

## HOUSE OF REPRESENTATIVES.

SATURDAY, *March 26, 1910.*

The House met at 12 o'clock noon.

The following prayer was offered by the Chaplain, Rev. Henry N. Couden, D. D.:

Our Father in heaven, our hearts go out to Thee in love and gratitude for that marvelous event which the Christian world is preparing to celebrate on the morrow in a holy service of praise and thanksgiving, for in that great event Thou hast taught us that good is stronger than evil, life is stronger than death, and that Thy love supreme will at last bring every wandering soul to Thee in purity. "For I am persuaded that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord." Amen.

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

## DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GARDNER of Michigan. Mr. Speaker, I desire to call up the conference report on the bill H. R. 14464, the District appropriation bill, and ask unanimous consent that the statement be read.

The SPEAKER. The gentleman from Michigan calls up the conference report of the District appropriation bill, and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. JOHNSON of South Carolina. Mr. Speaker, I would like to ask the gentleman from Michigan a question before the report is read.

The SPEAKER. Does the gentleman yield to the gentleman from South Carolina?

Mr. GARDNER of Michigan. I yield to the gentleman.

Mr. JOHNSON of South Carolina. I will ask the gentleman if the report is not the same as the report which was printed in the RECORD and read at length to the House on a former occasion?

Mr. GARDNER of Michigan. Substantially. There were a few changes made on some information that came to the conferees after the report had been published.

Mr. JOHNSON of South Carolina. The only item in this report which differs from the former report is as to the playgrounds?

Mr. GARDNER of Michigan. Well, that is substantially the same as before. The point in issue is the playgrounds.

Mr. JOHNSON of South Carolina. I thought perhaps it was precisely the same with that one exception, and that we might save time in the reading, because it was printed in the RECORD.

The SPEAKER. The Chair understands the gentleman from South Carolina, and also the gentleman in charge of the report, that this statement is substantially the statement that was read on a former occasion, and that probably but one matter—

Mr. GARDNER of Michigan. There are some minor changes made from information that came to the conferees after the other statement was published.

Mr. MANN. Can the gentleman tell us what is the character of those minor changes?

Mr. GARDNER of Michigan. Well, one was in regard to public convenience station over near the Interior building. It was decided to locate it—

Mr. MANN. I do not care anything about that.

Mr. GARDNER of Michigan. That was one. Another was in regard to the widening and narrowing of certain streets—that that should be allowed to the District Commissioners.

Mr. MANN. Do I understand that in the present conference report there has been a change made in the provisions where they would give to the District Commissioners authority to widen and narrow streets as contemplated by a bill recently defeated in the House?

Mr. GARDNER of Michigan. That matter was in conference before.

Mr. MANN. I understand it was in conference, but has a change been made in the conference report?

Mr. GARDNER of Michigan. In that respect.

Mr. MANN. So as to give the commissioners—

Mr. GARDNER of Michigan. No; they are stipulated streets, not carte blanche. Another was, and the most important of all, the placement of the teachers in the different classes. It came to the conferees during the interim that the Comptroller of the Treasury and the auditor of the District would construe the law differently from that contemplated by the conferees in either House. So that, in consultation with these two officers, the conferees now have the law so written that it will meet the purpose of both Houses.

Mr. MANN. The gentleman will recollect there was some question in the House in reference to the classification of the teachers between those outside and those in the District as to the salaries. Is that what the gentleman refers to?

Mr. GARDNER of Michigan. No, sir; there were certain teachers in classes 4 and 5, as the gentleman recalls, that, under construction of the law not contemplated, might come in under group A, class 6, and it is the purpose of the conferees of both Houses to confine them to group 5, classes 4 and 5.

Mr. BURLESON. There was no difference of opinion.

Mr. GARDNER of Michigan. There was no difference of opinion.

Mr. BURLESON. The conferees were of one mind about that.

Mr. MANN. The conferees might be of one mind; but evidently the two Houses were not of one mind, or there would not have been a Senate amendment.

Mr. GARDNER of Michigan. That was a point in issue, and it has been agreed that the placement should be in accordance with the position taken by the House.

Mr. SULZER. Will the gentleman yield for a moment?

Mr. GARDNER of Michigan. I yield to the gentleman.

Mr. SULZER. What has been done about the children's playgrounds proposition?

Mr. GARDNER of Michigan. Just as soon as the statement is read I shall be glad to make a statement.

Mr. SULZER. Let us have the statement read, Mr. Speaker.

The SPEAKER. The Clerk will read the statement.

The statement was read.

[For conference report and statement see proceedings of the House of March 24.]

Mr. GARDNER of Michigan. Mr. Speaker, there is a full and complete agreement on all the items named in the report. I move the adoption of the report, and on that the previous question.

The items relating to playgrounds do not appear here. They are still in dispute. If the House will adopt the report, upon which there is a full agreement except as to the playgrounds item, we can take that up immediately after.

Mr. FISH. Will the gentleman yield for a moment?

Mr. GARDNER of Michigan. Certainly.

Mr. FISH. I should like to call the attention of the House to amendment No. 51. This proposes to give the City and Suburban Street Railway system an important franchise which has been denied them so far in the Committee on the District of Columbia.

The SPEAKER. How much time does the gentleman from Michigan yield?

Mr. FISH. I should like to have ten minutes on this.

Mr. GARDNER of Michigan. I yield to the gentleman ten minutes.

Mr. FISH. I will say to the House that this franchise has been discussed for some time in the District of Columbia Committee, and has not been reported by that committee as far as I know, and I am a member of that committee. I am surprised this morning to see in this conference report that this franchise is given by the conference committee to this street railroad company without the payment of compensation therefor. As the House will see by reading the report, it proposes to give them the right to run freight cars all over the city of Washington for the conveyance of parcels, milk, and light freight. Now, this is certainly a very valuable franchise, and I maintain that it is not a proper subject to come in under a conference report on an appropriation bill. It should come from the proper committee, to which it has been referred, and where it still remains. I should like to hear from the gentlemen on the Appropriations Committee any reason why this should be taken out in a summary way from the hands of the committee to which it was originally referred and be brought in in a conference report on an appropriation bill.

Mr. SIMS. Does this provision appear in either the House bill or in a Senate amendment?

Mr. FISH. As far as my knowledge goes, it does not appear in the House bill.

Mr. SIMS. If it was not in either bill, it is subject to the point of order.

Mr. FISH. It may have been put in in the Senate. I do not know that, but I will say that General Harries, who, as this House very well knows, is an exceedingly expert gentleman, appeared before our committee in favor of provisions similar to this bill, and our committee have refused so far to report it.

Mr. BURLESON. Was not the bill that General Harries brought before the gentleman's committee a general proposition to extend this privilege to all the street-car companies of the District of Columbia; and is not this provision in the bill

simply a direction that this street-car company shall extend its tracks into Brookland, and that it embodies and is in effect a bill favorably reported by the District Committee to this House, without any minority report?

