy, not blows; and had it been properly handled, the split in the Republican party, daily growing in extent, would not have been precipitated.

Mr. Taft could readily have discovered that the fight on Cannonism, waged by the insurgents, was not directed against his own progressive measures, but, rather, meant strong support for them. And he would have learned that the mass of the people are back of the insurgents.

Judicious and tactful handling of the situation would have saved much trouble. But the advice of Hitchcock, the adoption of the "steam-roller" methods, and the resultant lining up of the President with the reactionaries has disrupted the party and put the Taft administration in an unenviable position, from which it will have great difficulty in extricating itself, if it be possible to do so at all.

## WILL BE REASONABLE.

[From the Milwaukee Sentinel, Thursday, January 6, 1910.]

Recent outgivings from Washington as to the allotment of federal patronage will not make comfortable reading for gentlemen in expectancy of political plums through the favor of Senators and Representatives who have factiously gone out of their way to thwart and embarrass the administration, and even to insult and vilify and attempt to undermine President Taft. But they must blame their predicament of hope deferred on the factious perversity and selfish rancor of their chiefs.

Patronage is purely a matter of usage and courtesy. And, we repeat, there must be some reciprocity of courtesy and cooperation. The President is not going to repay insult with favors. Republican Senators who, for reasons best known to themselves, elect to block the administration, imperil the party, hamstringing the President—in a word, to act with or for the Democratic opposition—can not reasonably expect the administration favors and courtesies due to loyalty and cooperation.

It is primarily their fault if their satellites at home must chew the bitter end of disappointment as applicants at what is colloquially called the "pie counter."

Now, let us remark here that President Taft is an eminently fair and judicious man, not at all a narrow and vindictive man; and we believe his course in this regard of patronage will reflect those qualities. He will act with discrimination and fairness.

To suppose for a moment that he will take a stupid Andrew Jacksonian course of blacklisting every Senator and Representative not obsequiously subservient to his views and recommendations is nonsense. He is too big a man to cherish and wreak a lot of small personal grudges; he is too wise a man not to see the impolicy of planting a crop of martyrs.

That he will institute a wholesale proscription of "progressives" who differ from him about the tariff is wildly improbable. That he will set up fealty to Senator ALDRICH or Speaker CANNON as a touchstone of good Republicanism and of fitness for administration favors is unthinkable.

Our impression is that not only some factious radicals but also Messrs. ALDRICH and CANNON will be required to dismount from their high horses occasionally before this Taft administration is over with.

As for allotment of patronage courtesies, there are, in respect of disagreements with President Taft, progressives and conservatives.

There are progressives with venom on their tongues and treason in their hearts—selfish factionists and disorganizers who apparently mean to do all they can to balk and discredit the Republican administration and the man at the head of it and Bryanize their party. Such men and their tools are deservedly liable to some hard rebuffs and disappointments in the distribution of offices. Can they reasonably expect anything else?

As for the progressives of the broad-minded type, good Republicans who, fairly and with due regard to the fact that this is a Taft administration, exercise their right to have and promote their individual opinions, we expect they will find President Taft eminently fair and considerate in the treatment of federal patronage.

#### THE FIGHT IS ON.

[From the Milwaukee Daily News, Thursday, January 6, 1910.]

Observers of affairs at Washington will not be astonished at the reports of the termination of President Taft's "neutrality." His leaning toward the reactionary element of the party was evidenced in the Winona speech last September. It has been more and more strongly foreshadowed every day since the assembling of Congress in December.

The surprise comes in the measures which, it is said, will be adopted in the fight against the insurgents. The history of the country shows no such severity of discipline as it is proposed to mete out to the insurgents who refuse to bow to the presidential mandate on all matters of legislation. If the programme is carried out, the insurgent Congressmen might as well remain at home, and the insurgent Senators will have nothing to do but make occasional speeches, a right of which, under the rules of the Senate, they can not be deprived.

If he takes this step, on advice of CANNON, ALDRICH, and the other reactionary leaders, President Taft will make a fatal mistake. He will stand before the country in the light of a man who is willing to bribe with patronage in order to insure the success of his measures. He will occupy the even more unenviable position of a man who would force his policies down the throats of the lawmakers, regardless of their convictions or the desires of their constituents. Even Theodore Roosevelt, with all his radicalism, all his impatience of contradiction, all his bluster, never went to such extremes as this.

If the progressives of the House and Senate are fighting for principle, they will not be influenced by the promises or threats of the administration. If they are influenced by them, it is well for the people to know it. The information will be forthcoming promptly.

Should Mr. Taft persist in the course laid out for him, he has signed his political death warrant. He has himself split his party irrevocably. The insurgent sentiment is strong throughout the country. The people are awake to the dangers of Cannonism and Aldrichism. And a bitter war precipitated by Mr. Taft and his reactionary advisers will do more to crystallize sentiment against him and his administration than could any other method. The President, having allied himself with the reactionary wing of the party, will go down with it to defeat which is inevitable.

#### ONE KIND OF INSURGENT.

[From the Milwaukee Free Press, Thursday, January 6, 1910.]

Those insurgent Congressmen who in their zeal have turned upon President Taft himself are now attempting to stir up a mighty to-do because they are not receiving their expected share of patronage.

They seem to hold that it is perfectly legitimate for a Republican Senator or Representative to attack and oppose the head of the administration, but when that administration can not see their claim to partisan reward after such hostility they accuse it of perfidy.

In other words, these gentlemen who prefer to be "insurgents" rather than Republicans in Congress, are as "regular" as the staunchest old-line Republican when it comes to the distribution of the spoils in their home balliwicks.

Then the President is expected to stand by them, although they are doing everything to discredit and defeat the President. Yet these same insurgents would raise their hands in holy horror if they were asked to recommend one of their opponents for office.

We have no quarrels with the principles of the insurgents. Their work and their propaganda is leavening the Republican party. But we have no approval for that small group which is trying to change what should be a legitimate, intra-party reform movement along the lines of progressive principle into a warfare in which disruption of character, besmirching of motive, and self-exploitation are leading features.

We have no tolerance for the men of this group when they turn upon the head of their party, the Executive of the Nation, a man as sincerely devoted to the welfare of the people as they, because his temperment and experience does not incline him to employ the same methods.

We have no tolerance for them when, because they feel they can not join with him in some issues, they oppose him in everything and withhold their aid where they could conscientiously give it.

We have no tolerance for them when they take advantage of popular impatience—because the new administration does not indulge in fire-works and breakneck methods—to foment distrust and arouse suspicion of the purposes and motives of the new President.

That brand of insurgence, instead of being constructively progressive, is destructively retrogressive.

It not only inhibits the wheels of progress in Washington, but it makes a chaos of sound public opinion.

It fosters that most unfortunate state of mind which suspects everything except denunciation and has no faith in reform if it does not come in the guise of a thunderbolt.

Happily this brand of insurgence is not in the ascendant. There are in Congress to-day many sincerely progressive Members who will fight the abuses of the old guard and its domination, who will stand everything that savors of reaction, but who will do so without sacrificing their party or the policies to which they can lend support merely to play the rôle of heroes and martyrs.

For these insurgents we have only admiration and encouragement. With them no Republican, whatever his shade of belief, can justly quarrel. Nor will there be any curtailment of their patronage.

#### TAFT'S NEUTRALITY.

[From the Milwaukee Daily News, Thursday, December 2, 1909.]

It is difficult to reconcile the assertion that President Taft is seeking to maintain a neutral attitude in face of his utterances and his acts. He has made open and common cause with Aldrich and Aldrichism. He could not go further in his embrace of reaction if he should take CANNON to his bosom. In the distribution of the patronage his administration has gone out of its way to ignore and disregard the recommendations of progressive Senators and Representatives. If that is neutrality, then the Executive's open enmity should be welcomed by the progressives.

[From the Milwaukee Daily News, Thursday, December 2, 1909.]

Business and not "politics" should be the aim and end of the coming session of Congress. Practical statesmanship and not self-seeking is desired from the people's representatives.—Wausau Record-Herald.

#### FOR HIS OWN POLICIES.

[From the Milwaukee Sentinel, Friday, January 7, 1910.]

All the President will expect from those who solicit favors and courtesies from him is a reasonable degree of loyalty and cooperation from them. He has a right to expect it, and to employ reprisals if he does not get it. He is a good-natured, tolerant man, but no meek non-resistant and pocketeer of insult.

#### UNDER WHICH FLAG.

[From the Milwaukee Sentinel, Tuesday, January 25, 1910.]

The un-Republican or antiadministration type of insurgence in the House has evidently forced President Taft to abandon his early attitude of noninterference with the legislative branch.

If he wants his measures passed against a treacherous cabal to make his administration a failure, he must take a hand in the congressional fight for them. His methods will be less strenuous and directly coercive than President Roosevelt's; but they may well be more effective and certainly should be more conducive to harmony.

One powerful weapon he has available against this seditious and factional spirit which for political ends is underhandedly trying to discredit and undermine him, and we hope he will use it. He can appeal to the people in behalf of his measures and against the self-seeking tricksters. That was Governor Hughes's unflinching recourse.

There are two widely differing types of House insurgence. There is the anti-CANNON insurgence proper, which is entirely compatible with loyalty to party, President, and administration. Then there are insurgents who make no scruple of secretly antagonizing the administration and exploiting the fight against CANNON to thwart and embarrass Taft. In common parlance, the main and ulterior purpose of these skulking bushwhackers is to "put Taft in a hole" and make his administration a failure.

But the President does not propose to be trapped or shot from the brush by these "Republican" camp followers.

If they are going to play the turncoat when the party needs their services, they must stand up and be counted. The House Republicans will caucus on strictly party and administration measures, and if there is any knifing to be done it must be done openly.

Taftism in the party is one thing and Cannonism in the House of Representatives quite another. The distinction between open and honorable anti-CANNON insurgence and furtive, treacherous, self-seeking antiadministration plotting and planning is going to be made very plain before this session of Congress is over.

#### HELPING UNCLE JOE.

[From the Milwaukee Daily News, Tuesday, December 14, 1909.]

Incidentally to the movement for greater publicity for campaign expenses in congressional elections comes the interesting news that the Republican congressional committee is expending considerable sums of money in the campaign of publicity designed to present Speaker CANNON in a better light than he now occupies before the public.

It is not surprising that many members of the committee have taken the stand that such use of the committee's funds is improper and are considering the advisability of uttering an indignant protest against it.

However, under existing circumstances that is about as far as the objectors can go. The congressional committee is a close corporation. It collects its funds from various sources; is required to make no public reports, and it may, without legal impediment, expend these funds as it sees fit, unless those who contribute the money happen to raise objections.

And as a large proportion of the moneys raised are contributed by the privileged interests, the CANNON publicity campaign is doubtless looked upon by the donors with complacency.

Under the present system the congressional committee can almost make or break a candidate. If he has "been good," the committee can send large sums of money into his district to aid him in his fight for reelection. If he has incurred the displeasure of the committee, it can refuse him financial aid, and may further complicate the situation by giving substantial assistance to his opponent.

These abuses would be done away with in large measure by requiring complete publicity of expenditures in congressional campaigns. And certainly, if such a law were on the statute books, the committee would not be permitted to hire press agents a year ahead of the election for the purpose of exploiting the generally questioned virtues of Mr. CANNON.

[From the Racine Times.]

If there is any reading out of the Republican party, it will be those men who stand for and are identified with Aldrichism and Cannonism as expressed in vicious legislation, violated pledges, and perverted government.

Mr. HAY. How much time have I left, Mr. Chairman?

The CHAIRMAN. The gentleman has twenty-eight minutes remaining.

Mr. HAY. I yield three minutes to the gentleman from Missouri.

Mr. HAMLIN. Mr. Chairman, I simply want to say that I do not know that my colleague from Missouri ought to be too severely censured for writing the letter that has been read to the committee. He is a new Member, and of course was not on to all the tricks and turns practiced by his party, and was no doubt led to believe from the conduct of those higher up in authority that the same policy that was being pursued by the Secretary of Commerce and Labor in the appointments of supervisors would be pursued when you come to select the enumerators. In my State every supervisor appointed was a Republican, notwithstanding the fact that the best that the Republicans can claim is that the State is a battle ground. If this is to be a non-partisan census, as contended by my friend and colleague from Missouri [Mr. BARTHOLOMEW], will he tell us why, when we go to appoint the census supervisors, not one single Democrat from Missouri was selected?

Mr. GAINES. May I answer that question?

Mr. HAMLIN. Certainly.

Mr. GAINES. Suppose that the President of the United States were a Democrat, would the gentleman think that the appointments ought to be made of Democrats or that he ought rather to appoint Republicans?

Mr. HAMLIN. If this is to be a census divorced entirely from any politics, and I were President of the United States, I believe I could find Republicans in Missouri whom I would be willing to trust with the taking of the census. If, on the other hand—

Mr. LANGLEY. Would you do it?

Mr. GAINES. The gentleman has not answered my question. If the President of the United States were a Democrat, would the gentleman want Democrats or Republicans appointed for these census positions?

Mr. RUCKER of Missouri. One of the greatest Republicans that ever sat in the White House did appoint Democrats. I refer to Mr. McKinley.

Mr. HAMLIN. I have the floor. The point I make is this, that if there is not to be any suspicion that this census is to be influenced or the information gathered shall not contain any political information whatever, why is it in close States there are not some Democratic supervisors appointed instead of all being Republicans?

Mr. HAY. I reserve the balance of my time. [Cries of "Read!"]

Mr. CRUMPACKER. Mr. Chairman, I yield three minutes to the gentleman from Kentucky.

Mr. LANGLEY. Mr. Chairman, it does seem to me that gentlemen on the other side are tolerably hard pressed for a political issue in the coming campaign to raise a question of this character at this particular time. So far as I am personally concerned, it is my opinion that a Republican can be just as just and fair and nonpartisan in taking this census as a Democrat can be. I want to say, further, that we have at the head of the Census Bureau a gentleman who is so desirous of being fair and nonpartisan in the administration of the affairs of that great bureau that he actually leans the other way, sometimes, in talking to Republican Congressmen about these census appointments. My judgment is, gentlemen of the committee, that this discussion, injected at this time, is improper and will tend only to embarrass the administration of the Census Bureau. We have never in the history of that bureau had a better class of men appointed as census supervisors than we now have in charge of this great work, and I regret that the gentleman from Arkansas saw fit to inject this matter—

Mr. ROBINSON. Will the gentleman allow me to ask him a question?

Mr. LANGLEY. I yield to the gentleman.

Mr. ROBINSON. The gentleman said a while ago that he thought that a Republican could take the census just as fairly as anyone else. Does the gentleman mean to imply by that remark that he believes that the enumerators should be appointed with reference to their political affiliations? In other words, does he indorse the letter that the gentleman from Missouri [Mr. Crow] has published?

Mr. LANGLEY. I have not carefully read the letter to which the gentleman refers, and I can not say whether—

The CHAIRMAN. The time of the gentleman has expired. Mr. LANGLEY. I ask the gentleman from Indiana to give me three minutes more.

Mr. CRUMPACKER. I yield three minutes more to the gentleman from Kentucky.

Mr. ROBINSON. The gentleman can inform the House whether he stated or intended to have inferred from his remarks that he believed that the enumerators appointed to take this census should all be Republicans.

Mr. LANGLEY. If I had it in my power I should certainly give a very large majority, at least, of the appointments to the Republicans in my district. That is the way I feel about it as far as this census is concerned; and I want to say, furthermore, in my judgment if William J. Bryan or any other member of the gentleman's party were at the head of this Nation, we would not get a smell in the way of census appointments or anything else.

Mr. ROBINSON. When it comes to getting "smells," the gentleman from Kentucky [Mr. LANGLEY] always gets his smell when it comes to political appointments. [Laughter.] But now I want to ask the gentleman whether or not he commits himself to the policy of appointing only Republican enumerators, in violation of the statute which says they shall be nonpartisan?

Mr. LANGLEY. I do not; nor did I by my reply to the gentleman so commit myself. On the contrary, I desire to state to him that in my own congressional district there are to be a number of good Democrats—not bad ones—appointed to those positions.

Mr. HAMLIN. There are no bad Democrats. [Laughter.]

Mr. LANGLEY. Oh, yes; there are quite a number. [Laughter.]

Mr. CRUMPACKER. Mr. Chairman, I am very sorry that the debate on this bill has digressed in the manner it has. [Laughter on the Democratic side.] That remark seems to strike a very responsive chord in the hearts of gentlemen on the other side of the aisle. My regret is based upon the fact that a great many of us, representing committees of more or less importance, with bills upon the calendar, look forward to calendar day with some hope of getting our legislation considered. We have to-day established a precedent that debate altogether foreign to the legislation under consideration is not only in order, but proper, on calendar Wednesday. Before the end of this session of Congress gentlemen on the other side of the aisle will probably be complaining that calendar Wednesday is practically nullified by political and other kinds of irrelevant discussion.

Mr. SHERLEY. I suggest to the gentleman from Indiana that there has not been a word said that does not relate to the census. We have been sticking closer to our knitting than usual.

Mr. CRUMPACKER. I insist that it is irrelevant debate that has no connection with the bill; and I insist, further, that it has no logical connection with the census. There may be down in Missouri, and possibly in Arkansas and Kentucky and Indiana, occasionally a man who is actively connected in some way or other with politics who, if he had his way about it, would appoint all the enumerators from members of his own party, but every man in this House knows that the Department of Commerce and Labor and the Bureau of the Census have outlined and published a policy that is absolutely nonpartisan, absolutely as fair as it is possible for an administrative concern to be.

Mr. SHERLEY. If the gentleman will permit, there is an old saying—

For forms of government let fools contest;  
Whate'er is best administer'd is best.

Now, it is all right to have regulations, if they are obeyed, but this discussion went to the question of whether they were being obeyed.

Mr. CRUMPACKER. I beg the gentleman's pardon. It had no sort of reference to the Census Office; no sort of reference to the Department of Commerce and Labor. It was not in relation to anyone who had any authority whatever to speak. It was not in relation to anyone who had any connection with the taking of the census.

Mr. SHERLEY. The gentleman can not ignore the fact that a Republican Congressman, writing in reply to a question as to the conditions upon which he would indorse an application, made the statements which gave rise to this discussion. Now, it is childish to say that Members of Congress have nothing to do with these appointments.

Mr. CRUMPACKER. That is simply buncombe and political claptrap to insist that they do, under existing conditions. That is the only proper way to characterize such a statement.

Mr. SHERLEY. The gentleman speaks with enough feeling to indicate that he, at least, has not had any influence.

Mr. CRUMPACKER. I have not sought any influence. I am interested in securing under the law, as it exists now, the best and most trustworthy census that the country has ever had, and I believe that conditions now prevail that will result in giving the country more for the money expended in the way of census taking than it has ever had before in the history of the Government.

Mr. BARTLETT of Georgia. I hope the gentleman is right in that statement; but does not the gentleman know that in certain States, not represented on the floor of this House by any Republican, the supervisors in those States were appointed on the recommendation of what are called "Republican referees," indorsed by the Postmaster-General, who is the chairman of the national Republican committee?

Mr. CRUMPACKER. Well, I do not know.

Mr. MANN. The same thing was done in Chicago, notwithstanding. [Laughter.] I may say that I made no recommendation for the appointment of a census supervisor.

Mr. CRUMPACKER. I did not hear what the gentleman from Illinois stated.

Mr. BARTLETT of Georgia. He said that the same thing was done in Chicago.

Mr. CRUMPACKER. Of course, the gentleman from Illinois is a living witness to the fact that the present administration is not prostituting the Census Office or the administration of the census to partisan purposes.

Mr. BARTLETT of Georgia. But what right has the Postmaster-General to dictate and interfere in the appointment of census supervisors?

Mr. CRUMPACKER. It is said that the Postmaster-General is doing things. I do not know whether he is or not, but somebody has to do them; somebody has to find out whether men are fit for the service or not. The President of the United States is charged under the law with the duty to appoint supervisors. He can not know them personally, and he must find out through somebody that does.

Mr. BARTLETT of Georgia. But how can the Postmaster-General know?

Mr. CRUMPACKER. The President has laid down repeatedly certain rules governing the appointment of supervisors; the only course, it seems to me, that he could pursue.

Mr. BARTLETT of Georgia. In my district a supervisor was appointed on the indorsement of five men, residents of the district, and the Republican referees living outside of the district, and added to that was the indorsement of the Postmaster-General, chairman of the national Republican committee.

Mr. OLCOTT. Will the gentleman from Indiana yield?

Mr. CRUMPACKER. I will yield to the gentleman from New York.

Mr. OLCOTT. I asked the gentleman to yield simply for the purpose of saying that the supervisor of New York County was so estimable a man and so satisfactory to the Democrats that Tammany Hall has asked him to resign and accept a position under that organization. [Laughter.]