Mr. FISH. I am sure if the gentleman will read page 4 of the conference report he will see there this very proposition, which is in the District Committee, and has not been reported yet by that committee.

Mr. SIMS. The general proposition has been rejected by the District Committee for many years.

Mr. FISH. The gentleman from Tennessee is quite right in that, and therefore I maintain that this way of legislating on a conference report is not proper. I call the attention of the House to that fact now, before we adopt the report of the committee. I should like to understand why it has been taken out of our hands and put into a conference report on this bill.

Mr. AUSTIN. What street car line is this?

Mr. DAWSON. Can the gentleman state to the House how many of the streets of the city of Washington are now occupied by the City and Suburban Railway of Washington? Which line is that?

Mr. FISH. As I understand, both companies are to have this privilege.

Mr. DAWSON. In other words, is it proposed to put freight cars on all of the lines of the Capital Traction Company, as well as others?

Mr. FISH. All over the city, eventually.

Mr. DAWSON. Are they to be allowed to run freight trains on all the tracks in the city of Washington?

Mr. FISH. Certainly; they are giving them that privilege in this bill, and the House should understand this before we vote for this conference report.

Mr. SULZER. Can the gentleman state whether this amendment was put on in the Senate or not?

Mr. FISH. I can not give the gentleman that information. All I know is that so far the committee which had this matter in hand has refused to report it.

Mr. SULZER. I think this is subject to a point of order.

Mr. PARSONS. If the gentleman will yield to me—

Mr. FISH. I will yield to my colleague [Mr. PARSONS].

Mr. PARSONS. I will state to my colleague [Mr. SULZER] that the only amendment that the Senate put on was under the title "Construction of county roads." There was an item:

Northeast: Monroe street, Thirteenth to Fifteenth streets, grade and improve, \$3,000.

That was the way it read in the House. The Senate amended it by simply adding \$750 to the amount, so that the amount for grading and improving was \$3,750. The conferees do this: They agree that the House recede from its disagreement to an amendment of the Senate No. 51—the \$750 for grading and improvements—and agree to the same; that is, they did not disagree, and agree to the same with an amendment as follows, striking out the amended paragraph and inserting in lieu thereof the following. Then follows, instead of the \$750, half a page giving rights to the City and Suburban Railway.

Mr. SULZER. Then it is new legislation.

Mr. TAWNEY. Mr. Speaker, I submit that the gentleman in charge of the conference report ought to make an explanation before gentlemen without any information talk on the report.

Mr. SULZER. We are getting very valuable information.

Mr. FISH. The gentleman from Michigan had the floor, and instead of giving us any explanation, he moved the previous question.

Mr. CLARK of Missouri. Mr. Speaker—

The SPEAKER. Does the gentleman from Michigan yield to the gentleman from Missouri?

Mr. GARDNER of Michigan. For a question.

Mr. CLARK of Missouri. I would like to ask a question about this authorization to the District Commissioners providing for widening or narrowing a long string of streets. The question I want to ask is, Has that proposition been considered in either House?

Mr. GARDNER of Michigan. I would rather take one thing at a time. I will take up the other matter first, and then I will be glad to answer the gentleman from Missouri.

Mr. Speaker, I would like to state the situation relative to this extension of the street-car lines. It will be noticed that the line now terminates at the Catholic University crossing. It is known there as "Death's Crossing." There have been a number of deaths at that point caused by the through trains, which run very rapidly by that suburban station. Some years ago a new street was opened, a little off from that, and an overway crossing built, at large expense, with the understanding that the railway was to deflect its line and cross over that bridge. They have not done it. They practically refuse to do it. Then,

again, beyond this crossing at some distance lies the monastery, which is visited at times, we are told, by as many as 500 people a day. It is visited by old men and old women and mothers with babes in their arms, and they all have to walk a long distance to reach the monastery. The railroad, it seems, has persistently delayed, if not refused, to comply with the provisions made when the bridge was constructed. They were not only to cross it, but to pay one-sixth of the cost of the structure. Now, the amendment contemplates the carrying out of the law as stipulated.

Mr. MADDEN. Will the gentleman yield?

Mr. GARDNER of Michigan. For a question.

Mr. MADDEN. What was the structure the gentleman referred to, to which the railway company was to contribute one-sixth of the cost?

Mr. GARDNER of Michigan. The Monroe street bridge crossing.

Mr. MADDEN. I recollect where that is. Why should not they pay the whole cost of the bridge?

Mr. GARDNER of Michigan. The gentleman from Illinois was on the committee at the time, and he remembers the difficulty we had in adjusting the rate of cost to the street railway.

Mr. MADDEN. I do not understand that when I was a member of the committee we took up the question of the contribution of the street railway company.

Mr. GARDNER of Michigan. It appears in the hearings, and I am sure the gentleman will remember, if he reflects a moment—

Mr. MADDEN. Who pays the other part of the cost?

Mr. GARDNER of Michigan. The Baltimore and Ohio Railroad pays one-half and the District the balance. The bridge is a completed highway, and the city has not got the entire benefit for which they paid out the money.

Mr. HAUGEN. Mr. Speaker, will the gentleman yield?

Mr. GARDNER of Michigan. I will yield to the gentleman.

Mr. HAUGEN. I would like to ask the gentleman if it is not a fact that the citizens of Brookland have contributed to the building of this overhead crossing with the express understanding that the street railway company was to extend its line into Brookland, and that the company has not complied with that agreement?

Mr. BURLESON. Mr. Speaker, I would like to answer that question.

Mr. GARDNER of Michigan. I will yield to the gentleman from Texas.

Mr. BURLESON. When this Monroe street extension was ordered and the Monroe street bridge authorized for the purpose of eliminating the dangerous grade crossing, the adjacent and contiguous property owners were assessed for benefits upon the assurance that the street railroad company would at once, or within a reasonable time, be made, to extend its tracks over the Monroe street bridge and avoid the dangers at University crossing. The gentleman from Illinois [Mr. MADDEN] was on the committee at the time, and it has been at least three years since this work was completed, and this extension has not yet been made.

Mr. Speaker, a number of accidents have occurred at the crossing of this street with the Baltimore and Ohio Railroad; it is extremely dangerous, and the matter was brought to our attention by those in charge of the monastery, by the president of the Brookland Citizens' Association, and by innumerable people living at Brookland, who urged that this extension should be ordered. It appealed to us as an act of justice that these people were entitled to have the promises made them redeemed, especially when they had paid the assessment made against them for the benefits which were to accrue by reason of the extension of this street railroad. We talked with the gentleman from Michigan [Mr. SMITH], the chairman of the Committee on the District of Columbia, and received assurance that there was practically no opposition to this street railroad extension in his committee; but he also said that there was great difficulty in getting a bill of this character, to order this extension, through the House, because some Member would hang upon it an amendment for universal transfers or some other sort of a street railway regulation of that character which would cause its delay or defeat.

Mr. MADDEN. If I recollect right, the railroad tracks end at the point where the bridge was to be constructed across the Baltimore and Ohio Railroad tracks, at the time we visited there. Is that so?

Mr. BURLESON. The street railway tracks—

Mr. MADDEN. That is what I mean.

Mr. BURLESON (continuing). End where the Baltimore and Ohio Railroad crosses the street at University Station.

Mr. MADDEN. That is right.

Mr. BURLESON. And the purpose of this amendment is to make the company take up that track and extend its line over this Monroe Street Bridge, and thereby eliminate this exceedingly dangerous crossing. There was a Senate amendment in the bill upon which we could hang this amendment; and in order to do exact justice to these people—these people who have paid for benefits promised, but not given them—we embody this provision in the bill. I do not believe that a fair reading of it would justify the construction placed upon it by the gentleman from New York [Mr. FISH]. Brookland is a suburb of the city of Washington. This railway is practically a suburban railway, and this amendment does give the street-railway company the privilege of running, over the extension and over its line that goes to Brookland, cars containing ice, milk, and light freight; but it does not, as I understand it, give to any other railway or to this railway the privilege of running freight cars through the city of Washington, and it was not the purpose of the committee to give any such privilege, and I do not believe that a fair reading of this amendment will justify any such construction.

Mr. LONGWORTH. The last paragraph on page 4 is plainly an authorization to do it over all tracks, not over these particular tracks.

Mr. MANN. Only for the City and Suburban Railway.

Mr. LONGWORTH. Yes. Is it or is it not a new power granted to operate these cars over all tracks?

Mr. BURLESON. This amendment finally embodied in the bill was a bill introduced by the Senator from New Hampshire [Mr. GALLINGER] in the Senate, and passed through the Senate. We insisted upon a bill that had been introduced by the chairman of the House Committee on the District of Columbia [Mr. SMITH] that had been approved of by the District Commissioners, but upon an assurance that it was substantially the same proposition we accepted the bill which had been introduced by the Senator from New Hampshire [Mr. GALLINGER], and which passed the Senate, as I understand it, and is substantially the same as the Smith bill, and a comparison will so disclose.

Mr. WEEKS. I would like to ask the gentleman from Texas to explain to the House what the City and Suburban Railway is—what streets it operates over.

Mr. BURLESON. I am unable to give the gentleman that information, but understand it is a single line running to Brookland.

Mr. DAWSON. Will the gentleman tell us whether or not the City and Suburban Railway embraces what is known as the F street system as contradistinguished from the Capital Traction Company, which is the Pennsylvania avenue and Fourteenth street line? Does the City and Suburban Railway Company embrace all of the tracks aside from the tracks of the Capital Traction Company?

Mr. GARDNER of Michigan. I understand that it does not.

Mr. FISH. I would like to ask the gentleman from Texas whether the committee in reporting this amendment was aware of the fact that the District of Columbia Committee had been considering this question for two months, and had so far refused to support it?

Mr. BURLESON. To be candid with the gentleman, I was not aware of the fact that the District Committee had been considering it for two months or any other period, but I am aware of the fact, however, that the District Committee has not reported any bill directing or ordering this street-railway company to extend its tracks across the Monroe Street Bridge for the purpose of removing the danger to the lives of the people who are forced to use it, although three years have elapsed since the bridge was built, and the people through their citizens' association have repeatedly begged that committee that it be done—that justice be done them.

Mr. FISH. Will the gentleman give way?

Mr. BURLESON. Certainly.

Mr. FISH. What is the use of bringing the two questions in one? They are two separate propositions. Certainly the question of life and death is not involved in the question of giving this franchise to this railroad without paying any compensation, and I thought it was the creed of the Democratic party at least that if franchises were given, the railroad company should pay for them.

Mr. BURLESON. Not only the creed of our party, but we on this side always live up to that creed.

Mr. FISH. And why does the gentleman not do it now? I will give him a chance to do it.

Mr. DOUGLAS. Mr. Speaker, I would like to ask the gentleman a question, and that is whether he considers it a legitimate form of legislation, a legitimate conference report, to

come in with such legislation as that and to move the previous question upon it, whether or not it is not a violation of the confidence that the House has the right to repose in its conference committee?

Mr. BURLESON. Mr. Speaker, in answer to the gentleman from Ohio, I will say that some of the most beneficial legislation that passes this body is carried upon appropriation bills.

Sometimes it is the only way that it is possible to effect beneficial legislation, and my deliberate judgment was it was the only way to force this street railroad to extend its tracks into Brookland and to redeem the promises made these people and give them benefits which they have paid for.

Mr. DOUGLAS. Does the gentleman think it is necessary, in order to compel this railroad to extend its tracks, to give a right to operate freight cars all over the city of Washington? That is what the provision in here is.

Mr. MANN. Will the gentleman from Michigan inform us whether this same item was in the previous conference report?

Mr. GARDNER of Michigan. Yes; as I remember it.

Mr. MANN. This is not absolutely new matter to anybody except the gentleman from Ohio [Mr. DOUGLAS].

Mr. GARDNER of Michigan. It ought not to be.

Mr. MANN. It has been before the House for some time.

Mr. SIMS. But if this provision is in the conference report and not in the bill, either as it passed the House or Senate, it is subject to a point of order.

Mr. GARDNER of Michigan. The original conference report was presented to the House some time ago.

Mr. SIMS. But who read it?

Mr. GARDNER of Michigan. If I can repeat myself, the Baltimore and Ohio Railroad and the District have gone to large expense to avoid the danger at the University crossing, probably the most dangerous suburban crossing in the District. A large population live in the vicinity of the monastery, and, as I have already stated, the monastery itself is visited, as one of the fathers there in charge told me, by as many as 500 people a day. They have to walk quite a long distance. Now, the House and Senate in their wisdom built the Monroe Street Bridge, opened up a new street for the very purpose of allowing this street railway to extend its crossing over the railroad instead of at grade. It was not so much for ordinary traffic. Now, for three years—

Mr. PAYNE. If the gentleman will allow me, I would like to ask if the original act providing for the building of this bridge required the railroad company to lay their tracks across the bridge?

Mr. GARDNER of Michigan. It did, as I understand it, and it says that when they lay their tracks they must pay 6 per cent of the cost of building the bridge.

Mr. PAYNE. And they have refused to do it?

Mr. GARDNER of Michigan. They have done nothing.

Mr. PAYNE. Now, is there any bargain by which the railroad company agrees to lay their tracks across this bridge if they can get this concession?

Mr. GARDNER of Michigan. Under this provision they are compelled to lay their tracks in six months.

Mr. PAYNE. Yes; they were compelled in the former act, but did not do it, as I understand the gentleman. Your amendment does not even make a condition precedent that they should build these tracks before they shall have the privilege of carrying milk, and so forth, through the streets—not through all the streets of Washington, but through the streets occupied by this railroad company.

Mr. LONGWORTH. Will the gentleman explain to us what this railroad is? I do not think we understand it.

Mr. GARDNER of Michigan. It is an extension of the line going through the Catholic University grounds.