Mr. CRUMPACKER. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has twenty-six minutes.

Mr. BURKE of Pennsylvania. Will the gentleman yield to me?

Mr. CRUMPACKER. I will yield to the gentleman from Pennsylvania.

Mr. BURKE of Pennsylvania. Mr. Chairman, there seems to be some misunderstanding as to the effect of the ruling recently made by the Chair. I want to ask if it is not a fact, now that we have entered upon a political discussion, that the gentleman from Missouri had entered originally upon the discussion, and the gentleman from Indiana claimed that it was wholly irrelevant to the bill and raised the point of order that operating under the rule by which we go into Committee of the Whole automatically on calendar Wednesday, we are confined to the particular bill under discussion. Is it not a fact that gentlemen on that side of the House contended that that was not the proper interpretation of the rule and that on calendar Wednesday it was proper for gentlemen to enter upon a discussion of any subject, wholly irrespective of the bill under consideration?

Mr. MANN. I submit that that question has not been submitted and has not been decided, and it is not fair to put the House in that attitude.

Mr. CRUMPACKER. I submit that that identical question was decided. The gentleman from Arkansas opened the debate, and after he made a speech on that side the gentleman from Missouri made a speech on this side. I then made the point of order that the debate was irrelevant,

Mr. MANN. The Chair said that he had heard no debate that was irrelevant, and any man acquainted with parliamentary law would have held the same.

Mr. CRUMPACKER. I say that the debate was irrelevant.

Mr. MANN. If this discussion is not relevant to a census bill, I can not imagine any bill to which it would be relevant.

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

Mr. CRUMPACKER. I beg the pardon of the gentleman from Missouri, but the gentleman from Pennsylvania has asked me a question and I have not answered it.

Mr. CLARK of Missouri. It may be the same question that I want to ask; I could not hear the question of the gentleman from Pennsylvania.

Mr. CRUMPACKER. I will yield to the gentleman.

Mr. CLARK of Missouri. I want to ask if anybody voted for calendar Wednesday that had any idea that it was going to cut off the debate that we usually have on any bill which we want to debate in this House? The gentleman's speech seemed to lead in that direction.

Mr. CRUMPACKER. We ought to have debate on bills, but the only question before the House is whether section 8 of the act providing for the taking of the Thirteenth Census shall be amended by adding to it a proviso for taking a census of the animals slaughtered in the country butcher shops, and the debate ought to be confined to this bill.

Mr. MANN. Will the gentleman yield?

Mr. CRUMPACKER. Certainly.

Mr. MANN. Is this not one of the provisions in the bill now pending before the Houses:

Whenever he shall deem it expedient, the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees, to be employed without respect to locality.

Mr. CRUMPACKER. That is not before the committee at all.

Mr. MANN. Well, I thought it was. I read it in the bill.

Mr. LANGLEY. That is a part of the present law.

Mr. MANN. I read it out of the substitute. I am familiar with what is in the bill.

Mr. CRUMPACKER. I don't care for the gentleman's interpretation. I think everybody knows that the only thing we are to determine is whether we will take a census of animals slaughtered in country butcher shops.

Mr. MANN. Would it not be in order to offer an amendment to strike that out of the bill?

Mr. CRUMPACKER. I think so.

Mr. MANN. And if it is stricken out, would it not be the law?

Mr. CRUMPACKER. Mr. Chairman, I decline to yield any further upon this question to anybody. Now, I think we ought to begin the reading of this bill.

The CHAIRMAN. If there is no further general debate, the Clerk will read.

Mr. MANN. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Indiana yield the floor?

Mr. MANN. Oh, I do not ask the gentleman from Indiana to yield the floor to me.

Mr. CRUMPACKER. I suppose the gentleman from Illinois is entitled to the floor in his own right. I reserve the balance of my time.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. MANN. Mr. Chairman, it is not my intention to detain the committee, but I think the committee ought not to pass without question the statement that the Chair had ruled, whatever the Chair might rule if that question were presented, that debate upon any question would be in order in the consideration of this bill. Whether the Chair would so rule on debate in the Committee of the Whole may be presented to the Chair before a great while on some bill and be ruled upon, but the bill that was presented and is now before the Committee of the Whole is the existing eighth section of the census act, with a modification, and every provision that is in the existing eighth section, with the proviso, is now before the House for discussion. It authorizes a range of discussion concerning appointments, because in itself it provides for appointments, and certainly the discussion that has taken place in the House under the rules of the House has been strictly in order.

Mr. RUCKER of Missouri. Mr. Chairman, I want to be recognized in my own right for a short time.

The CHAIRMAN. The Chair will recognize the gentleman from Missouri.

Mr. RUCKER of Missouri. Mr. Chairman, I am satisfied that the next census taken is going to be taken fairly and in a nonpartisan way. Gentlemen on the other side of the Chamber have told us so. The President of the United States himself

has said so. The Secretary of Commerce and Labor has said so, and even the Director of the Census has said so. The Director of the Census said that the department was so tenacious of its purpose and so thoroughly determined to have the very best men, that the best man would be chosen regardless of politics; and he also said that where a man had filled the office of supervisor in a former census and had made a good record, that man's record would stand against a world of political indorsement, in effect. Well, I presented him that kind of a case, a splendid Democrat, a man who, during the administration of President McKinley, was supervisor of the census in the district which I have the honor to represent.

That man made a record in his office, and I asked the Director of the Census what it was. He gave it to me in writing and said it was A No. 1. He told me, in addition to that, that in appointing a supervisor this time care would be exercised to select a man from the largest city in the district, and next to that it must be near the geographical center of the district, so that there were three conditions—one, the best man of any political party; next, a man coming from the greatest center of business in the district; and, next, a man residing nearest the geographical center of the district. Now, what did he do? My friend from Kentucky [Mr. LANGLEY] said the director leaned uphill toward him and some of his Republican friends. Lord, he wobbled all around me! Why, he did not select a man of large experience, but a man who never had experience along this line of work. He did not go to the greatest business center in my district for his supervisor, but he took one from one of the smaller cities or towns of the district. He did not go to the geographical center of the district, but, on the contrary, went so near one end of it that had he gone 10 miles farther he would have gone up into the district represented by my colleague, Mr. LLOYD, for his supervisor; so that every condition he stated to me was violated in order to pay a party debt to a partisan Republican. [Applause on the Democratic side.]

Now this takes me back to the sixth district of Missouri, where we had a census yesterday under the immediate supervision of the Secretary of Commerce and Labor, and I tell you that the returns from that district are glorious tidings to democracy throughout the country. [Applause on the Democratic side.]

These returns show that the untrammelled Democrats of that district, men who stand against the especial representatives of the Speaker, sent there to influence the result of yesterday's election; who would not even yield to the overtures of the President of the United States; men who defy the influences of boodle and corporate corruption, constitute nearly 4,000 majority. [Applause on the Democratic side.] Now, to go back to my own district, which is the very best in the State: Ten years ago a Democrat was supervisor; this year a Republican. Oh, the gentleman from Indiana scoffs, almost, at the suggestion that a Member of this House has anything to do with census taking and the appointment of enumerators. I want to say, and I believe the gentleman from Indiana [Mr. CRUMPACKER] knows it, that a Member of Congress has all to do with it. I say that the Members of Congress who watch after these matters, like the author of the letter read this morning, control the nomination of supervisor, and they also control the appointment of every enumerator in that supervisor's district.

Gentlemen grow captious because we talk about these matters. My friend from West Virginia [Mr. GAINES] wants to know what we would do if in power. Give us a chance and we will show you. It is my opinion to-day that if I should be here ten years from now I would favor the appointment of my good friend from West Virginia [Mr. GAINES], or some other Republican like him, who has been voted out of Congress, to be supervisor of census in the district in which he lives. [Applause on the Republican side.] The fact is—

Mr. LANGLEY rose.

The CHAIRMAN. Does the gentleman yield?

Mr. RUCKER of Missouri. Yes; I will be pleased to yield to the gentleman.

Mr. LANGLEY. I believe the gentleman from Missouri has a great political future ahead of him and it would not surprise me if the people of this country should some day make him President, if they ever conclude to commit such a grievous error as to elect a Democratic President. Now, I would like to ask him if, in the event he is President ten years from now, he will give me a Republican supervisor in the tenth district of Kentucky? [Laughter.]

Mr. RUCKER of Missouri. Why, Mr. Chairman, feeling profound sympathy for my friend in the political obscurity which will surround him and his party ten years hence, if I can penetrate the gloom and find him I will give him anything he wants. [Applause on the Republican side.]

Mr. LANGLEY. I will assure the gentleman that if he will come down to Kentucky then, I can be found.

Mr. RUCKER of Missouri. Mr. Chairman, how much time have I? I have an hour, have I not?

The CHAIRMAN. The gentleman has.

Mr. RUCKER of Missouri. I will spend just a few more minutes in the sixth district of Missouri. Mr. Chairman, this morning as I went from my home to my office every man I met was smiling except one or two, and they were stalwart Republicans—not insurgents—and they were the worst disgruntled set I ever saw, and well they may be, because I tell you, gentlemen, those of you who have not political sagacity enough to read the handwriting upon the wall, the pace we set in the sixth Missouri district yesterday is the pace the Democrats will duplicate throughout the country in November next. [Applause on the Democratic side.]

And I want to say, moreover, that the chosen emissaries of the Speaker of this House and the representatives of his bounty and of his pleasure may go where they will, and wherever they go the people will rise up and smite them, because the American people have determined that henceforth and forever when they get a chance at the ballot box they will vote to free their Representatives and reestablish the principles of representative government in this House. [Applause on the Democratic side.] Mr. Chairman, I reserve the balance of my time. I now yield fifteen or twenty minutes to the gentleman from Tennessee [Mr. SIMS], and I hope he will devote five minutes of that time to the sixth district of Missouri. [Laughter and applause.]

Mr. SIMS. Mr. Chairman, I will not use the entire time. Ten years ago I had the good fortune to be a Member of this House and the country had the good fortune to have one of the best Republicans as President of the United States that that party has ever produced, Mr. William McKinley. He appointed as Director of the Census General Merriam, and I had not the slightest idea that any Democrat would be appointed in my district to look after the census. I never asked for anybody to be appointed; I never recommended anybody until I was invited to do so. Finally I received a request from General Merriam to submit a recommendation for supervisor of census in my district.

I did so, but not until I was invited, and I was very much surprised when I was invited to do so; and I desire further to say the gentleman from Kentucky [Mr. LANGLEY] was, I think, appointment clerk, as I now remember, and he made not the slightest objection because I recommended a Democrat to be appointed. Not long after I was asked, without any initiative on my part, to recommend, or rather to make a recommendation, of two names for permanent clerks in the Census. I sent them in because I was doing what I was invited to do.

Mr. CLAYTON. Were you a member of the Census Committee at that time?

Mr. SIMS. I was not. I was not a member of the Census Committee at that time and never sought or asked any favor before it was given to me gratuitously.

Mr. LANGLEY. The gentleman's statement is entirely correct. I would like to ask him this question, namely: If he agrees with the remarks his colleague has made this morning on that side of the House about nonpartisan appointments, why did he not recommend a Republican instead of a Democrat when we gave him the opportunity to recommend some one?

Mr. SIMS. When I get through I will not have to answer the question. It will answer itself. Shortly after that time—I think it was three—

Mr. LANGLEY. I really think the gentleman got four or five.

Mr. SIMS. I was then afterwards asked to make a recommendation of three temporary clerks, as I now recall. I did it, and they were all appointed, and not being a Republican, but a Democrat, I recommended Democrats in every instance. And I never heard any complaint that they did not do their work well because they were Democrats.

I believe a Republican can take a nonpartisan census in the sense of doing his official duty, and that a Democrat can do the same. When the time came for taking the present census, and the fact being known that my recommendation was accepted before, applications began to pour in, both Republican and Democratic. I mean, requests to me to recommend them for appointment as supervisor. I think I have received about 25 letters from Democrats and about 15 from Republicans. I got tired of answering letters without knowing what was going to take place, and I finally went down and spoke to Mr. Durand, the Director of the Census.

I said to him, "What is going to be the policy of the administration? Are you going to appoint all Republicans, or some

Republicans and some Democrats in Tennessee, and especially in my district?" He said, "The policy of the administration is to appoint the best men." I said, "Mr. Director, I will not deceive you. There are Republicans in my district that are fully competent to be supervisors of that district. They are just as competent as Democrats. You can get competent men from either party in my district. On the other hand, I doubt whether you can get all Republican enumerators as competent, as a class, as Democrats, on account of certain enumerators' districts in certain counties being almost altogether colored. I have not come to deceive you or to make any misrepresentation whatever, but I want to know so as to tell these gentlemen what can be done, if anything." He said, "We want the best men, and I would ask you to submit a recommendation." I told him there was no use of submitting a recommendation and getting into trouble down home if my recommendation was to have no weight and was not to be considered. I said, "Partisan as I am, if I was a Republican and could get as competent a Republican as I could a Democrat, I would appoint him." I say so yet. I say you have a right, when you do not sacrifice competency and efficiency, to appoint Republicans, and I do not blame you for it.

But here is what I do blame you for. It is for the hypocritical pretenses that you want an absolutely nonpartisan census, and that the way to get it is to appoint exclusively partisans to take it. They can give you an absolutely nonpartisan census, either Democrats or Republicans, if they do their duty, but is it not most natural, if you wanted nonpartisan work done, that you should have a mixed body?

Why is it that every census supervisor in Tennessee is a Republican? It is not that you can not get competent men who are Democrats. If you want to avoid partisanship, why not make appointments from both parties. In Republican States give them some Democrats and in Democratic States give them some Republicans, when they are qualified and competent to discharge the duties of the office. I do not blame them for appointing Republicans. If I could go into private history, not personally connected with myself, I could state that it was given out, when considering only the good of the service, that it was determined to divide the appointments in Tennessee; but, for some reason or other which we can not possibly attribute to a desire to benefit the service, afterwards it was decided to appoint nobody but Republicans in that State. Eight of those supervisors came from one faction of the Republicans in Tennessee and two came from another.

Now, we might just as well be candid in speaking about this matter; it is not necessary to make any false pretense. No doubt you want a true and fair census, and no doubt you will get it; but do not claim that you are adopting the best method possible to get a nonpartisan census. That can not possibly be true when you appoint only partisan Republicans to take the census.

There may be places in some of the Southern States where there are not Republicans qualified to take the census. There may be Southern States where there are not competent Republicans, and in that place you appoint a Democrat, but not to get a nonpartisan census. You have appointed a Democrat where it is impossible to change the political complexion by so doing or to get any political advantage in a particular district. Perhaps Democrats would do just like you, with the exception that I hope they would not pretend they did not have a partisan purpose. Now, I appeal to the gentleman from Kentucky to answer this question: Do you think I am correct about it?

Mr. LANGLEY. I am not clear about what the gentleman means by a partisan census. They have to ascertain and report certain facts. The law provides a heavy penalty if they report that which is not a fact. Does the gentleman mean by partisan census a falsification of figures as to any particular inquiry, and that there is any more likelihood of a Republican census official making a false report of the facts than a Democratic census official?

Mr. SIMS. Well, do you doubt that a Democrat under oath would be as true to his work as a Republican?

Mr. LANGLEY. Not at all.

Mr. SIMS. Then, why draw the line on Democrats?

Mr. LANGLEY. I think that a Republican administration should give preference to those of its own party; and I do not think in doing so that it thereby implies that they are going to take a partisan census.

Mr. MANN. Why not say so, and abandon the policy of saying that you should not do it, and yet do it?

Mr. SIMS. Now, why pretend that you are not acting in a partisan way and for partisan benefit, when you know that the appointing of enumerators all over the United States is a great political asset? Now, is it not?

Mr. LANGLEY. I do not think so.

Mr. SIMS. What do you do it for?

Mr. LANGLEY. I think our census office is being managed in a businesslike way. I believe that the Director of the Census has made it perfectly clear that everybody who applies for one of these places is entitled to and will receive proper consideration. Every applicant will be allowed to take the test examination, and everyone, regardless of politics, who passes a satisfactory test of his fitness for the position will be considered in making up the list of enumerators.

Mr. SIMS. Do you think the present method better than that of ten years ago, when you were in the Census Bureau?

Mr. LANGLEY. I think, as a result of our experience in taking the Twelfth Census, that we have been able to improve the law for the taking of the Thirteenth Census, based on that experience. I think the present law is better than the last law in some respects, and I think in years to come we will have a still better law, profiting by experience as we go along from census to census.

Mr. SIMS. Being able to speak from actual knowledge, having been in the Census Bureau at that time, upon an average were the schedules prepared by Democrats as well prepared as those prepared by Republicans?

Mr. LANGLEY. Well, I never heard any complaint against Democratic census employees as such, regarding the faithful and efficient discharge of duty.

Mr. SIMS. Then why should Democrats be excluded?

Mr. LANGLEY. I have heard of a good many being appointed, more than I, as a Republican, think should be appointed.

Mr. SIMS. Do you think the present President of the United States has the good of this country any more at heart, is any more honest and patriotic in determining the means by which to promote that good, than the late lamented President McKinley?

Mr. LANGLEY. I think both of them have been actuated by the very highest motives of patriotism and the purest sense of public duty.

Mr. SIMS. Do you regard the present methods in a State like Tennessee, in not having appointed a single Democrat, an improvement over President McKinley's course in dividing the appointments?

Mr. LANGLEY. Oh, I am not going into details about what may have been done in Tennessee, but—

Mr. SIMS. That is a mere detail, is it?

Mr. LANGLEY. I am talking about the general policy of the present administration.

Mr. GAINES. I have been told a number of times that there are census supervisors, quite a number of them, appointed from many of the Southern States, who are Democrats. I want to be fair enough to the gentleman to say that if I had it to do I would not appoint Democrats, just as if there were a Democratic President I would not expect, much less request, the appointment of Republicans.

Mr. SIMS. Ten years ago I never requested one, and did not this time.

Mr. GAINES. But when you are requested to do so, you recommend Democrats, just as I would recommend Republicans if a similar request were made to me.

Mr. SIMS. What do you do it for?

Mr. GAINES. Is it not a fact that a number of Democratic census supervisors have been appointed in the Southern States?

Mr. SIMS. Why, I suppose where there are no suitable Republicans that has been done, or where there is no party benefit growing out of it.

Mr. GAINES. One reason why I do not approve of the appointment of Democratic supervisors in the Southern States is because when that courtesy has been paid to Democrats they have answered that the reason was because proper and even respectable Republicans could not be found there. That is the sort of partisan return that has been made to nonpartisanship on the part of a Republican administration.

Mr. SIMS. I said I supposed; I did not know.

Mr. GAINES. That is one reason why I would never have appointed one Democrat if I had had the appointment.

Mr. SIMS. How many Democratic supervisors have been appointed in West Virginia?

Mr. GAINES. None; and in my district a Republican was appointed upon my recommendation.

Mr. SIMS. Why did you recommend a Republican?

Mr. GAINES. Because I thought I should recommend people of my own party, and for the same reason that the gentleman from Tennessee did and always will recommend Democrats when he has the opportunity.

Mr. SIMS. The gentleman from West Virginia does not claim, then, that he made his appointment without reference to party interest or party feeling or party reward?

Mr. GAINES. On the contrary, "the gentleman from West Virginia" asserts that he made his recommendation with reference to the Republicanism as well as the high qualifications of the person appointed as supervisor.

Mr. SHERLEY. I should like to ask the gentleman from West Virginia if he is in a different class from that occupied by the gentleman from Indiana [Mr. CRUMPACKER]?

Mr. GAINES. I do not undertake to classify the gentleman from Indiana [Mr. CRUMPACKER], whom I know very well and with whom my association has been most satisfactory.

Mr. SHERLEY. He classified himself by saying that all of these appointments were to be made without regard to politics at all, and that he had had nothing to do with getting Republicans appointed to positions.

Mr. CRUMPACKER. I beg the gentleman's pardon. I did not say that.

Mr. SHERLEY. I so understood the gentleman. If he has been getting appointments, I am glad to know it.

Mr. CRUMPACKER. My contention was that the census would be nonpartisan.

Mr. SHERLEY. Oh!

Mr. CRUMPACKER. I concede that all people in this country are Republicans, Democrats, or Populists; that they belong to some party.

Mr. SHERLEY. I am glad to know that the gentleman is not being neglected or ignored.

Mr. CRUMPACKER. I thank the gentleman for the concern he manifests for my interests.

Mr. SIMS. The gentleman from West Virginia talks just as I know he feels and just as I feel. I would recommend a Democrat for appointment. In the first place, of course, he must be competent. That is first to be considered; but where there are men equally competent in both parties, the gentleman from West Virginia has the courage to tell the naked truth about it, and not say that he recommended Republicans because he thought Republicans as such could take a better nonpartisan census than Democrats could, as such. My fight is altogether on the sham and false pretense there is about this matter. The truth is, the census is being taken upon a partisan basis; that is, the agents, the supervisors, and the enumerators are being selected because they are Republicans and not because they are better qualified to take the census than Democrats in the same locality.

Mr. LANGLEY. Will the gentleman yield?

Mr. SIMS. I will yield to the gentleman.

Mr. LANGLEY. From what the gentleman stated, I think he left the impression on the committee that an invitation to come to the Census Office ten years ago was extended to him every time he went there to seek an appointment. I think I ought to say that while the gentleman was invited, perhaps, the first time that he came there, as soon as he found the way there and learned how to get appointments he thereafter came without invitation, and very frequently, much oftener than most Members of the House came. [Laughter.]

Mr. SIMS. Mr. Chairman, in reply to the inquiry of the gentleman from Kentucky, I will state that I was written to to make a recommendation, and it was a perfect surprise to me, but I made it. Five persons were appointed on my recommendation, or at least they were appointed and I recommended them. Now, then, when I wanted to get them promoted or get an increase of salary I went a number of times, and the gentleman from Kentucky [Mr. LANGLEY] made me believe that they were going to do the best thing in the shortest possible time, but they kept deferring the matter, and it was slow coming, and I did go a number of times.

But finally they all got out but one. I am not complaining. Nobody will question the motive of President McKinley or of the present President of the United States; but what intelligent man, that is willing to be fair and square with himself, will claim that in order to obtain a fair, nonpartisan census it should be done by one political party? The way to make it nonpartisan is to do it through nonpartisan agents. Mr. McKinley thought it was best that it should be done by nonpartisan appointments, and he followed that out. The present President thinks differently, and he has a right to his opinion.

Mr. GAINES. Will the gentleman yield?

Mr. SIMS. I will yield to the gentleman from West Virginia.

Mr. GAINES. The gentleman from Tennessee and I seem to have no quarrel whatever on this proposition; that he and I would without any pretense whatever pursue the same course, and recommend, each of us, for appointment men of

his own political faith. But I want to ask the gentleman this question: Whether or not, as a matter of fact, a number of Democratic census supervisors were appointed in the Southern States by this Republican administration? And I am the more anxious to have a confirmation by an affirmative answer, if that be the fact, for the reason that it has been said, I am told, in some of the Southern States to local Republicans, in whose neighborhood Democrats have been appointed, that it was an admission by the Republican administration that proper men, suitable men, could not be found in the Republican party to take the census.

Mr. SIMS. I do not know in what States Democrats have been appointed in the South. And I do not know the alleged reason for it. I am told in Kentucky there has not a single Democrat been appointed. There has not a single one been appointed in Tennessee. Has any been appointed in Missouri?

Mr. RUCKER of Missouri. No.

Mr. SIMS. There have been no Democrats appointed in Indiana, as I am told. Now, why is it that they did not appoint a Democrat or some Democrats in the great States of Missouri, Kentucky, Tennessee, and Indiana, but appoint them in such States as Mississippi, Alabama, Georgia, and South Carolina, if it was not for the fact that it was thought that no political benefits in those Southern States would arise from the appointment of Republicans?

Mr. GAINES. Does the gentleman think that the appointment of a few Democrats in Southern States is a political advantage to the Republican party? He must believe either that the Republicans down there have very little care about the appointments for themselves or else that the Democrats in that neighborhood are mighty easily seduced away from their party.

Mr. SIMS. Oh, the gentleman is using language that is mere claptrap. Democrats can not be seduced away from their party by a little office like that. Can the gentleman tell me whether there have been any Democratic supervisors appointed in West Virginia?

Mr. GAINES. The political history of West Virginia shows that no such thing is necessary to hold Republicans. The political history there—

Mr. SIMS. I want to ask the gentleman—and he can tell me, for he is on the inside—why Democratic supervisors are appointed in Mississippi, Alabama, Georgia, and South Carolina?

Mr. GAINES. Mr. Chairman, if the gentleman asks me why Democratic supervisors are appointed anywhere, I want frankly to confess that I do not know the answer.

Mr. SIMS. Mr. Chairman, I did not expect a personal answer. I thought the gentleman was on the inside and was speaking for the administration.

Mr. GAINES. Oh, I am not sufficiently on the inside to answer the gentleman's question.

Mr. SIMS. Mr. Chairman, it must be plain to the gentleman from West Virginia [Mr. GAINES], or to anybody else, that we must judge of the motive of an act from the results that naturally follow it. The gentleman knows, and I know and everybody else knows, that it is a benefit, politically speaking, so far as getting out a vote and party work is concerned, to have these enumerators of your own party. There is not a particle of question about that. Therefore you do have the enumerators all Republicans in Kentucky, Tennessee, and Missouri, doubtful States, sometimes going one way and sometimes another way; but in the Democratic States, where it is impossible for you to win with your enumerators or otherwise, then you adopt your nonpartisan methods by appointing Democrats in such States as Mississippi. Why should there be any pretense that the object and purpose of these appointments was not to have political effect—and a good political effect—for the Republican party? Not that you expected to take a different census or violate the law, but are not these enumerators a very valuable part of a political organization, and do they not constitute a valuable force which will come in with great benefit in the next and subsequent elections?

Mr. BARNHART. Mr. Chairman, I would like to ask the gentleman from West Virginia a question.

The CHAIRMAN. Does the gentleman from Tennessee yield?

Mr. SIMS. Mr. Chairman, I yield that the gentleman may ask a question.

Mr. BARNHART. Mr. Chairman, I only want to ask the gentleman one question. If this is to be a nonpartisan census, as is greatly paraded in the Indiana press and elsewhere—

Mr. GAINES. To whom does the gentleman address his question?

Mr. BARNHART. To the gentleman from West Virginia. How does it occur that in the State of Indiana, where there are two Republican Congressmen and eleven Democrats, the two Re-

publican Congressmen appoint the census enumerators in their own districts, and the Republican United States Senator appoints them in the eleven Democratic districts?

Mr. GAINES. Well, Mr. Chairman, my answer to that is this: I can not see any relation whatever between a nonpartisan census and the appointment of Republicans or Democrats. Certainly, the appointees are bound to be either Republicans or Democrats or Populists; they can not be people without any political meaning, and they might all be of one party and the census be perfectly nonpartisan.

I thoroughly agree with the gentleman from Tennessee [Mr. SIMS], however, that if the appointments are all from one party, then the appointments to office are not nonpartisan, and he and I further agree that we would appoint people of our own party. But the gentleman from Tennessee said, and that was the reason I interrupted him, that he believed there ought not to be any pretense of appointment of people of the other party, and I wished to find out whether it was not a fact that Democrats were appointed in the Southern States, and I think the debate has developed the fact that there are many Democratic supervisors who have been appointed in Southern States under this Republican administration.

Mr. SIMS. Mr. Chairman, I will not occupy the floor any longer than simply to say that nobody has charged that the object and purpose of the making of these appointments was to have the census schedules made out other than correctly, but the charge is made, and it is absolutely true, that the political benefit or effect that the Republican party will get by appointing Republican census officials is very great; that that was the object and the purpose of appointing them, and not that the appointing power thought the Republican census enumerators would do better work or render more efficient results.

Now, if you all will do like the gentleman from West Virginia [Mr. GAINES] and tell the plain truth about political matters, we will have no quarrel with you. Go on and appoint your Republicans and be responsible for them, but do not pretend that you have no party benefit in view—not directly in taking the census, but in benefits to the party as a whole, and then we will bury the hatchet.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER of Missouri. Mr. Chairman, I would like to address a question or two to the gentleman from Kentucky [Mr. LANGLEY] if he will permit me to do so, because I know he is very well informed. How many supervisors of the census did we have ten years ago—what was the total number?

Mr. LANGLEY. I think there were 300. I think the act providing for the Twelfth Census limited the number to 300. That is my recollection.

Mr. RUCKER of Missouri. Can the gentleman state to us about how they were divided as between political parties?

Mr. LANGLEY. The gentleman means how many each party had?

Mr. RUCKER of Missouri. Yes; how many Democrats and how many Republicans?

Mr. LANGLEY. I can not reply as to how many; I know quite a number were Democrats—more than the Democrats were entitled to, I think.

Mr. RUCKER of Missouri. Were not the places substantially divided between the political parties?

Mr. LANGLEY. Oh, no; not at all. But in the Southern States there were quite a number of Democratic supervisors appointed.

Mr. RUCKER of Missouri. I will ask the gentleman this question, then: If it has not been the invariable rule, not departed from before, that the supervisors of census be divided between the two parties in all the States?

Mr. LANGLEY. It has not been the rule. The gentleman is mistaken about that. There was a sort of general understanding that, particularly in the southern section of the country, some of the supervisors were to be named by Members of the minority party.

Mr. RUCKER of Missouri. Mr. Chairman, I am very much obliged to the gentleman for his information, but I want to say that his information is not as accurate as I expected. He lacks a knowledge of the facts which I thought he possessed.

Mr. LANGLEY. For the information of the gentleman and as explanatory of my lack of accurate recollection of the exact facts, I think I ought to say that I was not in charge as appointment clerk of the selection of supervisors. They had a separate division which had direct charge of that work.

Mr. RUCKER of Missouri. I appreciate that, and I appreciate the answer the gentleman has made me; but I want to say the Director of the Census himself told me, both the present director and the one who recently left the office, that it had

been invariably the rule, from the time of the first census, to make this work strictly nonpartisan.

Mr. LANGLEY. All over the country?

Mr. RUCKER of Missouri. Possibly not in every State, but substantially, and I merely want to suggest that that rule has been departed from—

Mr. MANN. They are doing this now; the supervisor in Chicago is a Democrat.

Mr. RUCKER of Missouri. Oh, it is a mere sham—

Mr. MANN. It is not a sham, and the gentleman will not make the statement that a statement I make is a sham; it is a fact.

Mr. RUCKER of Missouri. What is your statement again; let me understand it, and—

Mr. MANN. That the man appointed in Chicago is not a Republican politician; he is not a Republican.

Mr. RUCKER of Missouri. Is he a Democrat?

Mr. MANN. We call him a Democrat.

Mr. RUCKER of Missouri. Oh, that is all right, Mr. Chairman—

Mr. MANN. We charge he is a Democrat.

Mr. RUCKER of Missouri. The gentleman can not tell me what to say. I will determine that for myself. I do not care who says it, how often it is repeated, from how many households it is shouted, I say all this talk about a nonpartisan census is a mere sham.

Mr. BURKE of Pennsylvania. Mr. Chairman, I raise the point of order made by the gentleman from Indiana some time ago that the gentleman is not confining himself to the bill under consideration.

Mr. RUCKER of Missouri. Mr. Chairman, I make the point of order that the gentleman ought to take his seat; the Chair ruled on that once and the gentleman from Pennsylvania [Mr. BURKE] is out of order.

Mr. BURKE of Pennsylvania. Mr. Chairman, I desire a ruling, because there is a misunderstanding—

Mr. RUCKER of Missouri. How often do you wish to get a ruling on this, I want to know.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BURKE of Pennsylvania. The gentleman's discussion is not confined to the provisions of the bill now under consideration. Now, I will say to the gentleman from Missouri, I do not want to take him off the floor—

Mr. RUCKER of Missouri. You can not do that anyhow. The gentleman can make his statement, but he can not take me off the floor.

Mr. BURKE of Pennsylvania. If the gentleman will allow me, his time is about expired, but there is a misunderstanding in this committee whether or not this question has been ruled upon, and I hope the gentleman will allow a ruling to be made regarding it so there can be no controversy in the future.

The CHAIRMAN. The Chair has ruled, and the Chair states, that as far as the Chair is informed, and he has read the rule carefully, that he knows no difference between calendar Wednesday and any other day when the House is in Committee of the Whole House on the state of the Union.

Mr. RUCKER of Missouri. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. Sixteen minutes.

Mr. RUCKER of Missouri. I yield ten minutes to the gentleman from Georgia [Mr. HARDWICK].

Mr. HARDWICK. Mr. Chairman, I understood the gentleman from Indiana to say just now that this census is being taken, and ought to be taken, in a perfectly nonpartisan, non-political manner, and that this statement of the gentleman from Indiana was intended to apply not only to the appointment of supervisors, but also to the appointment of enumerators.

Mr. REEDER. Mr. Chairman, may I ask the gentleman a question?

Mr. HARDWICK. I have not got started with my presentation of the matter; not at present.

Mr. REEDER. But I would like to ask you a question before you get started.

Mr. HARDWICK. Not now.

The CHAIRMAN. The gentleman declines to yield.

Mr. HARDWICK. I will yield to the gentleman later. I want to call the attention of this House and the country to a rule promulgated by the administration that is being applied throughout this country, or at least a great section of it, which can not possibly fail to have a disastrous effect upon the taking of an accurate and careful census of the country, and that is the rule that in certain parts of the country, where a certain



portion of the inhabitants are black, we shall have negro enumerators, regardless of their ignorance or of anything else.

It seems that this administration has determined that in certain States in the South, although assurances to the contrary were repeatedly given during the last session of this Congress, where there is a certain large proportion of negro population we shall have negro enumerators simply because there are many negroes to be enumerated. Now, Mr. Chairman, it strikes me that a rule like that can not be defended on the idea of obtaining an accurate and efficient census force. It is well known to all of us who hail from that section of the country that the inevitable effect of this rule is not to promote an efficient census, but, on the contrary, to keep us from getting an efficient census. It is true that this rule is not so distasteful and not so hateful to us in the South as it would otherwise be, because of the fact that the administration gives it out that these negro enumerators are to take the census of negroes only, and that they are not to go into a single white family to take the census. Therefore we will not be accused of having any racial prejudice on this question when we say to you that a rule that, where there are a certain amount of black people, you are going to have both white and black enumerators, one to take the census among the white people and one among the black people, was never conceived in any desire to promote an efficient census. On the contrary, it cuts in two the compensation of the enumerators, and its very effect and tendency is to cause a worse census than we would otherwise have. And we all know there, as it is known all over the country, that this rule was born not of any desire to give the country a complete, accurate, and reliable census, but out of the political necessities of the Republican party, which must rally to its support in the approaching election, in the doubtful States of the West and North and East, this negro vote in solid phalanx. And they have undertaken to do it at the expense of an accurate census, and at the expense of a complete census, and by an operation that will give us hundreds and hundreds of inefficient, inaccurate, and almost useless enumerators throughout the South.

Mr. HARDY. Will the gentleman yield for just one moment?

Mr. HARDWICK. With pleasure.

Mr. HARDY. Is not the further effect and apparent purpose of that rule also to aid the present administration in securing the votes of those States in the coming Republican convention?

Mr. HARDWICK. Undoubtedly the purpose, in my opinion, is not only to rally the colored vote in the doubtful States, but also to rally the colored delegates in the next Republican national convention and try to overcome some of the—

Mr. GAINES. I do not want to interrupt the gentleman here, but—

Mr. HARDWICK. I am glad indeed to have the gentleman do it.

Mr. GAINES. The gentleman is absolutely mistaken about there being any such purpose. Let me tell him—

Mr. HARDWICK. About what purpose?

Mr. GAINES. About the purpose and object. The object is to get a completer census. The idea is to get colored men and have a complete census made of that portion of the population which might be skipped by a white man.

Mr. HARDWICK. I want to say to the gentleman that you will never get a complete census in the South by any such means as that, because we have not people there of that class in large enough numbers and of sufficient intelligence to do it. White men can and would do the work much better in all cases.

Mr. HARDY. I want to ask if the purpose of that is not more partisan even in that it tends to help the Republicans out and help the administration branch of the Republicans?

Mr. MADDEN. The gentleman has made the statement that appointments of the census supervisors have been made with the view of creating Republican sentiment in various sections of the country, I think.

Mr. HARDWICK. No; I did not say that. I said it was to rally the colored brother in States like Illinois, Ohio, Indiana, Kentucky, and Missouri, I expect, that you do this. You will not make any sentiment amongst the white people of the South by doing that, and, thank God, one of the effects of the action will be to kill the idea of building up any white Republican party in Dixie. [Applause on the Democratic side.]

Mr. MADDEN. The gentleman says the administration is making appointments merely for the purpose of building up the administration.

Mr. HARDWICK. I think that certainly has something to do with it.

Now, Mr. Chairman, it looks to me that a rule like that, that wherever you give positions to a certain number of black

people, regardless of qualification, regardless of whether or not there are more competent white men that are applicants for the positions, it never could have been born of any desire to obtain a complete and accurate census, but was born of something at least entirely different from that, and not even connected remotely with it. Therefore I have been impelled to make these observations in reply to the remark of the gentleman from Indiana [Mr. CRUMPACKER] in opening the debate, that this census was to be taken with a view of obtaining a complete, accurate, and impartial census, and everything that was done was being done along those lines. This is one instance, at least, where I know that is not true.

I tell you now if you want an honest and efficient census taken, and honest and efficient enumerators everywhere throughout the country, you will never accomplish that purpose by appointing a lot of negro enumerators in the South, even if they are going to operate among the negroes alone.

I am unalterably opposed to the appointment of any negro enumerators. [Applause.]

Mr. RUCKER of Missouri. I yield two minutes to the gentleman from Wisconsin.

Mr. WEISSE. Mr. Chairman, it is not surprising to me, a business man, that the system and the boss are up in arms today and trying to get the attention of the people away from panic conditions of Wall street. According to newspaper accounts, February 1 we had a bank failure in New York of Fiske & Robinson, with liabilities of seven millions and with assets of less than a million, following the failure of J. M. Fiske & Co., whose liabilities were over a million, and Bradstreet's report showing 275 failures in the last week and total failures of 11,845 last year, with liabilities of over one hundred and forty millions, and call money going as high as 6 per cent and over.

There was an election yesterday in the sixth district of Missouri to fill the place made vacant by the death of that great Democratic leader, Judge De Armond. The bosses made a strenuous fight, but the people, by the largest majority ever given in the district, repudiated the system and elected a Jeffersonian Democrat who stands for government by the people. The issue was whether legislation here should be controlled by the people through their chosen representatives or by the bosses who repress the representatives of the people. The issue was decided against the bosses by an overwhelming majority, which is the highest honor the people out there could have shown to the memory of De Armond, whose voice was always raised and whose vote was always cast in behalf of constitutional freedom. [Loud applause on the Democratic side.]

Mr. CRUMPACKER. Mr. Chairman, I have been trying to get the floor for some time.

The CHAIRMAN. The gentleman from Missouri was recognized for an hour and has used all of that time but three minutes.

Mr. CRUMPACKER. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Indiana moves that the committee do now rise.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. CLARK of Missouri. Division!

The committee divided; and there were—ayes 48, noes 58.

So the committee refused to rise.

Mr. CRUMPACKER. I reserve my time. I hoped general debate would close so that we could have a vote on this bill this afternoon. It is very important, but I do not see very much prospect of it.

Mr. KEIFER. Mr. Chairman, if I am recognized in my own right, I yield five minutes to the gentleman from Illinois.

Mr. MADDEN. Mr. Chairman, we have had a great many suggestions on the other side of the aisle about making appointments of the supervisors of the census. We have heard it stated that all of these appointments are made for the purpose of making political capital for the administration and for continuing control of the delegates from the Southern States in the next Republican convention. I think that the appointments made by the administration in the State of Georgia, from which State the gentleman who last spoke comes, were made with a view to securing an honest census of all the people in the Southern States and not a few; and it makes no difference whether a man is black or white who is appointed to take this census, provided he has the qualifications to perform the work well and has the honesty of purpose to do the work in accordance with the rules laid down by the law. What is sought to be obtained is an honest census of the people, and that census secured in an honest way.

Mr. HARDWICK. Mr. Chairman, will the gentleman yield to me?

Mr. MADDEN. Surely.

Mr. HARDWICK. If that is the purpose, why is it that if a white man stands a better examination for census enumerator, and would make a better one, you prefer to appoint a black man, who stands a worse examination?

Mr. MADDEN. I am not prepared to admit the truth of the statement implied by the gentleman's question. I am prepared to say that in the appointment of the supervisors in the city of Chicago, which contains ten congressional districts, seven of which are represented on this floor by Republicans, no Republican Representative from that city was consulted as to who should be appointed supervisor of the census in that great metropolis. No Republican Representative from that city had his views sought on the question of who should be selected. No Republican Representative on this floor from that city sought to give advice as to who should be appointed. The administration selected the man it thought best qualified, and every man and woman appointed by this supervisor of census so far has been appointed without political influence, without bias of any kind or nature; and the men and the women who have been appointed to the subordinate positions under this man have been appointed because of the qualifications possessed by them for the duties they are to perform. I object to the insinuation made by the gentleman from Georgia that because men are black they are not qualified to perform the duties which they have been appointed to perform in the Southern States. The color of a man's skin makes no difference in this proud free land of ours. We are all Americans, whether we be black or white. A man should be taken as a man regardless of color or creed; and I glory in the independence manifested by this administration in the selection of the men for this work regardless of color or what their politics may be. [Applause on the Republican side.]