Mr. LONGWORTH. I am speaking of what is called the City and Suburban Railway Company.

Mr. GARDNER of Michigan. It is what is known as the boundary railroad, as I understand.

Mr. LONGWORTH. Is it owned by either of these other railroads?

Mr. GARDNER of Michigan. I understand so.

Mr. SIMS. The Washington Railway and Electric Company owns it, all the stock but a little.

Mr. LONGWORTH. How many miles of railroad are there?

Mr. GARDNER of Michigan. I can not tell you.

Mr. LONGWORTH. That is the point I was trying to get explained, and the point which I think this House wants to be advised upon is whether the last paragraph on page 4 is put in there as a sop, so to speak, to this railroad company for compelling them to do a thing which they should have done long before.

Mr. GARDNER of Michigan. I do not so understand it.

Mr. LONGWORTH. Because it is evident on the face of it that it is a grant of entire new authority, one which we have not—

Mr. GARDNER of Michigan. It was not so represented to the conferees.

Mr. SIMS. Is it necessary in order to build that bridge to give that valuable franchise which is not given to any other railroad operating a suburban line? It is clearly subject to the point of order as it is not in point of fact contained in either the House or Senate bill.

Now, was it necessary to give a franchise when this committee has refused other railroads for ten years?

Mr. GARDNER of Michigan. When the bridge was authorized some years ago it was the distinct understanding on the part of both Houses that the railroad should take up the tracks and put—

Mr. SIMS. Do not get away from the express and freight matter. Why give them an express and freight privilege that every railroad ought to have if one has it?

Mr. GARDNER of Michigan. As I understand it, this is very limited.

Mr. SIMS. It is not limited in principle.

Mr. GARDNER of Michigan. And it is wholly under the regulation of the District of Columbia Commissioners.

Mr. SIMS. Under regulation? There are many things under regulation here that do not get regulated.

Mr. MARTIN of South Dakota. Is the gentleman able to inform the House as to what tracks, if any, within the District, especially within the city of Washington, this franchise for carrying freight in the last paragraph would apply to?

Mr. GARDNER of Michigan. If I understand, it applies only for a limited distance, to that which is known as the boundary railroad, and not through the city at all—not every line in this particular corporation as a whole.

Mr. MARTIN of South Dakota. Does it come within the city limits?

Mr. GARDNER of Michigan. This is all in the city limits—not down in town, but within the District, I mean.

Mr. MARTIN of South Dakota. Does not the gentleman think that this House ought to know precisely to what lines and to what extent the franchise would apply before granting a franchise of this character?

Mr. SIMS. Will the gentleman yield for a point of order, to be made to the whole report, in order to get rid of this franchise?

Mr. GARDNER of Michigan. You can move to amend the report by striking that out.

Mr. KEIFER. As I understand by reading the second paragraph on page 4 of the conference report, that is the general provision that applies of the City and Suburban Railway of Washington. It has no dependence whatever upon that which precedes, relating to the bridge over Monroe street, and, as stated by the gentleman from New York [Mr. PAYNE], this is a grant, and is not a condition at all of the prior provisions of the report. The railway company may get this grant and yet not comply with the other provisions with reference to the bridge. But I want to ask the gentleman from Michigan [Mr. GARDNER] in charge of the report whether or not this grant proposed here is very much, anyway? It undertakes to grant the right to this City and Suburban Railway, of Washington, to operate over its tracks cars for the conveyance of parcels, milk, ice, light freight, and of fuel for the use of such company, in accordance with such regulations as the Commissioners of the District of Columbia shall impose. My impression is that it can do that now under its general charter. I understand that the company operates cars now over the tracks of its railway for the purpose of carrying the United States mail, and all that comes within the general charter. In chartering a street railway, an interurban railway, or a steam railway you do not have to provide what sort of articles may be carried in its cars, and I think this company could now do substantially all that it is proposed to be granted to it here. And I would like to know from the gentleman in charge of the measure what is the occasion of putting this provision in the conference report?

Mr. PAYNE. This is an original charter, I will say to the gentleman, and an original charter simply provides for the carrying of passengers, and they could not carry freight.

Mr. KEIFER. I understand the original charter, I will say in reply to the gentleman from New York, is not a charter for a street railway, providing exclusively that it shall do no business but carry passengers; but this is for a street railway, and the company may run over its tracks cars carrying passengers or whatever is usual over such lines as they may establish.

Mr. FISH. Will the gentleman give way a moment?

Mr. KEIFER. Yes.

Mr. FISH. I would like to ask the gentleman from Ohio whether he believes this is a proper way to legislate on a railroad matter?

Mr. KEIFER. That is what I am trying to find out myself. I have not the floor.

Mr. FISH. Does not the gentleman from Ohio know that the City and Suburban Railway is part of the general railroad system owned by the Washington Railway and Electric Company, and this, if anything, is an opening wedge for freight all over the city?

Mr. KEIFER. It is a question with me whether it is proper legislation.

Mr. GARDNER of Michigan. I have no objection, if the House desires to strike out the second paragraph on page 4, in reference to the carrying of freight.

Mr. PAYNE. It will have to go back to conference, then.

Mr. KEIFER. You can not do that without voting down the conference report.

Mr. GARDNER of Michigan. I am willing that it shall go back to conference.

Mr. PAYNE. The conference report will have to be voted down.

Mr. GARDNER of Michigan. What the conferees of both Houses want to do is to get the people out beyond the railroad without endangering their lives, a right for which they have been pleading here for at least three years, and without avail. The committees in either House, for some reason or other, have hesitated to give to these people that which they are entitled to under previous legislation. If you want to vote down the report, we will take it back to conference. We have only one purpose, which is to best serve the people of the District through this provision.

Mr. GAINES. Will the gentleman yield to me?

Mr. GARDNER of Michigan. I yield to the gentleman from West Virginia.

Mr. GAINES. I notice on page 3, the last sentence or last clause:

And in default of such commencements and completions within the several periods specified herein, all rights, franchises, and privileges granted herein, shall, with respect to the defaulted portions of the route or routes, cease and determine.

Now, it seems to me, from the first paragraph, that this is not merely an authorization, but a direction, that this railroad take up their tracks on certain streets and extend them on certain other streets; but this language, which would seem to me very natural language for an authorization, seems wholly inadequate if it is to compel the railroad company to do something, for the only penalty would seem to be that if they failed to do it they forfeit the right to do it. The whole thing does not read to one examining it as we can here in the House of Representatives as if it were to direct the railroad company, but rather reads as if it were a mere authorization to do a certain thing, if they desired to do it, than a demand, as shown in the language which I have read.

Mr. GARDNER of Michigan. I would say, Mr. Speaker, in reply to that, the language is substantially the same as it was in a House bill and in a Senate bill which the chairmen of both committees, as I understand, are agreed on. They think it will meet the purpose, namely, to deflect the road over this bridge, which is the object the committees have in view.