Mr. KEIFER. Mr. Chairman, from having listened to this debate, I have reached the conclusion that perhaps somebody on this side of the House ought to make a few purely unimpassioned remarks upon the subject now before the House, nonpartisan in character. [Laughter.]

The perennial or, rather, periodical exultation of Democrats, and complaints are being aired over this innocent little census bill.

Summarizing the proposition of the distinguished gentleman from Georgia [Mr. HARDWICK], he arraigns the Republican party of this country for not having passed a law or made a rule to prohibit any colored man in the South from being an enumerator. His complaint rests on that alone.

Mr. HARDWICK. Mr. Chairman—

Mr. KEIFER. The gentleman will have to wait a little longer. Then I will yield to him. He thinks that is a serious matter, but he concludes his remarks by saying that the failure of the Republican party to do that thing will unite the white people of the South in the Democratic ranks.

I have some recollection of a census that was taken away back in 1880. At that time there were four times as many Democratic white votes cast in the Gulf States in electing Congressmen as there are to-day in electing them. Republicans were elected then; not now. There was a complaint made on this floor similar to the one made by the gentleman from Georgia now—that is, that Republicans in Mississippi and other States were going to take the census, and that they would return too many colored people, and show that they were entitled to too many Members of Congress, because they were then electing Republicans. But after thirty years we are met with the claim that we want a census, the purpose of which shall be, I have no doubt, to get more colored people returned as residents of those States, in order that more white Democrats may get into Congress without their votes.

I do not agree with gentlemen on either side, as far as I understand them, on the subject of the policy of President Taft with reference to the taking of the census. I do not understand that there is any order of the President or any rule or regulation of the Director of the Census to supervisors requiring them to select nonpartisans for enumerators, and there was no order that nonpartisans should be selected for supervisors. If anybody could furnish proof of anything of that kind I should regard it as the most extraordinary thing that has ever occurred in these extraordinary times in politics. If I had the power I would not appoint a man even for an enumerator in a small enumerating district if he was so much of a nonentity, so absolutely worthless and trifling, that he did not know any party, and did not belong to one. [Applause.] I would sooner take Democrats all the time than get such a poor, shiftless,

worthless fellow as that; and there should be no purpose to select that kind of nonpartisan. What the administration requires is that a Republican or a Democrat who may be a supervisor or an enumerator, or otherwise connected with taking the census, shall not perform partisan duty while engaged in taking the census. The supervisor in my district held a position on a central committee. He resigned, so that there should not be any appearance of his acting in connection with politics during the time he was performing the duties of supervisor of the census.

Mr. HARDWICK. If the gentleman is correct in his theory as to the nonpartisan character of this census, why is it that instead of going to the Director of the Census or the Secretary of the Interior to assist him in making these selections, the President goes to the Postmaster-General, a member of his Cabinet, who happens to be the active head of the Republican machinery?

Mr. KEIFER. I have heard that said so often on the floor that I am inclined to think some of the gentlemen who put such questions believe the statement to be true, but I do not.

Mr. HARDWICK. Does the gentleman deny that?

Mr. KEIFER. I deny it so far as the final determination of any census supervisor or enumerator in the United States is concerned.

Mr. HARDWICK. Do I understand the gentleman from Ohio to say that none of the census supervisors were appointed on the advice and recommendation of Postmaster-General Hitchcock?

Mr. KEIFER. I do not know how many times he may have been consulted and talked to about it, but they were all appointed by the President of the United States on the recommendation of the Director of the Census.

Mr. BARTLETT of Georgia. I want to say that I went to see the President of the United States about the appointment of a supervisor in my district, and he said I must confer with Mr. Hitchcock, the Postmaster-General. [Applause on the Democratic side.] I did not do it, however.

Mr. KEIFER. I understand that in times gone by a great many Democrats even were consulted before appointments were made. I would like to know how many Democrats on the other side of this House went to the President in the last few months and begged him to appoint Democratic supervisors in their districts. I am told that nearly a hundred have gone and done that thing, and now they are here complaining because they did not get partisan Democrats appointed. [Applause.]

Mr. LAMB. I want to say to the gentleman from Ohio that I am one who did not do it.

Mr. MACON. And I want to say that here is another Democratic Member that did not ask the President to appoint a supervisor for his district.

Mr. KEIFER. Well, I will take the word of these gentlemen. Only two so far have entered a denial.

Mr. BOEHNE. I want to say that I did not go.

Mr. KEIFER. One more—three in all. [Applause.]

Mr. Chairman, speaking further on the nonpartisan character of the census, I am quite sure I can make an accurate statement, and that is that there will be no census takers appointed anywhere in the United States until after some form of examination is had for them to show their qualifications to take a census. Moreover, in making the appointments all through the North, at least, there will be no discrimination among census takers who shall show the qualifications because they are Democrats or anything else.

There are some Socialists in my district who may be census takers. There is nothing partisan about that. But they would not appoint a Democratic chairman of a committee or a Democratic ward politician. They would exclude them as they would Republican chairmen and committeemen in making the appointments unless they resigned their little political offices. President Taft's order requires this.

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

Mr. KEIFER. I will yield to the gentleman.

Mr. HEFLIN. I am opposed to appointing negroes to take the census. Does the gentleman believe that negroes ought to be appointed to take the census in the South?

Mr. KEIFER. If they are well qualified.

Mr. HEFLIN. Then, the gentleman disapproves the President's policy when he said he would not appoint negroes to office in the South.

Mr. KEIFER. I do not understand that the President ever said so. If he said so, he ought not to have said it.

Mr. HEFLIN. Did not he say it in his inaugural address?

Mr. KEIFER. I think not. On the contrary, he said in his inaugural address that he would "exercise a careful discretion" in appointing negroes to office. I believe that anybody

who is qualified has a right to be appointed to an office in our Government. Those who are the humblest are the people whom we should take more care of in preserving their rights, political as well as all others.

Mr. HEFLIN. Did the gentleman from Ohio ask for negro enumerators in his own district?

Mr. KEIFER. I have not asked for a Republican or a Democrat to be appointed as such, or a negro.

Mr. HEFLIN. Has the gentleman asked for the appointment of any negro in his district?

Mr. KEIFER. Probably I have not asked for the appointment of colored men, but I am putting this where the rule of the President puts it, on qualifications. He requires the Census Bureau to be carefully administered in a nonpartisan way.

Mr. HEFLIN. Will the gentleman please answer my question? Has the gentleman from Ohio requested that any negro in his district be appointed a census enumerator?

Mr. KEIFER. I do not think there have been any appointments made in my district of census takers, white or colored.

Mr. HEFLIN. Has the gentleman requested that any negro be appointed?

Mr. KEIFER. No, sir; I have not requested anybody to be appointed, and I told the gentleman that before. I am working under this nonpartisan presidential rule [laughter on the Democratic side] requiring enumerators to be selected without regard to party on their showing proper qualifications, and that is what the rule authorizes; they may be good Republicans or Democrats, or what not. The colored man is not barred.

Now, Mr. Chairman, I have been drawn into this debate very unwillingly. I want it quite well understood that I am a partisan when it comes to partisan things, but when we are doing the public business I believe in forgetting it as far as possible; and if a man, be he Republican or Democrat, is put into office, he should fill it in the interest of the people and not in a partisan way.

Mr. HAMLIN. Mr. Chairman, will the gentleman from Ohio yield?

Mr. KEIFER. I will yield to the gentleman.

Mr. HAMLIN. I understood the gentleman to speak of the administration's nonpartisan rule in appointing census takers, regardless of party. Does he understand that rule applied also to the appointment of supervisors?

Mr. KEIFER. I do not think that rule was applied to them, except to this extent. No person was allowed to be appointed, under the order of the President, a supervisor who held any political office, even to that of chairman or member of a committee of any party.

Mr. HAMLIN. I understand that these supervisors in all the States except the Southern States were to be Republican?

Mr. KEIFER. No, sir; that is not true either.

Mr. HAMLIN. Then, I will make this statement. I think I can enlighten the gentleman. In my individual district a man, a Republican, appointed supervisor, died, and afterwards I was inquiring as to whether his successor had been appointed, and the census director told me he had not, but said he would like to have me give my opinion on some good man.

Mr. KEIFER. That was proper.

Mr. HAMLIN. But he said, "Understand he must be a Republican." [Laughter on the Democratic side.]

Mr. KEIFER. Very good.

Mr. SABATH. And the gentleman found that it was a very hard thing to do. [Laughter on the Democratic side.]

Mr. HAMLIN. I told him I had no recommendation to make.

Mr. KEIFER. A competent man was the thing desirable, and, of course, he would ask the gentleman who might know.

Mr. HAMLIN. He did not say that he must be a competent man. He said that he must be a Republican. [Laughter on the Democratic side.]

Mr. KEIFER. He must be competent, of course, for that is the rule all the way through. Mr. Chairman, I think that is all I desire to say on this subject, and I reserve the balance of my time. [Applause on the Republican side.]

Mr. HARDY. Mr. Chairman, I wish to say just a little along this line of discussion on the situation of Democratic supervisors as developed by the remarks of the gentleman from Georgia [Mr. HARDWICK]. The gentleman from Ohio [Mr. KEIFER] who has just taken his seat professes to be moving under the nonpartisan administration now in effect at the White House. I wish to say something about how that nonpartisan administration seems to work. The President has announced a number of times that his administration of this census should be nonpartisan, and then it was understood that in those States where the Republican party had no hope of life or resurrection, where it could do no possible harm to the Republican party, there

would be some Democrats appointed to take the census. Apparently, this was in line with the hope expressed in many places that the President might build up a Republican party in the South, and for that purpose it seemed to be well calculated; but as to its administration being nonpartisan, I want to call the attention of the Members to the fact that in doubtful States, in doubtful districts, no Democrat has been appointed supervisor of the census. [Applause on the Democratic side.] Take a State like Missouri or some other State that seems to be doubtful, Kentucky or Tennessee—those States are held exclusively for the purposes of the administration in its distribution of the pie in order to increase the strength of the party. But, Mr. Chairman, that is not the worst. I like nonpartisan methods sometimes, and I could not help being a little enthused and a little exalted by the apostrophe of the gentleman from Illinois [Mr. MADDEN] to the glorious independence of the present administration and occupant of the White House when he was replying to the gentleman from Georgia [Mr. HARDWICK].

But what does that glorious independence amount to? It amounts to this, that in Texas and in Georgia, where there is only the hope of building up a little to the tail of Republicanism that is left there now, some supervisors are made Democrats, but in those districts where Democrats in my State are made supervisors they are, nevertheless, instructed that certain persons under the direction of the national administration will call to their attention certain colored brethren who must be appointed enumerators in certain precincts and districts to enumerate the negroes. Is there anything partisan in that? Is there any politics in that? Yes; the politics consists in this, that the present administration, in naming the enumerators in these precincts, will thereby control the state convention, and it is not only partisan politics, but it is factional politics within partisan politics. [Applause on the Democratic side.] By that means the delegations in the national convention from the Southern States will be controlled through the Census Bureau in the appointments of these enumerators in the little districts or in the small precincts where there is a Democratic supervisor; and that is about the only political use the administration could possibly make of the census appointments there.

Mr. SLAYDEN. Mr. Chairman, I would like to ask my colleague whether he knows that the referee in Texas is the man who makes all the appointments, and if the referee is or is not in charge of the Republican machinery and sees that it is oiled and keep going?

Mr. HARDY. Mr. Chairman, my understanding is that that question suggests its true answer, which is that the referee (that is the title by which he is generally designated) distributes all the official pie controlled by the federal administration. As to the census, special presidential agents I suppose you might call them, have to appoint these little precinct enumerators. For my district, and I presume for the whole State, there are two of them—one at Paris, 100 miles north of my district, and the other at Houston, 50 miles south. Now, why in the name of God the administration would want to tell the supervisor of my district to go down to Houston to get advice about who to appoint enumerators, and then to go up to Paris to get the name of another man to tell him whom he should appoint in these districts down in the river bottom, where there are few people, except negroes, I can not see, unless it be for this reason, that the state convention when it meets to send delegates to your Republican convention will be dominated from the Census Bureau appointments, and these two agents, one at Paris and the other at Houston, are holding the reins and driving the team of the political wagon. Of course, that may not be partisanship. The supervisor in my district is a Democrat and is instructed to eschew politics when he is in office, and I have advised him to do it, but somebody higher than he is not eschewing politics. Somebody higher than the supervisor of the census in my district is playing politics with the census taking in the State of Texas and all through the South.

Now, I do not know how many votes in the Republican convention will come up from south of Mason and Dixon's old line, but every one of them in my State comes under the leading string of the distributors of the spoils, and I have thought there ought to be another office created in the United States, and that office ought to be advisor for the Republican party in States and districts where it has nobody living that can advise it. The office referred to by my friend from Texas [Mr. SLAYDEN] is not named by the Constitution or laws, but is known as "referee." [Applause and laughter on the Democratic side.] My district seems to be in that attitude. We have nobody in the district that can advise them, but there is a man at Houston and another man at Paris who can advise about this matter.

In further reply to my colleague [Mr. SLAYDEN], I will say that when the present administration first came in the newspapers were full of the idea of a new deal for the South. Her people were to have voice in the filling of the little local federal offices. The President himself, in his inaugural address, seemed to hold out this hope. But—

Oh, ever thus, from childhood's hour,  
I've seen my fondest hopes decay.

Time passes, a little time and we find the same old referee doing business at the same old stand in Texas; the same spoils and pie system. The officiousness of these agents in these census matters is in no way different from that of the referee in connection with all other federal offices in Texas and, I presume, in the whole South. Our fathers, the Constitution builders, forgot to provide for the referee, his title or emoluments, but he is the most important Republican functionary in the South. No federal officer is appointed till he nods his head in approval.

It seems the President and postal authorities here at the seat of government have surrendered their right to appoint collectors of customs and internal revenue and postmasters of all classes to the referee, who can not know local conditions throughout a great State like Texas. Yet a man who resides on the Red River, in extreme north Texas, absolutely appoints every small postmaster, even as far south as Cameron County, on the Gulf of Mexico. The reason of his being is not hard to find. An election approaches and delegates must be chosen. The southern delegates to Republican national conventions are usually influenced by two things—federal office and cold cash. The referee is the dispenser of these favors. He is the gatherer in chief of delegates.

I think it is not unlikely that the fact that he is useful in this way accounts for the failure of the President to redeem the promise made in his Georgia speech that he would abolish this iniquitous, offensive, and extra-legal functionary. The gentleman from Illinois [Mr. MADDEN] and the gentleman from Ohio [Mr. KERFER] may sing and have sung the glories of the present nonpartisan administration, but who will sing the glories of the referee? The carpet-bag days are gone, but a rose by another name smells just as sweet. Georgia hung enraptured over the words of the President in 1909, but let those who will take a sniff at the rose, the referee.

Mr. UNDERWOOD. Mr. Chairman, I ask unanimous consent that general debate may be now closed and we may proceed with the reading of the bill.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read.

The Clerk proceeded with the reading of the bill.

Mr. CAMPBELL. Mr. Chairman, I offer the following amendment on line 11 to the paragraph just read.

Mr. CRUMPACKER. Mr. Chairman, I desire to suggest this is all one section and that the gentleman had better withhold his amendment until the section has been read. The gentleman's amendment is an amendment to section 8 of the original act.

The CHAIRMAN. The Clerk will proceed with the reading, as the bill is in one section.

Mr. CAMPBELL. Then I will offer my amendment at the close of the reading of the bill.

The CHAIRMAN. The Chair will recognize the gentleman at the proper time.

The Clerk proceeded with and finished the reading of the bill.

Mr. CAMPBELL. Mr. Chairman, I now offer the amendment which I have sent to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kansas.

The Clerk read as follows:

After line 11, on page 3, insert:  
"And to collect authoritative statistics relating to farmers' mutual insurance companies, showing the amount of such insurance and the insurance results accomplished."

Mr. CRUMPACKER. Mr. Chairman, I desire to reserve the point of order against the amendment.

Mr. CAMPBELL. Mr. Chairman, I do not care to discuss the point of order just now, although I do not think the amendment is subject to the point of order; but I want to refer to the merits of the amendment and ask the Clerk to read some resolutions in support of it. There are many mutual insurance companies engaged in carrying insurance among the farmers, insuring stock, insuring houses, barns, and grain; in fact, insuring practically everything connected with the farm. A similar line of mutual insurance is carried by mutual insurance companies in the cities, and I think that it may be of interest to the country that this decennial census should ascer-

tain the amount and success of that insurance, so that the country may know the facts as to the cost of the insurance and if it is a safe insurance. Now, Mr. Chairman, I ask unanimous consent to have read in my time that portion of this letter inclosed with pencil marks, which includes the resolutions adopted by the Farmers' Mutual Insurance Association, of Columbus, Kans., at its last annual meeting.

The CHAIRMAN. The Clerk will read the article referred to in the time of the gentleman from Kansas.

Mr. CAMPBELL. These resolutions, I will state, were adopted by the Farmers' Mutual Insurance Association in southeastern Kansas, at Columbus, Kans., recently, and sent to me by the secretary of that association, Mr. G. W. Snyder.

The Clerk read as follows:

At its last annual meeting the Farmers' Mutual Insurance Association, of Columbus, Kans., an organization of farmers of southeast Kansas, adopted the following resolutions:

"Whereas authoritative statistics are very desirable showing results accomplished by farmers' mutual insurance companies; and

"Whereas the Director of the Census declares that there is a lack of authority in his department to make such a compilation, but that Congress will be asked for such authority: Therefore be it

*Resolved*, That our Representative in Congress and both our United States Senators be instructed and requested to give their full support to such legislation as will enable or direct the Director of the Census to make a full compilation of such statistics at the coming enumeration of census of farmers' mutual insurance companies and other farmers' cooperative associations; and it is further

*Resolved*, That our secretary be instructed to send a copy of these resolutions to our Congressman and both our United States Senators."

Mr. CAMPBELL. These resolutions indicate the necessity for information among the farmers as to the extent and effect of that class of insurance. Where associations are engaged in that sort of business it seems to me that it is wise to enumerate the number of insurance companies of that character, the amount of insurance carried, the losses paid, and the cost to the insurer, and to get such other information as the Director of the Census should deem proper in regard to the amount and the nature of the business of that class of insurance. I hope the gentleman from Indiana will not make the point of order, although I do not think the amendment is subject to the point of order. It is germane to this bill, and the bill itself is an amendment to the law authorizing the Thirteenth Decennial Census. The amendment I propose simply enlarges the scope of the work proposed by the bill.

Mr. CRUMPACKER. If the Chair desires to hear anything on the point of order, I would like to submit a few suggestions.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. CRUMPACKER. In the first place, this bill is a bill to amend section 8 of the original census act. The Chair takes notice of what the law is. All that is new in the bill is the proviso about the middle of page 4, and that is the only thing that is new in the bill; the other is law which is already existing, which the Chair is bound to take official notice of, so that really all that is before the Chair now is this proviso. In the second place, the proposition is not germane. The section deals with population, agriculture, mines, and mining, and the amendment offered by the gentleman from Kansas relates to insurance—altogether a different subject. Insurance has no relation to agriculture, it has no relation to agriculture necessarily, and it is no part of manufactures, it is no part of mining, it is a totally different enterprise. Now, so much for the point of order. I have some observations to submit upon the merits of the question when the point of order has been disposed of.

The CHAIRMAN. The Chair is ready to rule. The Chair is of the opinion that section 8 of the census law being presented here for amendment, the entire section is before the Committee of the Whole, being a part of the text of the bill as presented here for consideration. That being so, the matter of insurance is only adding another phase to the inquiries already provided for in the bill, to wit, population, agriculture, manufacture, and mining, and is no more foreign, for instance, to population than agriculture is to population, or manufacture is to population. So the Chair is of the opinion that it is germane to section 8 of the census law, which is presented here for consideration. Therefore, the point of order is overruled.

Mr. CRUMPACKER. Mr. Chairman, I want to say a few words to the committee on the pending proposition. It is an exceedingly dangerous thing to propose a piece of legislation in relation to the census for consideration at this time on account of the liability of having all kinds of amendments hooked onto it. The permanent Census Office is charged with the duty of investigating the subject of insurance—the various kinds of insurance, fire, life, and, I think, casualty insurance. That

office does that work during the interim between the decennial censuses.