Mr. MANN. On this same matter, will the gentleman yield? Of course it is not necessary to say I have the highest respect for the opinion of the chairmen of the District Committees of the House and of the Senate; but does not the gentleman from Michigan think that on a matter of this sort the House is entitled to consider a proposition where it is amendable?

Mr. GARDNER of Michigan. Yes; I should say so, as a general proposition.

Mr. MANN. As a general proposition. Of course the gentleman is rather foreclosed from expressing an opinion about this proposition. But has not this discussion demonstrated to the gentleman himself the desirability of having a proposition of this sort submitted to the House in a shape where it can be amended? The gentleman has already offered to strike out part of this. Does not the gentleman believe that if the committee of the House charged with responsibility in connection with District legislation has neglected its duty, it shall be charged with the negligence, and his committee shall not be charged with usurpation?

Mr. GARDNER of Michigan. As a general proposition, yes; but here is the condition—

Mr. MANN. That condition—

Mr. GARDNER of Michigan. Just a moment. That justifies the action of somebody from somewhere to meet the conditions that all concede ought to be met.

Mr. MANN. Will the gentleman yield on that? There is a bill in conference between the House and the Senate relating to railway accidents, on which I am one of the conferees. Does the gentleman think that, because that is a matter now pending with my committee, our conferees would be warranted in injecting into the conference report on a bill relating to railroad accidents a matter not within the control of our committee simply because we should happen to think that some other committee had not reported a bill which we thought ought to be reported?

Mr. PAYNE. Will the gentleman from Michigan allow me right there?

Mr. GARDNER of Michigan. Certainly.

Mr. PAYNE. The rules of the House and the practice of the House in that respect are that any Member can make a point of order against a conference report when it contains any matter never debated in either House.

Mr. MANN. The gentleman is mistaken; this is new matter, which is not subject to the point of order; but it never has been debated in either House on this bill.

Mr. PAYNE. It is subject to the point of order if the conferees put in an amendment or a proposition that neither House has considered in the bill or an amendment.

Mr. MANN. The gentleman from Texas well remarked that this is a Senate amendment upon which they could hang an amendment by agreeing to the Senate amendment "with an amendment to read as follows." And thus inject matter which was in neither bill. It is frequently done; it is in order, but it is improper.

Mr. PAYNE. I do not understand that in the Senate amendment there is anything upon which to hang this.

Mr. MANN. I think there were a few dollars to hang it on.

Mr. PAYNE. Having agreed that the conference report might be voted down, the gentleman from Illinois wants to conclude his lecture of the committee.

Mr. MANN. I am not lecturing the committee. I am suggesting to the gentleman what may happen when the conference committee brings this proposition back to the House.

Mr. CLARK of Missouri. Mr. Speaker—

Mr. GARDNER of Michigan. I yield to the gentleman from Missouri.

Mr. CLARK of Missouri. On page 4, down toward the bottom, I should like to ask if all of that which is printed in italics about widening streets and narrowing streets is not a new proposition that was never considered in either House?

Mr. GARDNER of Michigan. No; on page 36 of the bill the gentleman will find the following, as the bill passed the House:

The authority given the Commissioners of the District of Columbia in the act making appropriations for the expenses of the District of Columbia, approved March 2, 1907, to make such changes in the lines of the curb of Pennsylvania avenue and its intersecting streets in connection with their resurfacing as they may consider necessary and advisable—

This is the point—

is hereby made applicable to such other streets and avenues as may be improved hereafter under appropriations.

Mr. CLARK of Missouri. Under that clause you put in all of that which is in italics.

Mr. GARDNER of Michigan. Yes.

Mr. CLARK of Missouri. How much does the chairman of this subcommittee suppose that scheme would cost?

Mr. GARDNER of Michigan. It is reported by the commissioners that it will be a net saving of \$10,000 to start with, and a perpetual saving in the upkeep of these streets in the future; and a still more valuable consideration is that it will protect the trees on many of the streets, the roots of which trees are now cut off on one side close to the body of the tree to allow the placing of the curb.

Mr. CLARK of Missouri. How can there be a saving when it takes money to do this remodeling of the streets?

Mr. GARDNER of Michigan. This simply refers to streets which they propose to remodel anyhow.

Mr. BURLESON. Streets that were authorized to be remodeled or improved in this bill?

Mr. GARDNER of Michigan. Yes.

Mr. BURLESON. With the permission of the gentleman from Michigan, I can explain it to the gentleman in a word.

Mr. GARDNER of Michigan. The wisdom of this provision is one of the clearest things in the bill. In the first place, many of the streets here, in an early day, were laid out exceedingly wide.

Mr. CLARK of Missouri. Yes.

Mr. GARDNER of Michigan. The roadways?

Mr. CLARK of Missouri. Yes.

Mr. GARDNER of Michigan. The walks are relatively narrow?

Mr. CLARK of Missouri. Yes.

Mr. GARDNER of Michigan. The trees were put right close to the curb. As the trees have grown, you will find on street after street that the ax has gone down close to the body of the tree, severing the roots necessary to fully nourish the trees, and, as a consequence, many have already died; others are stunted in their growth, and the roadway, for all practical purposes, is from one-half to two-thirds and, in some cases, twice as wide as there is any use whatever for the accommodation of the public traffic.

Mr. CLARK of Missouri. This seems to be a proposition to widen the roadway.

Mr. GARDNER of Michigan. There are only a very few instances where they will be widened. In nearly all of the cases they will be narrowed.

Mr. CLARK of Missouri. Every time you narrow a street or widen a street you have to tear up the old street several feet and level it, and then replace it as nearly as you can where it was, do you not?

Mr. GARDNER of Michigan. As I stated before to the gentleman, it is not proposed to make these improvements on any street where the commissioners have not decided that they are necessary, whether this provision prevails or not. This only refers to streets which will necessarily have to be treated.

Mr. CLARK of Missouri. One question more.

Mr. GARDNER of Michigan. Certainly.

Mr. CLARK of Missouri. Does this proposition involve the acquiring of any title to land which is now held by any private owner?

Mr. GARDNER of Michigan. I do not understand that it does.

Mr. BURLESON. It does not.

Mr. CLARK of Missouri. Do you think this report ought to be voted down, so that we can get a whack at these different propositions?

Mr. BURLESON. If the gentleman will allow me, I can explain this amendment in a few words.

Mr. GARDNER of Michigan. I yield to the gentleman from Texas.

Mr. BURLESON. In the bill as it passed the House there was a broad authorization given to the District Commissioners to narrow or broaden streets where a resurfacing or improvement of them was authorized and provided for. This was deemed necessary, because it was found that frequently in resurfacing a street, if it was improved as it was originally laid out, it would be found necessary to chop off the roots of the trees on the street side close to the trees. This resulted in injury or death to the trees. By changing the line of the streets 3 or 4 inches, under an authorization of this character, often the life of 100 or 200 trees can be saved.