Mr. CAMPBELL. Will the gentleman yield just there?

Mr. CRUMPACKER. I will yield.

Mr. CAMPBELL. That was the opinion of the Farmers' Mutual Insurance Company, of southeastern Kansas. They requested the Director of the Census to make an enumeration of the mutual insurance companies among farmers in the country, and he informed them that he had neither the authority or the money to make an enumeration of such companies as were indicated in the request.

Mr. CRUMPACKER. I do not know what requests were made or what information was given, but I do know that the Director of the Census several years ago made an investigation of the general subject of insurance, and if any amendment of the law is to be made at all, if the authority does not cover mutual fire insurance, there ought to be an amendment to the permanent census law and not to this. Now, gentlemen, I want to impress upon you this proposition. The decennial census was carefully limited to four principal inquiries, namely, population, agriculture, manufacture, and mining. Why? Because they were the most important subjects among all the rest, and it was deemed of vital importance to so limit and circumscribe the duty and the requirements of the Census Office, so that these investigations could be made with accuracy and dispatch and the report given to the public by the 1st day of July, 1912. Numerous meritorious projects have been submitted to the committee, and if they were all embodied in the bill it would practically break down the work. The work would be protracted to such an extent that the reports could not be prepared, tabulated, and published until they had largely lost their current value.

The office has everything it can do now. It can not take on any additional work and carry on these great investigations and be expected to give the public the results of the investigations while they are fresh. Now, that is the chief objection to this amendment. This investigation in relation to mutual insurance could be made, if it is to be made at all, in connection with the general investigation of the subject of insurance. It can not be made by the enumerators, it can not be made in connection with the population schedule, with the agricultural schedule, the manufacturing schedule, or the mining schedule. It will involve the creation of an additional division or bureau in the office. Nobody knows how much it will cost nor how long it will take.

Now, I ask, gentlemen, to let it go over until we have gotten through with this gigantic undertaking that is already on the shoulders of the Director of the Census. Let us finish the four principal inquiries, do that right, and give the country reports while they are fresh, and then take up the mutual insurance and other things that may be deemed of sufficient importance to justify additional legislation.

Mr. CAMPBELL. Mr. Chairman, nothing that has been said convinces me that it is either inexpedient or unwise to agree to the amendment proposed to this bill. If we should wait until a law is specially enacted to make an enumeration of mutual insurance companies, we shall probably have no such law. It is important, because, as stated a moment ago, there are many of these mutual insurance companies throughout the country now doing business. What the farmers want to know is how the business is carried on, the extent to which it is carried on, and the success with which it is carried on, so that they can determine the wisdom of availing themselves of that class of insurance.

Mr. GOULDEN. I would like to ask the gentleman from Kansas if there should not be included an investigation of regular insurance of all the various classes?

Mr. CAMPBELL. I am informed that the Director of the Census does that now, but claims he has no authority to include mutual insurance companies.

Mr. GOULDEN. I do not see any reason why they should not be compelled to give that information. They are conducting business on purely insurance lines, and they ought to be included with the others.

Mr. CAMPBELL. I think the observations of the gentleman from New York are entirely correct. I think they ought to be; but, unfortunately for this branch of insurance, they have not been enumerated. The extent to which insurance of that kind has been carried on has not been made known.

Mr. GOULDEN. How much would it add to the expense, probably, to take that census?

Mr. CAMPBELL. Oh, it ought not to add much.

Mr. GOULDEN. How much would it add to the burden of the work of the Census Bureau?

Mr. CAMPBELL. Very little. There is but one insurance company of this kind in four or five or perhaps a dozen counties. It ought not to take the enumerator long—

Mr. GOULDEN. Of course, the gentleman is aware that there are a large number of these companies?

Mr. CAMPBELL (continuing). To make an enumeration of a congressional district. I say that the supervisor in every congressional district ought to be able by one day's work of a competent man to find out how much insurance is carried, how many members there are in the association, how many losses there were, and whether or not the losses have been met, and the cost to the insurer in each instance.

Mr. GOULDEN. I would like to ask the gentleman if that information can not now be obtained by reference to the reports of the state insurance commissioners?

Mr. CAMPBELL. They ought to be able to secure it in that way, but in many instances it is not available in the state insurance departments. The success of this class of insurance in Kansas can not be known in New York except by obtaining the reports of the insurance commissioner of that State, and the farmers in New York may have mutual insurance associations which are a success in New York, and we know nothing about it in Kansas. It would be a benefit to the farmers in both States to know these facts.

Mr. GOULDEN. All these insurance companies report to the commissioner of insurance in New York.

Mr. CAMPBELL. They may report to the insurance commissioner in New York, but the reports are not usually available to the farmers in Kansas, Iowa, or Arkansas.

Mr. GOULDEN. They can be obtained very readily.

Mr. CAMPBELL. I have no doubt; and so can many other things, if one goes to the trouble; but if that information was collated, as contemplated by this amendment, then the information would be available to everybody in all sections of the country, with but little trouble.

Mr. CRUMPACKER. Will the gentleman allow me to ask, What value are these statistics? I am a member of a farmers' mutual insurance company in my own county, and we do not care a continental what the companies in other counties or in other States or districts are doing. We know what our insurance costs, and we contribute toward the payment. We do not know what benefit it would be to know what it is costing elsewhere.

Mr. CAMPBELL. I will tell you what benefit you obtain from it. Do you think that you are getting this insurance cheaper than other insurance?

Mr. CRUMPACKER. We think so.

Mr. CAMPBELL. But there are other counties in Indiana that do not have that kind of insurance and do not know anything about how successful it is in your county.

Mr. CRUMPACKER. Do not assume anything of that kind.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. CAMPBELL. I ask for two minutes more.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that he may proceed for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. CAMPBELL. Mr. Chairman, if the society or association to which the gentleman from Indiana belongs is a success, it would be an inducement to the farmers in Wyoming or in Arkansas or in Kansas to organize a similar society. If they do have losses, and it costs less to the insurer, we ought to know it out in Kansas, and we can only know that by having just the kind of a report made that is contemplated by the amendment I have proposed. I am as anxious as the gentleman from Indiana that the branches proposed to be covered in the taking of the census should be concluded as speedily as possible, and I do not fear the work proposed would delay reports on the principal work to be undertaken. I therefore urge that the amendment be agreed to.

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

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

Mr. CAMPBELL. Division, Mr. Chairman.

The committee divided; and there were—ayes 23, yeas 41.

So the amendment was rejected.

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

The Clerk read as follows:

After the word "farm," in line 3, page 3, insert "the acreage of land under irrigation."

Mr. MONDELL. Mr. Chairman, I do not desire to burden the taking of the census with any unnecessary or unimportant features, neither do I think it would be wise to provide for new

additional inquiries that would consume any considerable amount of time on the part of the enumerators.

But I call the attention of the committee to the fact that we provide, among other things, that the enumerators shall inquire as to the acreage of woodland on the farms. While that inquiry is being made inquiry can also be made without any considerable loss of time as to the amount of land on the farm, if any, that is under irrigation. It would not be necessary even to have all of the schedules carry this provision. Only those schedules which are distributed and used in the arid region need contain this provision if it is not deemed wise to have all of the schedules carry it. It is an important inquiry. The Government is engaged in irrigation. Private enterprise is engaged in irrigation. It is important that we should know how much irrigated land there is in this country; I think quite as important, perhaps, as that we should know how much woodland there is in the country. It is no more difficult to secure this information than it is to secure information as to the size of the farm or as to the amount of the farm which is timbered. It simply provides one additional question which can be readily answered, and which will give all the country information of very great value.

Mr. CRUMPACKER. I received a communication from the Director of the Census this morning upon the subject of irrigation and irrigation establishments, and he said that the schedules already prepared required a census of the acreage of irrigated land. I have no objection to that provision going in the bill. We are already doing the work. It is not specifically provided in the law, but the director notified me this morning that the schedules already include that investigation.

Mr. MONDELL. In that case I am sure the committee will agree that the power ought to be specifically given to authorize the bureau to do what they contemplate doing.

Mr. CRUMPACKER. I have no objection to the amendment. Mr. POINDEXTER. Mr. Chairman, I offer a substitute for the amendment offered by the gentleman from Wyoming. It just goes a little further.

The CHAIRMAN. The Chair will state that that would be an amendment in the third degree, and therefore not in order. The gentleman from Wyoming will proceed.

Mr. MONDELL. Mr. Chairman, as there seems to be no objection to my amendment, I call for a vote on it.

The question being taken on the amendment of Mr. MONDELL, it was agreed to.

Mr. MONDELL. Mr. Chairman, I now offer the following amendment.

The Clerk read as follows:

At the end of line 24, page 3, insert:  
"Inquiry shall also be made as to the location and character of irrigation enterprises."

Mr. MONDELL. Mr. Chairman, I think perhaps it is not necessary to discuss this amendment at any length, owing to the fact that the chairman of the committee has suggested that the Director of the Census proposes to make this kind of inquiry; but it seems to me that it is important, if that be the fact, that he be authorized specifically by law to make it.

I call the attention of the committee to the fact that this is an amendment to the paragraph that provides that inquiry shall be made with regard to manufactures, mines, quarries, and so forth. There is a very considerable portion of the country in which there are a very few manufacturing industries, very few quarries, very few mines, and where the most important industry is that of irrigation. It is important not only that we should know the acreage under irrigation, which information we shall obtain through the amendment already adopted, but that inquiries be made as to the irrigation enterprises, their character, number, and location; and this inquiry can be made with but very little additional time or expense.

I doubt if it will add a penny to the expense of the taking of the census, because the same schedules which make the inquiries with regard to manufactures in a manufacturing district, in regard to mines in a mining district, in regard to quarries, will also provide for the information as to irrigation enterprises.

These irrigation enterprises are not very numerous; still it is important that we should know where they are, how they are conducted, who owns them, and generally the information in regard to them that we will have in regard to other industrial enterprises. It is important from the fact that, the Government being engaged in the work of irrigation, we should have information as to the projects with which the Government is not connected in order that we may compare the different projects as to their size and importance and as to the progress they are making. The plan of their operation and ownership, whether

corporate, cooperative, or individual, also capitalization, cost of operation, and so forth.

Mr. CRUMPACKER. Mr. Chairman, the amendment submitted by the gentleman from Wyoming covers all irrigation plans and enterprises, big and little. I do not know how many there may be. I suppose that if some fellow with a shovel should dig an irrigation ditch from a river, or stream, or a natural body of water and take the water down to irrigate a garden or 40-acre farm, that would have to be investigated. I have no doubt the Federal Government keeps accurate statistics concerning all federal irrigation plants. The state government, I have no doubt, has accurate statistics respecting all state plants, but this is an uncertain field of investigating private irrigation schemes. I think it is of doubtful propriety, and I do not understand what particular benefit there can be in it.

The law will require the Director of the Census to take a census of the irrigated lands and the States in which they are located. Is not that all that is of any particular importance taking in connection with the federal plants and records that show correctly the capacity, and the state plants? Why is it necessary now to load up the Thirteenth Census with a subject like this that is altogether foreign at least from the four principal subjects of investigation that are to make up the decennial census? I do not think the amendment ought to be agreed to.

Mr. STEPHENS of Texas. May I ask the gentleman a question?

Mr. CRUMPACKER. I will yield to the gentleman.

Mr. STEPHENS of Texas. Is it not a fact that the Reclamation Service itself provides for making reports to Congress, and would not those reports be much better?

Mr. CRUMPACKER. Yes; and there ought not to be two reports by the Director of the Census; he ought not to be required to make an investigation of the Reclamation Service of federal irrigation plants and the state service, and then make duplicate reports. I think that is a very forcible argument.

Mr. MONDELL. The gentleman understands, of course, that the report made by the Reclamation Service only applies to federal irrigation and it does not apply to private projects.

Mr. STEPHENS of Texas. The gentleman from Indiana informs us that under the law as it now is the private plants can be reported.

Mr. CRUMPACKER. The acreage of the land irrigated is to be reported under the census as it now is.

Mr. STEPHENS of Texas. And I think that is sufficient.

Mr. MARTIN of Colorado rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. MARTIN of Colorado. I rise to support the amendment.

The CHAIRMAN. Debate on this amendment is exhausted.

Mr. MARTIN of Colorado. I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that he may proceed for five minutes. Is there objection?

There was no objection.

Mr. MARTIN of Colorado. Mr. Chairman, I am glad to support the amendment offered by the gentleman from Wyoming [Mr. MONDELL], because it authorizes the Census Bureau to make inquiries concerning the most important line of work in the United States concerning which no statistics are obtainable through the medium of the census. Practically one-half of the total area of the United States to-day depends for its very existence upon irrigation, so that there can be absolutely no question regarding the great importance of this branch of inquiry; and yet there is nowhere any compilation or compendium of statistics to which reference can be had to determine the magnitude and value of this institution and to determine the location of water and lands for the encouragement of settlement throughout the irrigated region.

I want to say that this is not a new subject sprung upon the Census Committee at this time, as has been objected to other amendments. This is a subject concerning which western Representatives, at the instance of their people, have been in correspondence and personal contact with the Director of the Census for some months. I myself have had several personal interviews with the Director of the Census, and I have interviewed the Director of the Reclamation Service. I went before the Committee on the Census with substantially the same amendment as is now offered by the gentleman from Wyoming, and at the suggestion of the committee I introduced in this House a joint resolution for the purpose of having the director make this line of inquiry, the committee having sug-

gested that perhaps it would be better to proceed in that way than to attempt to amend this act.

The Director of the Census admits the great importance of this line of inquiry, but is of the opinion that he is not authorized to undertake it unless he is directed by Congress so to do. The schedules as they are now framed provide for ascertaining the acreage irrigated, the kind of crop grown, the quantity and value of the crop, and that is as far as the inquiry goes. What we want, gentlemen, is information concerning the plants which irrigate this land. We want to know the names of the irrigation enterprises; we want to know the location; we want to know their character and value, and all information of that nature.

Millions of dollars have been invested in irrigation enterprises throughout the West, while other millions are seeking investment. Investors ought to be furnished information and encouragement by a definite showing, officially made, as to the magnitude and merit of the interest into which their money is going; and I undertake to say that no greater stimulus could be given this beneficent, but profitable, work than a concise and complete tabulation by the Government showing the name, location, character, and value of the great network of irrigation systems upon and along the streams of the West. Let investors see the basis of their investments and let home seekers learn where and for what land and water are to be had. In no other way can the country be more thoroughly impressed with the great present and greater future value of this institution.

I want to say further that this amendment is introduced at the express request of the board of governors and the board of control of the National Irrigation Congress, a body which was the father of the Reclamation Service in this country and practically of all our western irrigation laws, including the work that is now being done by the Government to reclaim these arid lands; and which now endeavors to supply the desired information by an annual publication gotten out at its own expense and, therefore, necessarily limited—in fact, inconsiderable from every standpoint as compared with a national census publication. This board of governors and board of control have specially requested me, by reason of the fact that I happen to be the chairman of the legislative committee of the National Irrigation Congress, to undertake to secure this amendment, to the end that as speedily as possible this information shall be secured.

I will say further that this is not a temporary work. It was suggested to me by some gentlemen on the Census Committee that one reason this amendment should not be incorporated in the census act was because it was only temporary in character, but that is obviously a very mistaken view. It is of great magnitude now, but it will be of greater magnitude ten years hence, and still greater twenty years hence, growing forever with the growth of the West. People talk about the importance of the mining interest, and it is important, but I want to say that in the State of Colorado, which is recognized as the greatest mining State in the United States, the agricultural interests this past year were two or three times in excess of the value of the mining interests. In other words, the value of our mining output amounted to some fifty millions of dollars, while the value of the crop output exceeded one hundred millions. This great showing being almost wholly due to irrigation. Now, that condition does not apply alone to that State, but it applies to every State west of the one hundredth meridian.

Such facts as these ought to enable Members to determine at a glance and without further argument the great importance of collecting some information with reference to this institution.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GREEN of Massachusetts having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 19548. An act prescribing certain provisions and conditions under which bonds and certificates of indebtedness of the United States may be issued, and for other purposes.

#### CENSUS.

The committee resumed its session.

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

The question was taken; and on a division (demanded by Mr. CRUMPACKER), there were—ayes 45, noes 45.

Mr. MONDELL. Mr. Chairman, I demand tellers.

Tellers were ordered, and Mr. MONDELL and Mr. CRUMPACKER took their places as tellers.

The committee again divided, and the tellers reported—ayes 82, noes 63

So the amendment was agreed to.

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

The Clerk read as follows:

At the end of page 3 insert:

"That if any person or persons employed in the taking of this census, or who shall be charged with the responsibility of taking the same, shall knowingly falsify, or shall cause or permit to be falsified, any schedule or return, such person or persons shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not to exceed \$1,000."

Mr. HAMLIN. Mr. Chairman, I think there will be no serious objection to this amendment if I may have the attention of the committee for a moment. I assume, and I have the right to assume, that every Member of this House wants a complete, fair, and honest census. There is a provision in the general law now making it a misdemeanor for any enumerator to falsify any reports that he makes, but there is nothing in the existing law that makes it a penalty or a crime, after that list reaches the Census Office, if it should be changed there in any way when it is being tabulated. No penalty is provided for the punishment of anyone who may be guilty of that offense. This amendment seeks only to make it a crime for anyone in the Census Office tabulating, or having in charge the tabulation, of these returns to falsify them or permit them to be falsified. I do not care to make any speech, but I only make that explanation. That is the purpose of the amendment.

Mr. CRUMPACKER. Mr. Chairman, I would like to have the amendment again read.

The CHAIRMAN. Without objection, the amendment will be read in the time of the gentleman from Indiana.

There was no objection, and the Clerk again reported the amendment.

Mr. CRUMPACKER. Mr. Chairman, that is all covered by law. There are numerous general statutes that prevent the falsifying of official or public records and reports, and my impression is it is covered in the census law. I have not had time to examine it critically.

Mr. HAMLIN. Mr. Chairman, if the gentleman will permit, the only section in the census law that could by any possibility cover it is section 22, and I think a careful reading of that section by the gentleman will convince him that it does not cover this alleged offense.

Mr. CRUMPACKER. Well, does not the gentleman know that there are federal statutes, penal statutes, that make it a crime for any officer or person employed in a public capacity to falsify any report or any record of any kind or character, which probably carry a heavier penalty than the gentleman seeks to impose?

Mr. HAMLIN. That might be construed to apply only to official records.

Mr. CRUMPACKER. Well, these are official records.

Mr. HAMLIN. Well, not necessarily.

Mr. CRUMPACKER. Here is what section 22 provides in addition to other provisions:

If he shall willfully and knowingly make a false certificate or a fictitious return and report he shall be guilty of a misdemeanor, and on conviction—

And so forth.

Mr. HAMLIN. I submit, and I think the House will agree with me, that does not cover the point that is sought to be covered by this amendment.

Let me illustrate. Suppose the returns made by the enumerators show that only a certain per cent, say 50 per cent, of the people of this country own farms, and for a certain purpose the Census Office concludes it would make a better showing if the returns showed that 60 per cent owned their own farms, and in order to make this showing an order should be issued that in tabulating these reports, if the reports as actually filed do not show 60 per cent of the people of this country as farm owners, then they should be changed so that they will show that number. Then there ought to be a penalty imposed upon anybody who issued the order or made the change falsifying those returns.

Mr. CRUMPACKER. If the law does not already cover this sort of public misconduct, I am greatly mistaken. It can not be possible that this Government has gone along until this time without providing against official corruption of that character. I think this is one of those amendments that has originated in the excitement and superheated condition of the other side of the House this afternoon, so that gentlemen's imaginations were abnormally active, and they saw all manner of things in the nature of political bugaboos. Now, I think when the gentleman's head gets cool—and I do not speak with any sort of disparagement or disrespect—he will reach the conclusion that we have plenty of law to take care of all these things.

The CHAIRMAN. Debate on this subject has closed.

Mr. McCALL. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. McCALL. I move to strike out the last word.

The CHAIRMAN. That is an amendment in the third degree, and is not in order. The question is on agreeing to the amendment offered by the gentleman from Missouri.

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

On a division (demanded by Mr. HAMLIN) there were—ayes 53, yeas 78.

Mr. HAMLIN. Tellers, Mr. Chairman.

Tellers were ordered.

The committee again divided, and the tellers (Mr. CRUMPACKER and Mr. HAMLIN) reported that there were—ayes 69, yeas 82.

So the amendment was rejected.

Mr. POINDEXTER. Mr. Chairman, I offer the amendment which has been sent to the Clerk's desk, and I ask to have it read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Insert at the close of line 11, on page 73:

"It shall also include the number of acres irrigated during the last calendar year, the value and kind of crops raised on such irrigated lands during said year, the amount of water used per acre thereon during said year for irrigation, and whether said water was obtained from state, national, or private works."

Mr. POINDEXTER. Mr. Chairman, this amendment would simply provide for some additional information in regard to the irrigation in addition to that which is provided for by the amendment which has been just adopted. It could be obtained at the same time without any additional expense and would give information, in my judgment, of great value to the census upon the subject of irrigation.

The mere number of acres which are irrigated is rather a barren and unenlightening statement unless we know the value of the crop produced upon that land and the kind of crops produced upon it, and it would also be of immense value to the science and art of irrigation to know the amount of water with which these crops were produced. This amendment also would provide information as to whether this water was obtained from national, state, or private irrigation works. The enumerators in taking this census are required to ask a number of questions, or, at least, they will ask a number of questions, of every man engaged in agriculture. They have all the blanks prepared, and it will take an insignificant addition of time and expense to acquire this great information over what would be expended without it.

In the western country in the last few years millions of acres of land which supported no population at all, which was absolutely a desert so far as the support of human habitation was concerned, has been converted into the most thickly settled, the most populous agricultural region on the face of the earth. It has become the great paramount industrial and agricultural question of the West, and I say that it will be a reflection upon this great Government to take a census this year and not include in it information which would fully enlighten the people in regard to the progress of this great work and the result of it.

The information called for by this amendment is the number of acres irrigated, the kind and value of crops produced thereon, the amount of water per acre used and the sources from which that water is obtained, as to whether it is national, state, or private works. Now, that information being obtainable at an insignificant additional cost, it is obvious, I think, to the gentlemen of this House that the value to the entire people of this country—not only to the West, because the East is just as much interested in providing homes for its surplus population in the West as we are interested in building up prosperous agricultural communities there—would be very great.

I submit, Mr. Chairman, that it is along the same line as those amendments which have been approved by the House this afternoon. It gives additional information which would make a complete and enlightening return upon the state of irrigation in this country.

Mr. CRUMPACKER. Mr. Chairman, I move that all debate on the pending section and amendments thereto be closed in five minutes.

The CHAIRMAN. Only one section?

Mr. CRUMPACKER. Only one section. I move all debate be closed on this section and all amendments thereto in five minutes.

Mr. HARRISON. Will not the gentleman modify his resolution so as to allow us five minutes? We each have an amendment, and have been sitting here all day waiting our turn.

Mr. BOOHER. I would like to offer an amendment, Mr. Chairman.

The CHAIRMAN. The question is on the motion that debate on this section and all amendments thereto shall close in five minutes.

Mr. CLARK of Missouri. I would suggest to the gentleman from Indiana [Mr. CRUMPACKER] that he make it ten minutes, and that these gentlemen have the time.

Mr. CRUMPACKER. Mr. Chairman, I will modify my request so as to fix the limit to ten minutes. Therefore, I move that all debate on the section and all amendments thereto be closed in ten minutes.

The CHAIRMAN. The question is on the motion of the gentleman from Indiana.

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

Mr. BOOHER. Mr. Chairman, I desire to offer an amendment now.

The CHAIRMAN. There is an amendment pending, the amendment of the gentleman from Washington [Mr. POINDEXTER].

Mr. CRUMPACKER. Mr. Chairman, I desire to submit a few words upon the amendment submitted by the gentleman from Washington to the effect that the amendment, except for the quantity and volume of water, is already covered by the law and the amendment submitted by the gentleman from Wyoming [Mr. MONDELL].

Mr. POINDEXTER. The gentleman is mistaken.

Mr. CRUMPACKER. I am sure I am not. The gentleman's amendment provides for the value of crops. That is in the law, as is also the acreage of the crops.

Mr. POINDEXTER. Will the gentleman allow me to interrupt him? The point is not the value of the crops raised upon the farms, but the value of the crops raised upon the irrigated land.

Mr. CRUMPACKER. That is the provision of the law.

Mr. POINDEXTER. There is no provision in the law for that at all.

Mr. CRUMPACKER. The law provides for the value of crops on all lands that are irrigated, as well as other kinds, and the director is preparing blanks for that purpose, and every schedule will show, in the semiarid region, whether the land is irrigated land or not. If it is, it will give the value of the crop, the quantity of it, and everything except the provision about securing information respecting the quantity of water that may be used.

I submit that we have gone far enough upon the irrigation project, and for information that can be obtained from the Federal Government and from the state governments. I ask now for a vote.

Mr. POINDEXTER. Will the gentleman allow me to ask him one question? I would like him to point out in the law any provision whereby the value of crops raised upon irrigated lands is to be had not commingled with those raised upon nonirrigated land, is provided outside of this amendment?

Mr. CRUMPACKER. There is no such provision in relation to clay lands or sand lands or any other kind of lands, but there is specific information upon the subject of irrigation, and the schedules are prepared to find the area of irrigated lands in the country.

Mr. POINDEXTER. That was adopted this afternoon?

Mr. CRUMPACKER. Those provisions are already in the schedule.

Mr. POINDEXTER. In the schedule, but not in the law.

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

The question was taken, and the Chairman announced that the yeas seemed to have it.

Mr. POINDEXTER. I ask for a division.

The committee divided, and there were—ayes 28, yeas 56.

Mr. POINDEXTER. Mr. Chairman, I ask for tellers.

The question was taken on ordering tellers.

The CHAIRMAN. Not a sufficient number; tellers are refused, and the amendment is rejected.

Mr. BOOHER. Mr. Chairman, I desire to offer the following amendment.

The Clerk read as follows:

That whoever, being a census enumerator, or other person employed in taking the Thirteenth Decennial Census of the United States, shall ask any question of any person of whom he is obtaining information respecting the census, as to his political affiliations or sentiments, or of the political affiliations or sentiments of others, or shall make known to anyone such information acquired by him in connection with his work as such census enumerator or other census employee, shall be fined not more than \$1,000.

Mr. BOOHER. Mr. Chairman, this is the amendment that I gave notice some time ago that I would offer, with one change,



after consultation with Members on both sides of the Chamber; the change is striking out the imprisonment penalty. I do not desire to discuss this measure any further. It was fully discussed this morning. The reason for offering this amendment is well known to every Member of this House, and I am not going into it again. I want as much as anybody does a thoroughly nonpolitical and nonpartisan census taken. I do not want anybody to be employed in the taking of the census who shall gather the kind of information that my distinguished colleague from Missouri in his letter read this morning requested should be gathered and disseminated for the benefit of the Republican party. If the political parties of this country want to have a poll of the voters of this country, let the political parties of this country pay for that poll, and not take it out of the pockets of the people. [Applause on the Democratic side.] Let us have a nonpartisan census in fact as well as name. I hope this amendment will be adopted.

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

The question was taken, and the chairman announced that the noes seemed to have it.

Mr. BOOHER and Mr. CLARK of Missouri. Division!

The committee divided; and there were—ayes 64, noes 75.

Mr. BOOHER. Tellers, Mr. Chairman.

Tellers were ordered.

The CHAIRMAN. The gentleman from Missouri [Mr. BOOHER] and the gentleman from Indiana [Mr. CRUMPACKER] will take their places as tellers.

The committee again divided; and the tellers reported—ayes 84, noes 85.

So the amendment was rejected.

Mr. CRUMPACKER. Mr. Chairman, I move that the committee's amendment as amended be now agreed to.

The CHAIRMAN. The gentleman from Indiana moves that the amendment in the nature of a substitute be now agreed to.

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

Mr. CRUMPACKER. I move that the committee do now rise.

Mr. HARDY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. BENNET of New York. Mr. Chairman, in connection with the census the enormous growth of the city of New York is of interest. Nothing connected with our city has grown more than our postal system, and I take pleasure, therefore, in presenting a review of it prepared by the postmaster of New York, Hon. E. M. Morgan, who has been thirty-eight years in the service, rising by merit from letter carrier to postmaster of the largest city in the Nation:

*Address of Hon. Edward M. Morgan, postmaster of New York, at a meeting held on the evening of November 19, 1909, at 8 o'clock, at the Fourth Presbyterian Church, New York City.*

TOPIC—"POSTAL SERVICE IN NEW YORK."

At our meeting of November 19, 1909, after the transaction of regular business, the president introduced the speaker as follows:

Postmaster Morgan represents our highest type of public official. He has come to us to-night to tell us something about the post-office and his work, of which we are every day beneficiaries. Having entered the employ as a carrier, he has risen, through faithful service, to be the head of that office, the largest in our country. His advancement speaks well for our civil service. It is my great pleasure to introduce to you Postmaster Morgan, whose topic will be "Postal Service in New York."

*Mr. President, and gentlemen of the Fourth Presbyterian Church Brotherhood:*

When Mr. Jones asked me to come and talk to you to-night he suggested that I speak for from a half to three-quarters of an hour. I fear I shall have difficulty in interesting you that long. I shall be obliged to refer at times to my notes, because it will be impossible to give you an adequate idea of the service without using figures, and large ones at that.

My talk to you to-night will be on the post-office and its business, and I know of no subject that should prove of greater interest, for the post-office comes in closer touch with our daily life than possibly any other institution, public or private. Between us and our friends, near and distant, it is a welcome link, and the visits of the letter carrier are looked forward to as expectantly to-day as in the olden time when, as a post rider, booted and spurred, he galloped along the high-ways.

Of our local post-office we are all more or less proud, and my talk will be confined to its phenomenal rise from the smallest of beginnings. The post-office played but a minor part in the early affairs of New Amsterdam. For many years after the consummation of the greatest real estate deal on record, which secured from the Indians the whole island of Manhattan for \$24, most of the slight correspondence that was carried on was forwarded in the care of chance travelers or mutual friends of the correspondents. Later, the necessity of some sort of receiving place was felt, and what was known as the "Coffee House Delivery" came into use, letters being addressed to some popular coffee house or tavern, where, upon receipt, they were "posted" in a conspicuous place in the public room, where they re-

mained until chance or gossip regarding their arrival brought their owners to claim them.

That system in time came to be regarded as unsatisfactory, and in 1692, when New York, as it had then come to be called, was still a quiet village of about 5,000 inhabitants, the municipal authorities established an act or ordinance establishing a post-office. This was followed by the founding here, in 1710, of a "Chief Letter Office" by the postmaster-general of Great Britain. Shortly afterwards, arrangements were made for the delivery of mail from Boston twice a month, and propositions were advertised for the establishment of a post to Albany. The interesting feature of that advertisement, to us who are accustomed to the speedy locomotion of to-day, was that the mail was not to be carried by coach, or boat, or even on horseback, but on foot. Think of lingering at the breakfast table until the carrier arrived on foot from Albany with your morning mail!

The records are hazy as to the location of our first official post-office, but according to an advertisement that appeared in a paper of the period, it was removed in 1732 from the quarters it then occupied to the uppermost of the two houses on Broadway, opposite Beaver street. The year 1753 found it still in the same location. It was closed on Sundays, and at other times it was open for business from 8 a. m. until noon, excepting on post nights, when business was transacted until 10 p. m.

In 1786, during the administration of Sebastian Bauman, the second postmaster after the close of the war of the Revolution, there was a regular schedule for the arrival and dispatch of mails between New York and Albany and New England, and also between New York and the South. Mail from New England and Albany arrived on Wednesday and Saturday in winter, and on Tuesday, Thursday, and Saturday in summer. The income of the office at that time was \$2,789.84. It will require an effort to grasp the full meaning of the difference between that sum and the income for the twelve months ended September 30 of this year, when, for the first time in the history of our post-office, the receipts for any twelve consecutive months passed the twenty-million dollar mark, being exactly \$20,451,172.53.

A reference to the post-office of that period would not be complete without some mention of Gen. Theodorus Bailey, who, besides having been a Congressman and a United States Senator, holds the record for length of service as postmaster, having served continuously from 1804 until his death in 1828. In the General's time there were altogether eight clerks, one of whom was Joe Dodd, afterwards known as Colonel Dodd, who became an employee of the office in 1816. That date brings us back practically to the beginning of things in the New York post-office; yet how really short the time is may be judged from the fact that it is spanned by less than two lifetimes, for there are many men still in the service who worked side by side with him, and when I was appointed in 1873 he was still a member of the working force.

Part of the colonel's duties in the earlier days was to ferry the southern mails over the Hudson from the Jersey shore, and then draw them in a wheelbarrow to that little post-office of which I have spoken, located in the uppermost of those two houses on Broadway opposite Beaver street—and small indeed it was, for it consisted of but one room, 15 feet long by 12 feet wide. He died in 1874, a year too soon to see his dearest wish fulfilled in the opening of the new post-office building in 1875.

The removal of the new building was attended with some show of ceremony, the employees marching in a body to their new home from the Old Dutch Church on Nassau street. Of that little band of marchers quite a number are still in harness, for, strange as it may seem, we have still with us in the service, remarkably active for his age, a man who has performed continuous service for sixty years; we have 4 men who have been doing duty for over fifty years, 45 for over forty years but less than fifty, and 157 for over thirty years but less than forty. We have, therefore, on our rolls to-day 207 men who, for a period extending from thirty to sixty years, at salaries in no case excessive and often inadequate, have performed faithful, conscientious, honest service; and now that the hand of time is beginning to press heavily upon the older of them it does seem a hardship that there is no provision in the way of a pension to help them in their declining years.

But I have wandered ahead of my story, which left us in the old office on Broadway, opposite Beaver street. In the summer of 1822, during an epidemic of yellow fever, a temporary move was made to what was then and still is known as "Bank street," but which at that time was away up in Greenwich village, then an outlying settlement separated from the town by a wide stretch of territory, mostly marsh and swamp. When the scare had subsided a return was made to the old quarters.

In 1825, a two-story frame building on Garden street, now known as Exchange place, formerly used as a schoolhouse, was leased for post-office purposes, and into it moved the eight clerks and six letter carriers who composed the entire staff. Another move was made two years later, when a lease was secured of the basement of the new exchange on Wall street, near Pearl. A fire destroyed the exchange in 1835, and after occupying quarters for a short time on Pine street, near Nassau, the post-office secured a new home in the building known as "The Rotunda," situated in City Hall Park. The New Yorkers of those days were of the opinion that the city would never grow far to the north, and the removal to City Hall Park raised such a storm of protest against having the post-office so far up town that finally it was decided to lease the Old Dutch Church on Nassau street, on the site of the present Mutual Life Insurance Building. This had been successively a church, a prison, a stable, and again a church, and it was turned into a post-office and remained so until the completion, in 1875, of the present post-office building at Broadway and Park row, the foundation stone of which was laid in 1869. Of the march of the employees from the old office to the new I have already spoken. The postmaster at that time was one of the ablest we have ever had. I refer to the Hon. Thomas L. James, who afterwards became Postmaster-General, and is now president of the Lincoln National Bank.

The new building, then one of the sights of the town because of its size and height, but now dwarfed by the immense sky-scraping structures surrounding it, did not long remain adequate for the purpose for which it was erected. As the city crept northward the business of the post-office followed, and branch after branch was established, until to-day, located at points best suited to the needs of the people, we have 42 branch post-offices and 251 substations, manned by a force of 7,511 employees, of whom 4,118 are clerks, 2,471 are letter carriers, 282 are laborers, 459 are substitute carriers, 181 are substitute clerks. This large force of men is apportioned among the general post-office and the 42 branches to which I have referred, and one of the most impor-

tant tasks that falls upon the supervisory officials is the duty of seeing to it that the sanitary conditions in all of these places are as they should be. Post-office clerks, like other men, are influenced to a large extent by their environment, and it has been my experience that where the work is performed in a well-lighted and properly ventilated office, with clean closets and accessories, much better results are obtained than when the work is done in insanitary and unsavory quarters.

From the very beginning the main office was unsuited for the uses to which it had to be put, and it must be admitted that in many of the older stations there was much room for improvement in the matter of light and sanitation. Gradually, however, all this is being changed, and as the old leases expire and new quarters have to be secured these questions receive first consideration. In order that you might see the men at work under these newer and better conditions, I would like, if it were possible, to take you all down with me to the Hudson Terminal Station, with its 30,000 square feet of well-lighted, well-aired floor space, or up to the new Station M on Washington Heights, where a building erected expressly for post-office purposes supplies all the conveniences that the most exacting might desire.

Of this large force of over 7,500 men, scattered as they are throughout the city, all are doing their share in handling the more than a billion pieces of mail that are delivered in this city each year. I fancy that I can see some incredulous eyebrows raised at the mention of the word "billion," but it is in no wise an exaggeration, for in the last fiscal year the pieces of mail delivered here amounted to 1,095,882,050. These, please remember, are only the pieces of mail delivered in the city, or rather in the two boroughs of Manhattan and Bronx, which comprise the territory of the New York post-office, and do not include the mail deposited here for dispatch to other parts of the world, the total of which was even greater, being, for the same period, 1,314,860,396. So it will be seen that we handle in our post-office each year over 2,400,000,000 pieces of mail, or more than enough, placed end to end and figuring each piece as eight inches long, to reach from here to the moon.

Each one of these letters or packages must be handled separately by several employees at the offices of origin and address, as well as, in the majority of cases, by the railway mail and sea post clerks in the course of transportation, and the very small loss that occurs annually through depredations speaks well for the honesty and faithfulness of the entire post-office force.

It will be interesting here to follow one of those letters on its outward journey from New York and see how fast it travels as compared with the rate of speed a century ago. Let us suppose that a member of this congregation is corresponding with, well, his sister in Seattle. He has an office in the Bowling Green Building, and at half past 7 o'clock on Monday evening, from the fourteenth floor, he drops a letter into one of those brass-bound, glass-paneled mailing chutes that are now installed in most of our large buildings. In a twinkling the letter is in the chute box on the ground floor, and from there it is taken by a collector and deposited in Station P, with a load of other letters, at 8 o'clock. At the station it helps to form a pyramid of mail on a large table, where a corps of nimble-fingered clerks perform the process of "facing," which consists of arranging the letters address side up. When this is done they are ready for the canceling machine, an electric device which performs the double duty of postmarking the envelope and canceling the stamp at the rate of 30,000 pieces an hour. And here I wish to inject a word of caution. There is only one proper place for the postage stamp, and that is in the upper right-hand corner of the address side. Many people, from eccentric or other motives, have the habit of placing the stamp in all sorts of positions—sometimes on the back, where it acts as a seal, and sometimes in one of the other corners on the face—anywhere but where it should be. Perhaps there would be less of this if it were generally known that it not only impedes the work of the clerks, but usually delays the forwarding of the letter, for a stamp so placed will not catch the canceling lines and the envelope to which it is attached must be cast aside to be canceled by the slow hand process after the letters that were properly stamped have been disposed of, and often after they are on their way to their destination.

But to get back to our letter. After leaving the canceling machine it is conveyed to one of the distributing cases, where a separating clerk, working with a speed and accuracy nothing short of marvelous, places it and others addressed to the same destination into a pigeonhole labeled "State of Washington and Alaska." Within a few minutes, time being up, the letters in the pigeonhole are tied in a bundle bearing the same label, and at 8:30 the bundle is dispatched through the pneumatic tube to Grand Central Station, where it arrives about ten minutes later. There the clerks are waiting for it. They take it from the tube and bring it to the pouching case, where it is placed in a pouch labeled "New York and Chicago R. P. O. No. 2," and is dispatched on the train leaving Grand Central Depot at 9:30. That train reaches Chicago at 8:20 the following evening, and an hour and thirty minutes later our letter has left Chicago and is on its way to the Far West. On the way to Chicago it remained undisturbed in the package, but after that city has been left behind the package is ripped open by the railway mail clerks and placed with the thousands of others that are destined for Seattle. It arrives in Seattle at half past 8 in the evening of the fourth day out from New York, and gets to the post-office a half hour later. It rests overnight in the office and is delivered to the addressee on the 7:30 delivery the following morning. This, it will be admitted, is a vast improvement on the service of a hundred years ago, when Seattle was not yet in existence and when the quickest and practically the only way to the Pacific was by sailing packet round Cape Horn.

For the great improvement in the transportation of letter mail in the larger cities, most of the credit must be given to the pneumatic tube. There are over 20 miles of these tubes in operation in the territory of our post-office, branching out from the general office and making a complete circuit of the stations as far north as One hundred and twenty-fifth street, with cross-town connections at that street and also at Forty-second street.

Other factors which contribute to a quick delivery are the sea post and mail-boat services in connection with foreign mail, and also the evening-delivery service, inaugurated two years ago, under which people living in what are known as the "residential districts" may receive their mail at a late hour in the evening. The sea post service makes it possible for the mail to be assorted to a large extent during the voyage, thus obviating a great deal of that work at the office of delivery.