This amendment gives authorization to narrow certain streets, the purpose being to save from injury or save the life of trees. Heretofore this narrowing has been done without authorization of law, and it was feared to continue to do so would affect the right of assessment if the question should be raised, and to give authorization of law for such narrowing of streets in order that legality of assessments might not be affected was thought desirable. The Senate objected to the broad authorization the House had put in the bill and urged that the engineer commissioner indicate the particular streets where it was deemed necessary. The engineer commissioner and his assistants, all United States Army officers, made a careful investigation and reported back this list of streets, some few to be broadened, others necessary to narrow by only 3 or 4 inches. The authorization will save the lives of many trees. The question was propounded to the engineer commissioner, Will this authorization cost more money or will it result in a saving of money? And my recollection is that he said, after having made the calculation carefully, that he could assure us that it would result in a saving of at least \$8,000, in addition to the saving of innumerable trees which would be injured or destroyed if it was not done.

Mr. GAINES. Will the gentleman yield?

Mr. BURLESON. Certainly.

Mr. GAINES. When the streets are narrowed, what becomes of the land that is no longer occupied by the streets? Does it go to the sidewalk or the abutting owners?

Mr. BURLESON. It goes to the sidewalk or parking. The Government does not lose one inch of land under this proposition, nor does one inch of land accrue to any property owner. Furthermore, if in the future, after a lapse of fifteen or twenty years, when it becomes necessary to resurface the street where the street has been narrowed, if it is then desirable because of increased traffic, the authorities can again widen the street.

Mr. DOUGLAS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DOUGLAS. The Chair will remember that immediately on the conclusion of the report the gentleman from Michigan moved the previous question, and I would like to ask the Chair whether, this subject-matter not having been before either the Senate or the House, it would not now be in order to move to strike it out?

The SPEAKER. The gentleman from Michigan moved the previous question, but withheld it and yielded ten minutes to the gentleman from New York [Mr. Fish], and debate has been going on.

Mr. DOUGLAS. Debate on what?

The SPEAKER. Upon this report.

Mr. DOUGLAS. Whether the previous question shall be ordered?

The SPEAKER. No; the gentleman from Michigan withheld that motion.

Mr. SHERLEY. Mr. Speaker, will the gentleman yield?

Mr. GARDNER of Michigan. I will yield to the gentleman from Kentucky.

Mr. SHERLEY. I would like to ask the gentleman if he knows whether the City and Suburban Railway of Washington has a charter for the operation of its cars over all the tracks involved herein?

Mr. GARDNER of Michigan. I can not answer that.

Mr. SHERLEY. Does the gentleman know, further, whether the adoption of this paragraph may in fact give to that railroad some franchise right it does not now possess?

Mr. GARDNER of Michigan. It is not so understood.

Mr. SHERLEY. It may not be so understood by the conferees, but I have been informed—I have no information of my own knowledge—that this railway company is now operating some lines by sufferance, and it would seem, if that be true, that this provision may unintentionally give them a legal status that they do not now possess, and I submit that this matter is of sufficient importance for the House to be thoroughly informed upon it before it votes.

Mr. GARDNER of Michigan. I want to say another word in answer to the question put by the gentleman from Missouri [Mr. Clark]. Under the House provision in the bill there was given full authority to the commissioners to narrow or widen streets, as they might see fit, and under the agreement as it appears in the conference report there is a limitation, and the streets are specified so as to hold this subject within the hands of the authorities, and, as a general proposition, I think it is one of the best things in the bill.

Mr. TAWNEY. Let me suggest that, in view of the sentiment of the House, we take a vote on the question of adopting the report, and if the report is voted down, it will be sent back to conference and all these questions can be considered.

Mr. SHERLEY. Yes; but we ought to have some information before we vote.

Mr. MALBY. Mr. Speaker, will the gentleman yield?

Mr. GARDNER of Michigan. I will yield to the gentleman from New York.

Mr. MALBY. My attention was called to a provision in the report, on pages 6 and 7, which seems to be new matter, with reference to the public schools and transfer of teachers from one department to another. That seems to me to be new legislation.

I would like to inquire whether the provision embraced in italics was before either committee in either bill, either in the Senate bill or in the House bill, and also, if the gentleman will pardon me, because this seems to be an important departure, on page 6, with reference to the subject-matter which we have been discussing, beginning with the words "the authority granted in the District of Columbia appropriation act for the fiscal year 1910," and so forth—whether that is not new matter, and not embraced in any bill or provision which either the Senate or the House sent to the conference committee?

Mr. GARDNER of Michigan. Mr. Speaker, I will take these up one at a time. With regard to teachers, I would say that not only was that before both committees, and before both Houses of this Congress, but it has been a subject-matter of contention in both Houses of Congress for three years, and has appeared in some form in every bill that has been reported now for at least three years, and is clearly within the province of the committee.

Mr. MALBY. I have not a copy of the bill, and I am unable to get one. Will the gentleman read any provision in the bill which covers the subject in the same manner that it does on pages 6 and 7, to which I have called attention?

Mr. GARDNER of Michigan. No. If it covered the subject in the same manner there would not have been any disagreement.

Mr. MALBY. In substance, not in any other manner—did it in substance cover the subject?

Mr. GARDNER of Michigan. If the gentleman will look at page 54 of the bill, he will find the provision there as passed in the House, and further along the provision as passed in the Senate. The two did not harmonize. If the gentleman would take time to look at the bill he would not have asked any question of that kind.

Mr. MALBY. I have dead loads of time, but I have not seen the bill.

Mr. GARDNER of Michigan. There would not be any question, if the gentleman had the bill. I refer him to pages 54 and 55. The bill has been here for a month.

Mr. MALBY. It has not been here over fifteen minutes.

Mr. GARDNER of Michigan. Now, the other question I did not get.

Mr. MALBY. The other question was as to whether, on page 6, beginning with the words "The authority granted in the District of Columbia appropriation act," and so forth—

Mr. GARDNER of Michigan. Oh, yes. I would say in regard to that that there had passed the House and the Senate an appropriation for a public comfort station near Dupont circle last year. The provision has just begun to be carried out. It was to be an above-the-ground station, one of those exposed public comfort stations like that seen on Pennsylvania avenue near the public market. The commissioners located it near to and in front of one of the finest residences in the city. Not only the people thereabout, but everybody who passed by said that that was a wrong thing to do. There was a universal protest came up, and in conference it was decided to put the public-comfort station within the Dupont circle and have it beneath, rather than above, the ground.

Mr. MALBY. Mr. Speaker, I am not asking as to whether this amendment is a proper one or not. That is not the inquiry. My inquiry is addressed as to the power and the authority of a conference committee to adopt a proposition which is not contained either in the Senate bill or the House bill—whether the conference committee has the power to substitute an absolutely new proposition. Now, if the gentleman will yield for a moment with reference to the other inquiry, I will call his attention to this—

Mr. GARDNER of Michigan. I will answer that first, and then take up the other.

Mr. MALBY. The gentleman can answer them both together.

Mr. GARDNER of Michigan. Which is that?