The mail-boat service has two speedy vessels under charter for the unloading of mail from ocean steamers. Very often, as you know, the steamers suffer a long detention at quarantine, after which they have to be towed slowly up the river and nosed into their docks with a

great deal of maneuvering. All this consumes a lot of time, and it is to save this time that the mail boats are brought into requisition. They meet the steamers at quarantine, unload the mail, and hurry at full speed to the dock, often beating the steamers up the river by several hours. Of just how this service, helped out by the pneumatic tube and the evening delivery, works to the benefit of the citizen will be best understood by the following illustration:

One of the mail-carrying liners leaves Liverpool on a Saturday morning, bearing among its stock of mail a letter addressed to a citizen residing in the West Eighties. When the vessel arrives within hailing distance of our coast, as far east as Nantucket, that fact, to the hour and minute of sighting, is reported to the office of the postmaster, who is also kept informed of its further progress and is thus able to determine when it will arrive at quarantine. The squad of clerks assigned to the mail-boat service are ready for the word, and when it is given they go to the Cortlandt street dock and board the boat for quarantine, reaching there a short time before the arrival of the steamer. In the case we are describing, the two boats meet at quarantine at 2:30 p. m. on the Friday following the departure from Liverpool. The mails, consisting, it may be, of as many as 4,000 sacks (on the *Majestic*, arriving December 17, 1907, there were 4,968 of them) are slid down a chute from the steamer to the deck of the mail boat, and as soon as the first few sacks have been transferred the clerks begin the task of arranging them in separate piles according to the destination as shown on the labels. This work of separation is completed by the time the boat reaches the dock. We are all familiar with the old story about the "soft snap" enjoyed by the government clerk, but if the department rules permitted you to go down the bay on one of the mail boats and watch a squad of those government "clerks," attired in shirt and overalls and hustling as few longshoremen ever hustle, your opinion regarding the "snap" would be modified to the extent at least of omitting a post-office clerkship from the list of easy berths.

The mail is unloaded at the dock and dispatched to various points for transportation to ultimate destination. The letter we have in mind is addressed for delivery on the middle west side, and it, with other city mail, is driven to the general post-office, where it is sorted by an expert on the city scheme and forwarded by tube to Station W. From there, after having been sorted to the carrier's route, which includes the addressee's street and number, it is taken out by the carrier assigned to the evening delivery and delivered that night. If it is an important letter, requiring an immediate answer, the addressee can reply to it at once, and if he mail the answer in a street letter box before 10:50 p. m. it will go out on one of the mail steamers sailing the following morning.

The time of arrival shows that the letter we had had in mind was mailed on one of the slower steamers, and if it had come on one of the faster of the present-day boats still better time would have been made. The *Mauritania*, for instance, sailed from Liverpool at noon on September 25 last. She arrived at this port and left quarantine for her dock at 2:25 p. m. on September 30. Being a Cunard Line ship, she was not equipped with a sea post-office, the consequence being that the city mail that she carried was not made up in transit and had to be separated after arriving at our office. It reached the office at 6:31 p. m., and, notwithstanding the fact that the separation had to be made as stated, the letters addressed for delivery in the residential districts arrived at their stations by pneumatic tube in time to be taken out on the 8 o'clock delivery that night—just five days and eight hours after the departure of the ship from Liverpool. Mail arriving on her for, let us say, Buffalo, and received in direct pouches made up at Liverpool, was dispatched to the destination on the 9:30 p. m. train over the New York Central, arriving in Buffalo at 8:05 the following morning. Mail received in similar pouches for Pittsburg went out on the 8:44 train over the Pennsylvania Railroad and arrived in Pittsburg at 8 o'clock next morning, having been delivered, as was the Buffalo mail, in the forenoon of the same day.

Thus we see how all these inventions and innovations cooperate so wonderfully in curtailing the time between the posting and the delivery of foreign mail. Other inventions will follow, and it is not beyond range of probability that we may yet be able to drop our letter in a receptacle on any street corner and have it instantly whisked away by compressed air to the nearest post-office station.

We all know, of course, that New York is far in the lead of all other American cities, not only in population but also in the volume of business transacted, but how many of us realize that she does a bigger postal business, in the number of pounds of mail handled, than the cities of Chicago and Philadelphia combined, and that she all but equals the postal business of 21 of our States and Territories. Yet so it is for an official weighing of the mails, made about two years ago and extending over a period of six months, demonstrated beyond question that the volume of mail handled at the New York post-office was close to the total of the mail handled by the following States and Territories taken together: Alabama, Arizona, Arkansas, California, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Nevada, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Utah, Virginia, and West Virginia. For the benefit of those good people who must be "shown," whether they come from Missouri or elsewhere, I will give the figures of the weighings: The New York post-office for the period mentioned handled 101,051,766 pounds of mail; Chicago and Philadelphia combined handled 98,325,115 pounds, and the States and Territories of which I have spoken handled 102,296,001 pounds.

In connection with the money-order business the figures are even more astounding. In 1875 the New York post-office had 770,486 money-order transactions, with a total cash value of \$35,166,361.25. In 1890 the number of money-order transactions had jumped to 3,322,281, representing a cash value of \$101,334,178.28; while during the fiscal year ended on June 30 of this year the transactions reached the enormous total of 11,303,299, the value being \$423,543,790.14. Even the sum last mentioned does not represent high-water mark, for in the previous year—the fiscal year preceding the panic—the half-billion mark was passed, the total value being \$526,304,437.44. This drop of over \$100,000,000 shows that the panic, affecting at first only the capitalists, sifted down through all the intermediate stages of wealth until it hit the people of small means, for it is this class that makes most use of the money-order system, and it was to a falling off in their patronage that the shrinkage referred to was due.

But perhaps the great advance in New York's postal business can best be shown by a comparison of the business transacted in the registry division. The periods that I have chosen as a basis of comparison are the fiscal years ended June 30, 1899, and June 30, 1909, and for convenience we will call them "1899" and "1909."

In 1899 the pieces of registered mail received and delivered in New York amounted to 1,868,761, while in 1909 the number was 3,912,334. The number of registered articles received at the New York post-office for distribution in 1899 amounted to 1,197,274, while in 1909 the number was 3,974,463. The number of registered pieces mailed at the general post-office and stations in 1899 was 1,363,378, while in 1909 the number was 4,346,177. Thus we see that in the total number of registered pieces handled there was a jump from 4,429,419 in 1899 to 12,232,974 in 1909, showing that in ten years the registry business has almost been trebled.

And so it goes. There seems to be no end to our growth, and I have no doubt that some future postmaster, taking pride in a postal business that caters to a population of 10,000,000, will refer with complacency to our \$20,000,000 business of to-day.

In connection with all that I have said, it is well to remember that the New York post-office does not serve all of the city of New York, but only the two boroughs of Manhattan and Bronx, there being separate post-offices in Brooklyn, Long Island City, and other former independent municipalities that are now included in the greater city.

And now, before I close, I wish to say a word on a subject that unfortunately seems to be inseparable from the post-office, and that is the subject of deficit. All of you, I am sure, have heard or read of criticism against the Post-Office Department because the service has not been placed and maintained on a paying basis. All of this criticism would cease if it were borne in mind that the post-office never was intended to be a money-making branch of the Government, and that it was and should be regarded primarily as a means of convenience to the public. This has been shown in many ways. Just as soon as revenue is about to catch up with expense, the service is loaded with some costly but beneficial innovation, as, for instance, the now indispensable rural free-delivery service, which is such a boon to the farmers. The rate of letter postage has been gradually reduced until it is now almost nominal. Solely in the interest of education, newspapers and periodicals that comply with certain rules are delivered at the rate of a cent a pound, although the actual cost of carriage is many times greater. Freight and express companies, which are conducted for revenue only, arrange the rate according to the distance, but the post-office, working solely in the interest of the public, has the same flat rate for all distances, the cost of mailing a letter being only 2 cents, whether the destination be South Ferry or the Philippines. The relation which this flat rate bears to the postal revenues will be understood when I state that of the first lot of mail sent to Circle City, Alaska, the average cost of each letter was \$450, although the only cost to the sender was the price of a 2-cent stamp.

Mr. LANGLEY. Mr. Chairman, I make the same request. The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CRUMPACKER. I now move that the committee rise and report the bill to the House as amended, with the recommendation that it do pass.

The motion was agreed to. The committee accordingly rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 18364) to amend section 8 of an act to provide for the thirteenth and subsequent decennial censuses, approved July 2, 1909, and had directed him to report the same back to the House with an amendment in the nature of a substitute, with the recommendation that the amendment be agreed to, and that the bill as amended do pass.

Mr. CRUMPACKER. Mr. Speaker, I move the previous question on the bill and amendments to the final passage. The previous question was ordered.

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

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

Mr. CLARK of Missouri. Mr. Speaker, I move to recommit the bill to the Committee of the Whole, with instructions to report back immediately with the following amendments.

The SPEAKER. Is the gentleman opposed to the bill? Mr. CLARK of Missouri. I am opposed to the bill.

The SPEAKER. The gentleman from Missouri moves to recommit the bill with the following instructions: That the committee do report the bill forthwith with an amendment, which the Clerk will report.

The Clerk read as follows:

That whoever, being a census enumerator, or other person employed in taking the Thirteenth Decennial Census of the United States, shall ask any question of any person of whom he is obtaining information respecting the census as to his political affiliations or sentiments, or of the political affiliations or sentiments of others, or shall make known to anyone such information acquired by him in connection with his work as such census enumerator or other census employee, shall be fined not more than \$1,000 and imprisoned not more than one year.

Mr. CRUMPACKER. Mr. Speaker, I move to lay the motion to recommit on the table.

Mr. UNDERWOOD. I make the point of order that that is not in order.

The SPEAKER. It occurs to the Chair that the motion to lay on the table a motion to recommit is not in order.

The question being taken on the motion of Mr. CLARK, the Speaker announced that he was in doubt.

Mr. CLARK of Missouri. I ask for the yeas and nays.

The yeas and nays were ordered. The question was taken, and there were—yeas 118, nays 150, answered "present" 10, not voting 109, as follows:

YEAS—118.

Adair	Dent	Hughes, Ga.	Pou
Adamson	Denver	Hull, Tenn.	Pujo
Alexander, Mo.	Dickson, Miss.	Humphreys, Miss.	Rainey
Anderson	Dies	Johnson, Ky.	Randell, Tex.
Ansberry	Dixon, Ind.	Johnson, S. C.	Rauch
Ashbrook	Driscoll, D. A.	Jones	Reid
Barnhart	Edwards, Ga.	Kinkead, N. J.	Robinson
Bartlett, Ga.	Ellerbe	Kitchin	Rucker, Mo.
Bartlett, Nev.	Estopinal	Korbly	Shackleford
Bell, Ga.	Ferris	Lamb	Sharp
Boehne	Floyd, Ark.	Latta	Sheppard
Brantley	Foster, Ill.	Lee	Sherley
Burleson	Gallagher	Lindbergh	Sherwood
Burnett	Garner, Tex.	Lindsay	Sims
Byrns	Garrett	Livingston	Sisson
Candler	Gill, Mo.	Lloyd	Slayden
Cantrill	Gillespie	McHenry	Smith, Tex.
Cary	Gordon	Macon	Spight
Clark, Fla.	Goulden	Maguire, Nebr.	Stephens, Tex.
Clark, Mo.	Gregg	Mays	Talbott
Clayton	Gronna	Moon, Tenn.	Thomas, Ky.
Cline	Hamlin	Moore, Tex.	Thomas, N. C.
Collier	Hammond	Morrison	Tou Velle
Conry	Hardy	Murdock	Underwood
Cooper, Wis.	Heflin	Nelson	Watkins
Covington	Heim	Nichols	Webb
Cox, Ind.	Henry, Tex.	Oldfield	Weisse
Craig	Houston	Padgett	Wickliffe
Cravens	Howard	Palmer, A. M.	
Cullop	Hubbard, Iowa	Poindexter	

NAYS—150.

Austin	Fairchild	Kennedy, Iowa	Olcott
Barchfeld	Fassett	Kennedy, Ohio	Palmer, H. W.
Barnard	Fish	Kinkaid, Nebr.	Parker
Bartholdt	Fordney	Knapp	Parsons
Bates	Foss	Knowland	Payne
Bennet, N. Y.	Foster, Vt.	Kopp	Pearre
Bennett, Ky.	Foulkrod	Kronmiller	Pickett
Boutell	Fowler	Küstermann	Plumley
Bradley	Fuller	Langham	Reeder
Brownlow	Gaines	Langley	Reynolds
Burke, Pa.	Gardner, Mass.	Law	Roberts
Burleigh	Gardner, Mich.	Lenroot	Rodenberg
Butler	Garner, Pa.	Longworth	Sheffield
Calder	Goebel	Loud	Simmons
Calderhead	Graff	Loudenslager	Smith, Iowa
Cassidy	Graham, Pa.	Lundin	Southwick
Chapman	Grant	McCall	Stafford
Cocks, N. Y.	Greene	McCreary	Sterling
Cole	Griest	McCredie	Stevens, Minn.
Cook	Guernsey	McGuire, Okla.	Sturgiss
Coudrey	Hamer	McLachlan, Cal.	Sulloway
Cowles	Hamilton	McLaughlin, Mich.	Swasey
Creager	Hanna	Madison	Taylor, Ohio
Crow	Haugen	Madison	Tener
Crumpacker	Hayes	Malby	Thistlewood
Dalzell	Heald	Mann	Tilson
Davidson	Higgins	Miller, Kans.	Tirrell
Davis	Hollingsworth	Miller, Minn.	Townsend
Dawson	Howell, N. J.	Millington	Volstead
Denby	Howell, Utah	Mondell	Vreeland
Diekema	Howland	Moon, Pa.	Wanger
Draper	Hubbard, W. Va.	Morehead	Washburn
Driscoll, M. E.	Huff	Morgan, Mo.	Weeks
Durey	Hughes, W. Va.	Morgan, Okla.	Wilson, Ill.
Dwight	Johnson, Ohio	Morse	Wood, N. J.
Elvins	Joyce	Moxley	Woods, Iowa
Englebright	Kelfer	Needham	
Esch	Kendall	Nye	

ANSWERED "PRESENT"—10.

Andrus	Carter	Hardwick	Martin, Colo.
Beall, Tex.	Currier	James	
Booher	Foelker	Lever	

NOT VOTING—109.

Aiken	Gill, Md.	McDermott	Sabath
Alexander, N. Y.	Gillett	McKinlay, Cal.	Saunders
Allen	Gilmore	McKinley, Ill.	Scott
Ames	Glass	McKinney	Slemp
Anthony	Godwin	McMorran	Small
Barclay	Goldfogle	Martin, S. Dak.	Smith, Cal.
Bingham	Good	Maynard	Smith, Mich.
Borland	Graham, Ill.	Moore, Pa.	Snapp
Bowers	Hamill	Moss	Sparkman
Bronssard	Harrison	Mudd	Sperry
Burgess	Hawley	Murphy	Stanley
Burke, S. Dak.	Hay	Norris	Steenerson
Byrd	Henry, Conn.	O'Connell	Sulzer
Campbell	Hill	Olmsted	Tawney
Capron	Hinshaw	Page	Taylor, Ala.
Carlin	Hitchcock	Patterson	Taylor, Colo.
Cooper, Pa.	Hobson	Perkins	Thomas, Ohio
Cox, Ohio	Hughes, N. J.	Peters	Wallace
Dodds	Hull, Iowa	Pratt	Wheeler
Douglas	Humphrey, Wash.	Pray	Wiley
Edwards, Ky.	Jamieson	Prince	Willett
Ellis	Kahn	Ransdell, La.	Wilson, Pa.
Finley	Kelther	Rhinock	Woodyard
Fitzgerald	Lafean	Richardson	Young, Mich.
Flood, Va.	Lawrence	Riordan	Young, N. Y.
Focht	Legare	Rothermel	
Fornes	Lovering	Rucker, Colo.	
Gardner, N. J.	Lowden	Russell	

So the motion to recommit was lost.

The following pairs were announced:

For the session:

Mr. CURRIER with Mr. FINLEY.

Mr. YOUNG of New York with Mr. FURNES.

Mr. HILL with Mr. GLASS.

Mr. WOODYARD with Mr. HARDWICK.

Mr. ANDRUS with Mr. RIORDAN.

Mr. AMES with Mr. AIKEN.

Until further notice:

Mr. McMORRAN with Mr. STANLEY.

Mr. BURKE of South Dakota with Mr. SAUNDERS.

Mr. CAPRON with Mr. O'CONNELL.

Mr. ELLIS with Mr. SHARP.

Mr. OLMSTED with Mr. JAMES.

Mr. MARTIN of South Dakota with Mr. MARTIN of Colorado.

Mr. TAWNEY with Mr. RICHARDSON.

Mr. MCKINNEY with Mr. JAMIESON.

Mr. BINGHAM with Mr. GILMORE.

Mr. GILLETT with Mr. GODWIN.

Mr. LAFEAN with Mr. HAMILL.

Mr. MOORE of Pennsylvania with Mr. ROTHERMEL.

Mr. MUDD with Mr. PAGE.

Mr. MURPHY with Mr. RHINOCK.

Mr. SPERRY with Mr. RUSSELL.

Mr. WHEELER with Mr. SPARKMAN.

For this day:

Mr. SCOTT with Mr. LEVER.

Mr. LOWDEN with Mr. HUGHES of New Jersey.

Mr. FOELKER with Mr. GOLDFOGLE.

Mr. HAWLEY with Mr. BEALL of Texas until Saturday, inclusive.

Mr. COOPER of Pennsylvania with Mr. HITCHCOCK until the 5th instant, inclusive.

Mr. MCKINLEY of Illinois with Mr. BOOHER until Saturday, inclusive.

Mr. KAHN with Mr. CARTER until February 4, inclusive.

Mr. CARTER. Mr. Speaker, did the gentleman from California [Mr. KAHN] vote?

The SPEAKER. He did not.

Mr. CARTER. I voted aye. I wish to withdraw my vote and vote present.

Mr. ANDRUS. Mr. Speaker, I voted aye, but I find that I am paired with the gentleman from New York [Mr. RIORDAN], and I wish to withdraw my vote and be recorded as present.

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

The SPEAKER. The question now is on the passage of the bill.

The question was taken, and the bill was passed.

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

#### LEAVE OF ABSENCE.

Mr. HAWLEY, by unanimous consent, was given leave of absence for two days on account of important business.

#### ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 35 minutes p. m.) the House adjourned.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Saugatuck Harbor and Kalamazoo River, Michigan (H. Doc. No. 635)—to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Aransas Pass Harbor, Texas (H. Doc. No. 639)—to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

3. Report of the Washington, Alexandria and Mount Vernon Railway Company for the year 1909 (H. Doc. No. 636)—to the Committee on the District of Columbia and ordered to be printed.

4. A letter from the Secretary of the Interior, transmitting, with a favorable recommendation, a draft of proposed legislation to provide for care of the insane in Alaska (H. Doc. No. 637)—to the Committee on the Territories and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 18592) to amend an act authorizing the construction of a bridge across the Missouri River at Kansas City, Mo., reported the same with amendment, accompanied by a report (No. 379), which said bill and report were referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. THISTLEWOOD, from the Committee on Invalid Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 19959) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent relatives of such soldiers and sailors, accompanied by a report (No. 378), which said bill and report were referred to the Private Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 17720) granting a pension to Emille L. Kruger—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 17726) granting an increase of pension to Thomas McDonough—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. THISTLEWOOD, from the Committee on Invalid Pensions: A bill (H. R. 19959) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent relatives of such soldiers and sailors—to the Private Calendar.

By Mr. KINKEAD of New Jersey: A bill (H. R. 19960) to appropriate \$500,000 to deepen the channel and to open an additional channel in the Hackensack River, in the State of New Jersey—to the Committee on Rivers and Harbors.

By Mr. LINDSAY: A bill (H. R. 19961) granting pensions to certain enlisted men, soldiers and officers, who served in the civil war and the war with Mexico—to the Committee on Invalid Pensions.

By Mr. MCCALL: A bill (H. R. 19962) establishing a commission on fine arts—to the Committee on the Library.

By Mr. TAYLOR of Alabama: A bill (H. R. 19963) providing for the erection of a public building at Fort Morgan, Ala., for the use of the Treasury Department—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 19964) to remodel the public building at Mobile, Ala., known as the custom-house—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 19965) providing for the erection of a public building at Mobile, Ala.—to the Committee on Public Buildings and Grounds.

By Mr. MARTIN of Colorado: A bill (H. R. 19966) to establish land courts of the United States and an appellate land court of the United States—to the Committee on the Judiciary.

By Mr. LANGLEY: A bill (H. R. 19967) authorizing the Warfield Coal and Salt Company to construct a bridge across Tug Fork of Big Sandy River—to the Committee on Interstate and Foreign Commerce.