Mr. MALBY. With reference to schools. I call the attention of the gentleman to the fact that the language used in the House bill is not, in any sense whatever, the clause which has been agreed to by the conference committee, either in substance or effect in any way.

Mr. GARDNER of Michigan. I want to say to the gentleman that that was one of the chief points in controversy; that we had to harmonize the differences between the two Houses; that we were clearly within our legal rights as conferees.

Mr. MALBY. I call the gentleman's attention to the fact that neither in substance nor in effect does the conference report agree with the object and purposes expressed in the bill passed by the House.

Mr. GARDNER of Michigan. Both the House report and the Senate report were broader than that finally agreed upon, and we have a right as conferees to narrow a report if we can so agree.

Mr. MALBY. But you have enormously expanded it, and it contains a new provision.

Mr. GARDNER of Michigan. The gentleman is mistaken.

Mr. PARSONS. Will the gentleman yield?

Mr. GARDNER of Michigan. Yes.

Mr. PARSONS. Mr. Speaker, I wish to refer back to the amendment No. 51, relating to the items respecting the City and Suburban Railway. At the end of that amendment there is this provision:

The City and Suburban Railway of Washington is hereby authorized to operate over its tracks cars for the conveyance of parcels, milk, ice, light freight, and of fuel for the use of such company in accordance with such regulations as the Commissioners of the District of Columbia shall impose.

Now, I wish to call the attention of the gentleman in charge of the bill to the fact that there is no limitation in that in regard to the last provision. Congress does not retain the right to alter, amend, or repeal. Such right may apply to the other provisions because of the preceding paragraph, but it does not apply to this paragraph, and it would give them the absolute right throughout the city to do these things and we could never change them.

Mr. GARDNER of Michigan. Mr. Speaker, I now call for a vote.

The SPEAKER. The gentleman from Michigan moves the previous question.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is, Will the House agree to the report?

The question was taken, and the conference report was rejected.

Mr. GARDNER of Michigan. Mr. Speaker, I move a further disagreement on the part of the House to the Senate amendments, and that the House ask for a conference.

Mr. MANN. Mr. Speaker, is it in order to have a separate vote on any of the amendments?

The SPEAKER. Well, the gentleman knows what the motion is quite as well, if not better, than the Chair.

Mr. MANN. Mr. Speaker, I ask for a separate vote on amendment No. 51.

The SPEAKER. Well, the only way that could come—

Mr. MANN. Mr. Speaker, I move to agree to Senate amendment No. 51.

The SPEAKER. Is a separate vote asked on any other amendment? If not, the Chair will put the question on this motion.

Mr. BURLESON. Mr. Speaker, I desire to offer an amendment to the gentleman's amendment.

The SPEAKER. One moment. No separate vote being asked on the other amendments, the Chair will put the question on this amendment.

Mr. MALBY. What is that amendment?

Mr. MANN. It is not the amendment we were voting on.

The SPEAKER. It does not touch the other amendment.

Mr. MALBY. But I would like to know what it is.

The SPEAKER. It is to disagree to all Senate amendments except the one designated by the gentleman from Illinois, No. 51.

Mr. JOHNSON of South Carolina. Can we have it read?

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. MANN. All that is asked is a separate vote on this particular proposition.

The SPEAKER. The Chair would like to dispose of the other amendments, and it is in order for the Chair to ascertain on what amendment or amendments a separate vote is asked other than on 51. Does any gentleman demand a separate vote on any amendment? [After a pause.] As no separate vote is demanded, the question will be on further insisting to the disagreement to all the Senate amendments except Senate amendment No. 51.

Mr. MALBY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MALBY. Does that vote mean the only question involved in conference will be amendment numbered 51?

The SPEAKER. Not at all. It is a motion that the House further insist upon its disagreement to all Senate amendments except 51, upon which a separate vote is demanded.

Mr. MALBY. That is very satisfactory.

The question was taken, and all Senate amendments were disagreed to except No. 51.

The SPEAKER. The Clerk will report Senate amendment No. 51.

The Clerk read as follows:  
Page 30, line 2, after the word "thousand," insert "seven hundred and fifty."

Mr. MANN. That is the amendment, Mr. Speaker, and I move that the House concur in Senate amendment 51, and I do this simply for the purpose—

The SPEAKER. The amendment ought to be reported.

Mr. MANN. The amendment has been reported. The provision in the conference report is not before the House; it is not an amendment. I can state the case so the House will understand the situation for the purpose of getting it before the House. The House, in passing the bill, made an appropriation of \$3,000 for the improving or something in connection with some street. The exact provision can be read by any gentleman who happens to have a copy of the bill. I have not been able to obtain a copy of the bill, but the Senate added to the \$3,000 the words "seven hundred and fifty," so that the appropriation will be \$3,750. There was nothing in the House provision or the Senate amendment in relation to any street railroad company or any street car tracks.

But I assume, although I do not know, that the appropriation was for a street over which or upon which some street car track was laid. The conference report, which was subject to a

point of order, as I discover upon an examination of the original amendment, struck out the entire paragraph, including the matter which had been agreed to by both Houses, and including the Senate amendment, and inserted in lieu thereof what is printed now in the conference report under the head of "Amendment 51."

Mr. GARDNER of Michigan. Mr. Speaker, on page 51 it says "\$3,750."

Mr. MANN. Three thousand dollars as passed by the House.

Mr. GARDNER of Michigan. And \$3,750 as passed by the Senate.

Mr. MANN. The \$750 additional was by an amendment which was passed by the Senate.

Mr. GARDNER of Michigan. Now, if I may be allowed to speak for the conferees, that matter ought to stand. The improvement ought to be made whether the railroad is extended or not.

Mr. MANN. My motion is to concur in the Senate amendment, which will give it \$3,750, but eliminate any possibility of any further conference report bringing in a provision in reference to the street car lines.

Now, so far as I am concerned, I will say frankly that I am not familiar enough with the situation to know or express an opinion as to whether the City and Suburban Railway Company should have an extension of its tracks at this point or whether they should have the right to bring in milk and vegetables and other light freight under regulations provided by the commissioners or not. But it seems to me desirable once in a while as you go along to take a step forward and settle something. And if the House is disposed that way now, they can settle this question by simply agreeing to this Senate amendment.

Mr. DOUGLAS. Will the gentleman yield?

Mr. GARDNER of Michigan. I have the floor.

Mr. DOUGLAS. The gentleman from Illinois [Mr. MANN] has the floor.

Mr. MANN. I yield to the gentleman from Ohio.

Mr. DOUGLAS. I was simply going to ask, in reference to the gentleman's remark regarding the gentleman from Ohio, when I had some colloquy with the gentleman from Texas [Mr. BURLESON], does the gentleman think that it is essential for a diligent Member of this House to search through every conference report made by the conferees of matters in difference between this House and the Senate and find new legislation like that?

Mr. MANN. I do not know whether it is essential for every diligent Member to do it or not, but for years I have made that a practice.

Mr. DOUGLAS. That may be.