By Mr. RAINEY: A bill (H. R. 19968) to provide for a site and public building at Beardstown, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Michigan: A bill (H. R. 19969) to authorize certain extensions of the City and Suburban Railway of Washington, and for other purposes—to the Committee on the District of Columbia.

By Mr. VREELAND: A bill (H. R. 19970) for the completion of the improvement to Dunkirk Harbor—to the Committee on Rivers and Harbors.

By Mr. ALLEN: A bill (H. R. 19971) providing for the appointment of Commander Robert E. Perry a rear-admiral in the navy, as an additional number in grade, and place him upon the retired list—to the Committee on Naval Affairs.

By Mr. LINDSAY: A bill (H. R. 19972) granting pensions to widows and minors of soldiers and sailors of the civil war—to the Committee on Invalid Pensions.

By Mr. CRAIG: A bill (H. R. 19973) to authorize an investigation of the coal lands belonging to the United States by the Secretary of the Interior, and to provide for a report thereon to Congress—to the Committee on the Public Lands.

By Mr. PARKER: Resolution (H. Res. 366) as to a new rule as to debate in Committee of the Whole—to the Committee on Rules.

By Mr. BURKE of Pennsylvania: Resolution (H. Res. 367) to amend rules—to the Committee on Rules.

By Mr. SHEFFIELD: Memorial of the legislature of Rhode Island to the Congress of the United States, for the improvement of the Providence River—to the Committee on Rivers and Harbors.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 19974) granting an increase of pension to Clement R. Strahan—to the Committee on Invalid Pensions.

By Mr. ANSBERRY: A bill (H. R. 19975) granting an increase of pension to David H. Mellinger—to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 19976) granting an increase of pension to William Wince—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 19977) providing for payment to P. L. Coultrey for services in the folding room of the House of Representatives—to the Committee on Claims.

By Mr. BURNETT: A bill (H. R. 19978) for the relief of Silas Crump—to the Committee on War Claims.

By Mr. CALDERHEAD: A bill (H. R. 19979) granting an increase of pension to Ichabod E. Spring—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19980) granting an increase of pension to Osborn Sheely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19981) granting an increase of pension to Henry A. Keve—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19982) granting an increase of pension to William R. Wolbert—to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 19983) granting a pension to Ella Kavel—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 19984) granting a pension to Denny H. Vocke—to the Committee on Pensions.

By Mr. CRAVENS: A bill (H. R. 19985) granting an increase of pension to Benjamin F. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19986) granting a pension to George W. Turner—to the Committee on Pensions.

Also, a bill (H. R. 19987) for the relief of the heirs of John T. London, deceased—to the Committee on War Claims.

By Mr. FERRIS: A bill (H. R. 19988) for the relief of Reece Boan Stump—to the Committee on Claims.

Also, a bill (H. R. 19989) for the relief of the heir of Allen J. Mann, sr., deceased—to the Committee on Claims.

By Mr. FOELKER: A bill (H. R. 19990) granting an increase of pension to Charles Dimmler—to the Committee on Invalid Pensions.

By Mr. GARDNER of Michigan: A bill (H. R. 19991) granting a pension to Vernon E. Cummings—to the Committee on Pensions.

By Mr. GREENE: A bill (H. R. 19992) granting a pension to John Marshall—to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 19993) granting a pension to John D. Gardner—to the Committee on Invalid Pensions.

By Mr. JOHNSON of Ohio: A bill (H. R. 19994) granting an increase of pension to Alexander Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19995) granting an increase of pension to Thomas L. Davidson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19996) to remove charge of desertion from the military record of Peter Scott—to the Committee on Military Affairs.

By Mr. KELIHER: A bill (H. R. 19997) granting an increase of pension to William H. Allard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19998) granting an increase of pension to John H. Spear—to the Committee on Invalid Pensions.

Also, a bill (H. R. 19999) granting an increase of pension to William C. Gardiner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20000) granting an increase of pension to Lawrence Mills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20001) granting a pension to Adelaide E. Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20002) granting a pension to Margaret Conway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20003) granting a pension to Mary E. McGinn—to the Committee on Pensions.

By Mr. KENNEDY of Ohio: A bill (H. R. 20004) granting an increase of pension to James Ormsby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20005) granting an increase of pension to John C. Mayers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20006) holding and considering Silas Steffy to have been honorably discharged—to the Committee on Military Affairs.

By Mr. KINKEAD of New Jersey: A bill (H. R. 20007) granting a pension to Walter Commerce—to the Committee on Pensions.

By Mr. LOWDEN: A bill (H. R. 20008) granting an increase of pension to Joseph Shelhamer—to the Committee on Invalid Pensions.

By Mr. MCKINNEY: A bill (H. R. 20009) granting an increase of pension to Spencer Wright—to the Committee on Invalid Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 20010) for the relief of the estate of Edward Lake—to the Committee on Claims.

By Mr. MOON of Tennessee: A bill (H. R. 20011) for the relief of Julia Blount Thacker, Amanda Catherine Johnson, John Clark Rowden, and Samuel Echols Rowden, the only heirs at law of Isaac Curry Rowden and Sarah E. Rowden, of Wauhatchie, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 20012) granting an increase of pension to James Atchley—to the Committee on Invalid Pensions.

By Mr. MOXLEY: A bill (H. R. 20013) granting a pension to Mabel J. Reese—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20014) to remove the charge of desertion from the military record of John C. Whittin—to the Committee on Military Affairs.

By Mr. OLDFIELD: A bill (H. R. 20015) granting a pension to Lowry Holman—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 20016) granting an increase of pension to Harriet Hicks—to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 20017) granting an increase of pension to Delos W. Story—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20018) granting an increase of pension to W. C. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20019) granting a pension to Buena Vista Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20020) granting a pension to Kate McMullan—to the Committee on Pensions.

By Mr. RANDELL of Texas: A bill (H. R. 20021) for the relief of the heirs of Elisha Oliver, deceased—to the Committee on War Claims.

By Mr. RAUCH: A bill (H. R. 20022) granting an increase of pension to William A. Rusie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 20023) granting an increase of pension to Henry Haupt—to the Committee on Invalid Pensions.

By Mr. ROTHERMEL: A bill (H. R. 20024) granting an increase of pension to Levi R. Fox—to the Committee on Invalid Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 20025) to remove the charge of desertion from the military record of Robert F. Risley—to the Committee on Military Affairs.

Also, a bill (H. R. 20026) to remove the charge of desertion from the military record of Henry Crangle—to the Committee on Military Affairs.

By Mr. SIMS: A bill (H. R. 20027) granting an increase of pension to Thomas R. Gray—to the Committee on Invalid Pensions.

By Mr. SPIGHT: A bill (H. R. 20028) for the relief of the heirs of Giles Mathis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 20029) for the relief of heirs of John Mills, deceased—to the Committee on War Claims.

Also, a bill (H. R. 20030) granting an increase of pension to Reuben D. Priddy—to the Committee on Pensions.

By Mr. STERLING: A bill (H. R. 20031) for the relief of George Hallman—to the Committee on Claims.

Also, a bill (H. R. 20032) granting a pension to Sarah Baer—to the Committee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 20033) for the relief of Kate Kearney Henry, widow and administratrix of James L. Henry, deceased—to the Committee on Claims.

By Mr. THOMAS of Kentucky: A bill (H. R. 20034) granting a pension to Edward A. Poag—to the Committee on Pensions.

By Mr. WOOD of New Jersey: A bill (H. R. 20035) granting an increase of pension to John W. Morris—to the Committee on Invalid Pensions.

By Mr. BELL of Georgia: A bill (H. R. 20036) for the relief of the heirs of Permelia F. Henry—to the Committee on War Claims.

By Mr. COCKS of New York: A bill (H. R. 20037) for compensation, salvage, and reward to the legal representatives of Capt. Horatio Nelson—to the Committee on Claims.

By Mr. LUNDIN: A bill (H. R. 20038) granting an increase of pension to Charles A. Dahl—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDERSON: Petition of G. W. Harris, commander of Keller Post, No. 128, of Bucyrus, Ohio, favoring House bill 14666, for relief of Thomas J. Sheppard—to the Committee on Invalid Pensions.

By Mr. ASHBROOK: Petition of D. P. Campbell, of Utica, Ohio, for repeal of section 38 of the tariff law enacted August 5, 1909—to the Committee on Ways and Means.

By Mr. BARNHART: Petition of Farmers' Institute of Kosciusko County, Ind., against abolition of the free rural mail delivery—to the Committee on the Post-Office and Post-Roads.

By Mr. BATES: Petition of F. J. Rappald, of Erie, Pa., against increasing postage on second-class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of C. F. Adams Company, Erie, Pa., for repeal of clause 6 of section 38 of the corporation-tax law—to the Committee on Ways and Means.

By Mr. CARY: Petition of Fuller & Johnson Manufacturing Company, of Madison, Wis., against increasing postage on second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. CASSIDY: Petition of the Philadelphia Bourse, favoring a river and harbor bill at this session of Congress—to the Committee on Rivers and Harbors.

Also, petition of the Chipola, Flint, Chattahoochee, and Apalachicola Waterway Association, for adequate appropriation for its namesake system of rivers—to the Committee on Rivers and Harbors.

By Mr. CONRY: Petition of National Liberal Immigration League of New York City, against resolution to repeal law (sec. 40, act of February 20, 1907) which created the national distribution bureau—to the Committee on Immigration and Naturalization.

Also, petition of Cluett, Peabody & Co., of Troy, N. Y., favoring House bill 14544, repeal of corporation-tax law—to the Committee on Ways and Means.

Also, petition of Municipal Art Society of New York, favoring participation of the United States Government in the Rome and Turin Exposition of 1911—to the Committee on Industrial Arts and Expositions.

By Mr. DENBY: Petition of Frank Debal and other citizens of Michigan, against increase of postage rate on second-class matter—to the Committee on the Post-Office and Post-Roads.

By Mr. ESCH: Petition of Farmers' Institute of Eleva, Wis., against repeal of the oleomargarine law—to the Committee on Agriculture.

Also, petition of Cochrane Cooperative Farmers' Creamery Company, against repeal of the oleomargarine law—to the Committee on Agriculture.

By Mr. FOSTER of Illinois: Petition of E. W. Hirsh and other citizens of Newton, Ill., against a postal savings-bank law—to the Committee on the Post-Office and Post-Roads.

By Mr. FULLER: Petition of the American Varnish Company, of Chicago, Ill., in favor of certain amendments of the corporation-tax clause of the Payne tariff bill—to the Committee on Ways and Means.

By Mr. GREENE: Paper to accompany bill for relief of John Marshall—to the Committee on Invalid Pensions.

By Mr. HAMMOND: Petition of Roosevelt Camp, No. 9, Department of California, Spanish War Veterans, in favor of the

Jones bill (S. 4033) concerning travel pay, etc., to officers and soldiers in the volunteer service in the Philippines, etc.—to the Committee on Military Affairs.

Also, petition of L. M. Larson and 65 others, of Hardwick, Minn., against increasing postage on second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. HARDWICK: Paper to accompany bill for relief of William J. Whitfield—to the Committee on Pensions.

By Mr. HAY: Petition of citizens of Boyce, Va., against postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. HAYES: Petition of Orchard City Grange, No. 333, favoring plan to reduce the postal deficit caused on second-class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of E. O. C. Ord Post, No. 82, Department of California and Nevada, Grand Army of the Republic, against acceptance of the Lee statue for Statuary Hall—to the Committee on the Library.

By Mr. HIGGINS: Petition of residents of Stonington, Conn., against postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. HINSHAW: Paper to accompany bill for relief of Edward L. Riley—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: Petition of residents of South Amboy, N. J., against postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. HUFF: Petition of Brotherhood of American Yeomen of Des Moines, Iowa, against increase in second-class postage rates—to the Committee on the Post-Office and Post-Roads.

Also, petition of Philadelphia Chamber of Commerce, for re-establishing the fast evening mail train between New York, Philadelphia, and St. Louis—to the Committee on the Post-Office and Post-Roads.

By Mr. JOHNSON of Ohio: Petition of citizens of Portsmouth, Ohio, against postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. KAHN: Petition of Local Union No. 151, Independent Brotherhood of Electrical Workers, and L. Squires and 47 other citizens of San Francisco, Cal., protesting against the immigration of Asiatics, except merchants, students, and travelers—to the Committee on Foreign Affairs.

By Mr. LOWDEN: Petition of citizens of Rockford, Ill., against increase of postal rate on periodicals—to the Committee on the Post-Office and Post-Roads.

By Mr. MOORE of Pennsylvania: Petition of Pastors' Federation of Washington, for the Johnson Sunday bill for the District of Columbia—to the Committee on the District of Columbia.

Also, petition of Philadelphia branch of the American Pharmaceutical Association, against the Coudrey amendment to the food and drugs act of June 30, 1906—to the Committee on Agriculture.

By Mr. RAINEY: Petition of merchants of the Twentieth Congressional District of Illinois, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. REEDER: Petition of citizens of Lebanon, Kans., against postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. RUCKER of Missouri: Petition of citizens of Livingston County, Mo., against postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. SIMS: Paper to accompany bill for relief of Thomas R. Gray—to the Committee on Invalid Pensions.

By Mr. SMITH of Iowa: Petition of citizens of Modale, Iowa, and vicinity, against sectarian legislation and a proposed bill relating to the observance of Sunday in the District of Columbia—to the Committee on the District of Columbia.

By Mr. SPERRY: Resolutions of the Wholesale Grocers' Association of Southern New England, urging the repeal of the corporation tax—to the Committee on Ways and Means.

Also, resolution of Wadhams Post, No. 49, Grand Army of the Republic, of Waterbury, Conn., protesting against the acceptance of the statue of General Lee—to the Committee on the Library.

By Mr. SPIGHT: Paper to accompany bill for relief of Reuben D. Priddy—to the Committee on Pensions.

Also, paper to accompany bill for relief of heirs of Giles Mathis—to the Committee on War Claims.

Also, paper to accompany bill for relief of the estate of John Mills—to the Committee on War Claims.

By Mr. STEENERSON: Petition of W. E. Baker and P. L. Virlannes, of Thief River Falls, Minn.; George Brunner, A. F. Greening, Leon Filiatrault, D. E. Hawes, Emil Hanson, and E.

Laplante, of Crookston, Minn., against increase of rates of postage on second-class matter—to the Committee on the Post-Office and Post-Roads.

By Mr. STERLING: Petition of citizens of Dwight, Ill., against postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. STURGISS: Petition of Gustav D. Brown and 49 other citizens of Charlestown, W. Va., against postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. TAYLOR of Ohio: Petition of J. L. Bracken and other citizens of Columbus, Ohio, favoring repeal of the excise tax on corporations, joint-stock companies, associations, and insurance companies (section 38 of the tariff law)—to the Committee on Ways and Means.

Also, petition of Chapter No. 1, of Columbus, Ohio, and Chapter No. 22, of Westerville, Ohio, American Insurance Union, in support of House bill 17543, relative to publications of fraternal orders—to the Committee on the Post-Office and Post-Roads.

By Mr. THOMAS of Ohio: Petition of Huntsburg Grange, No. 1588, Patrons of Husbandry, against increase of postage rate on second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. VREELAND: Petition of Caneadea Grange, No. 1139, Patrons of Husbandry, of New York, against change in oleomargarine law—to the Committee on Agriculture.

By Mr. WEEKS: Petition of Hooker Association of Massachusetts for an adequate appropriation to construct a crypt in the chapel at the Naval Academy at Annapolis for the body of John Paul Jones—to the Committee on Naval Affairs.

## SENATE.

THURSDAY, February 3, 1910.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

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

### ESTIMATES OF APPROPRIATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Postmaster-General submitting estimates of deficiency in the appropriations for the service of the Post-Office Department, \$34,000 (S. Doc. No. 348), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

### FINDINGS OF THE COURT OF CLAIMS.

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

Mrs. Mattie U. Boykin, Thaddeus C. Ferrell, and Mrs. Lula D. Meriwether, heirs of Thaddeus N. Ferrell, deceased, *v.* The United States (S. Doc. No. 344);

Francis L. Ward and Eliza C. Ward, administrators of Marjorie Ward, deceased, *v.* The United States (S. Doc. No. 345);

William H. Thompson, Ada A. Thompson, Michael D. Thompson, Andrew Thompson, and Jessie D. Thompson, heirs of William H. Stringer, deceased, *v.* The United States (S. Doc. No. 346); and

B. J. Cowart, administrator of the estate of Aaron Turner, deceased, *v.* The United States (S. Doc. No. 347).

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

### CARE OF INSANE IN ALASKA.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, by direction of the President, a draft of a bill to provide for the care of the insane in the Territory of Alaska, by authorizing the Secretary of the Interior to select a tract of public land and to erect and furnish suitable buildings thereon (H. Doc. No. 637), which was referred to the Committee on Territories and ordered to be printed.

Mr. HEYBURN subsequently said: Mr. President, I desire to call attention to the communication just received from the Secretary of the Interior introducing into this body a bill proposing legislation. We on a former occasion had to deal with that question. I object to the reference of the bill, because it is not in conformity with any rule or privilege under the law or under the rules of this body.

The VICE-PRESIDENT. With the consent of the Senate, the reference is annulled, and the Chair will return the communication to the department.

Mr. DOLLIVER. I should like to inquire of the Senator from Idaho what is the rule or privilege that determines the matter?

Mr. HEYBURN. The rule or privilege that only members of the Senate of the United States may introduce measures for its consideration.

Mr. DOLLIVER. Do I understand that the Secretary of the Interior has undertaken to introduce a bill?

Mr. HEYBURN. Yes. I will read the rule.

### RULE XV.

1. All bills and joint resolutions which shall have received two readings shall first be considered by the Senate as in Committee of the Whole, after which they shall be reported to the Senate.

There is a note to the rule, as follows:

NOTE.—Resolved, That no communications from heads of departments, commissioners, chiefs of bureaus, or other executive officers, except when authorized or required by law, or when made in response to a resolution of the Senate, will be received by the Senate unless such communications shall be transmitted to the Senate by the President. (Senate Journal, 1st sess. 60th Cong., p. 122.)

Mr. DOLLIVER. If the Senator will permit me, what is the nature of the communication from the Secretary of the Interior?

Mr. HEYBURN. It is a proposed bill. It comes to the Senate accompanied by a letter signed by the Secretary of the Interior.

Mr. DOLLIVER. Does the Secretary go so far as to introduce the bill into the Senate?

Mr. HEYBURN. That is a question as to the effect of the presentation of the measure.

The VICE-PRESIDENT. If the Chair may be indulged a moment, heretofore when such communications have come from departments the Chair has returned them to the departments and called attention to the rule. This letter of transmittal states, however, in its opening clause that the communication was sent by the direction of the President, and because of that the Chair submitted it to the Senate.

Mr. HEYBURN. Mr. President, the Constitution allows the President to communicate with Congress on matters of public interest. It does not allow him to delegate the power to any other persons. A bill introduced by a member of this body is subject to an objection, and the question is one of consent and not one of right. The proper motion or expression upon the presentation of a bill is that the member of this body asks consent to introduce the bill.

The VICE-PRESIDENT. This bill has not been introduced.

Mr. HEYBURN. What is its status, if I may ask, Mr. President?

The VICE-PRESIDENT. It is simply referred to the committee for its consideration as a part of a communication from a department of the Government, and is not introduced.

Mr. HEYBURN. Mr. President, no department of the Government is authorized to send messages to Congress. I object to its reference.

Mr. BACON. Mr. President, I think the point is well taken by the Senator, and that he could go still further. The President of the United States, I will say in all courtesy, has no right to send a bill to this body to be referred to a committee. There is but one way in which a bill can get before a committee, and that is by its regular introduction by a Senator, and to send a bill to a committee from the Vice-President's desk is practically to introduce it. Of course if the committee charged with its consideration thinks right to report it back, when reported back it will take its place on the calendar, if reported favorably.

I think, Mr. President, it is time that this matter should be dealt with properly, and it is a very much graver matter than simply one of sending a communication by a head of a department in contravention of the rule which has been read by the Senator from Idaho. It is a very much graver undertaking to introduce a bill into the Senate in a way other than that which the law undoubtedly alone authorizes, and that is by a Senator.

Mr. President, the design of the framers of our Government was that the three departments should be separate. If there is anything that is well expressed and the intention left beyond the shadow of a doubt, it is that. The success of our system of government depends upon the maintenance of that clear division between the duties and powers of each department of the Government. It is entirely different in this particular from the English system of government, under which the executive functions are, in fact, exercised by a responsible ministry, accountable to the legislative department. Those ministers are themselves members of Parliament, and are, in effect, a committee of Parliament. For those ministers known as "the government" to send a bill to Parliament to be enacted into law is no breach of parliamentary prerogative.