Mr. MANN. And I judge it would not hurt any gentleman of the House to read the conference report on appropriation bills; and I think it absolutely essential that Members—

Mr. DOUGLAS. The gentleman will remember that the ordinary Members have not the help to do such work as he has.

Mr. MANN. The gentleman will remember that the only help that I have to do such work is the help which God gave to me. I do not use any help which I receive from the House in such matters. I do not receive any greater help from God in this matter than the other Members of the House.

Mr. GARDNER of Michigan. I hope the motion of the gentleman from Illinois will not prevail. Let this matter go back to the conference. It may be that there should be some change in this amendment as to the amount. In any event, I think the judgment of the House is sufficiently expressed that anything looking to the introduction of any railroad matter will not be entertained in the next report of the committee.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Illinois [Mr. MANN] that the House do recede from its disagreement to the Senate amendment No. 51 and concur in the same.

Mr. BURLESON. Mr. Speaker, I move to concur with an amendment to the motion of the gentleman from Illinois. I send it to the Clerk's desk in order that it may be read.

The SPEAKER. The Clerk will report the amendment. The Clerk proceeded to read as follows:

Add thereto the following:  
"And the City"—

The SPEAKER. The Chair may suggest that the gentleman from Texas have his amendment read for information. If the amendment is to be made, the House ought to first see what it is.

Mr. BURLESON. It just simply forces the street railway company to make this extension. It strikes out the last line, about which this controversy arose. It strikes out this additional grant of power.

Mr. MANN. I suggest that the amendment be reported.

The SPEAKER. Without objection, the proposed amendment will be reported for information.

The Clerk read as follows:

Add thereto the following:

"And the City and Suburban Railway of Washington be, and it is hereby, authorized and directed to remove its double tracks from Michigan avenue from the intersection thereof with Monroe street NE., eastwardly to the tracks of the Baltimore and Ohio Railroad, and to extend its double tracks on Monroe street NE. eastwardly from said intersection and over the Monroe Street Bridge to Twelfth street NE., thence on Twelfth street northwardly to the Bunker Hill road, and thence northwardly on such street or road as may be designated by the Commissioners of the District of Columbia to the intersection of such street or road with the boundary line of the District of Columbia.

"The removal of the existing tracks east of the intersection of Monroe street and Michigan avenue and the extension of the new double tracks on Monroe street as far as Twelfth street NE., as herein provided for, shall be commenced within six months from the date of the passage of this act and completed within six months thereafter; that the construction of that portion of the extension from Twelfth and Monroe streets to the Bunker Hill road, as herein provided for, shall be commenced within one year from the date of the passage of this act and completed within one year thereafter; that the construction of that portion of the extension from the Bunker Hill road to the District line herein provided for shall be commenced within one year from the date of the passage of this act and completed within one year thereafter; that the cost of widening the roadway of Monroe street NE., between Tenth and Twelfth streets, to make the same 40 feet wide from curb to curb, shall be paid by the City and Suburban Railway of Washington, and in default of such commencements and completions within the several periods specified herein, all rights, franchises, and privileges granted herein, shall, with respect to the defaulted portions of the route or routes, cease and determine.

"The said City and Suburban Railway of Washington shall have, over and respecting the routes herein provided for, the same rights, powers, privileges, duties, and obligations as it has, and hereafter may have, by law over and respecting its present route, and shall be subject in respect thereto to all the other provisions of its charter and of law."

Mr. MANN. Mr. Speaker, I reserve the point of order upon the amendment. I would like to inquire of the gentleman where this amendment would be inserted.

Mr. CRUMPACKER. I desire to make the point of order.

Mr. MANN. If the gentleman will wait I will take care of that.

Mr. BURLESON. I make the point of order that the point of order comes too late.

Mr. MANN. Oh, I reserved the point of order just after it was read. I could not do so before.

Mr. BURLESON. It comes in after the word "dollars."

Mr. MANN. This Senate amendment adds \$750. The only "dollars" that you can amend are 750. You can not add anything after "dollars." I make the point of order that the amendment is not germane.

The SPEAKER. The question would first come on the motion to recede. The motion to recede and concur is divisible. The House must first recede from its disagreement before it can amend.

Mr. MANN. Let us have the question on the motion to recede.

The SPEAKER. The Chair holds the original bill with the Senate amendment. The Senate amendment is as follows:

"Amend lines 1 and 2, page 30." As the House passed it, the provision was "Monroe street, Thirteenth to Fifteenth street, grade and improvements, \$3,000." The Senate amends, and after the word "thousand" inserted \$750.

Mr. MANN. Seven hundred and fifty dollars.

The SPEAKER. So that it would read if the Senate amendment was agreed to, in place of the House provision, which was \$3,000, \$3,750. The question is on the motion to recede from disagreement to the Senate amendment.

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

Mr. MANN. Now I move to concur.

The SPEAKER. Now, the gentleman's amendment which has just been read, and which the gentleman offers, as the Chair understands—

Mr. MANN. I move to concur, and the gentleman moves to concur with an amendment. I concede that that motion takes precedence.

The SPEAKER. And the gentleman from Illinois makes the point of order against the amendment.

Mr. MANN. Precisely.

The SPEAKER. The amendment would come in, as the Chair understands the gentleman from Texas, after the word "dollars."

Mr. BURLESON. It would come in after the word "dollars."

The SPEAKER. Now, upon that amendment the gentleman from Illinois makes the point of order that it is not germane.

Mr. MANN. And it is not in order to offer any amendment after the word "dollars."

The SPEAKER. The House having receded from its disagreement to the Senate amendment, it seems to the Chair that

there is nothing between the House and the Senate to hang this amendment upon.

Mr. MANN. There is nothing between the House and the Senate except \$750.

The SPEAKER. As the House has receded from its disagreement, it is subject to amendment, after the House recedes, provided the amendment is germane.

Mr. MANN. Only \$750 would be subject to amendment.

The SPEAKER. The Chair understands that the gentleman from Texas proposes to hitch his amendment onto the Senate amendment as an independent proposition. The Chair sustains the point of order.

The Senate amendment was then concurred in.

The SPEAKER. Does the gentleman desire to ask for a conference?

Mr. GARDNER of Michigan. Certainly.

The question was taken, and the motion for a conference was agreed to.

The SPEAKER. The Chair announces the following conferees: Mr. GARDNER of Michigan, Mr. TAYLOR of Ohio, and Mr. BURLESON.

[Mr. PARSONS addressed the House. See Appendix.]

#### NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill (H. R. 23311).

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. MANN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 23311, the naval appropriation bill.

Mr. OLMSTED. Mr. Chairman, I would like to be recognized for a few minutes.

The CHAIRMAN. The gentleman from Pennsylvania will recall that the time is equally allotted between the gentleman from Illinois and the gentleman from Tennessee. Does the gentleman yield to the gentleman from Pennsylvania?

Mr. FOSS. I yield to the gentleman from Pennsylvania.

Mr. OLMSTED. Mr. Chairman, I rise merely for the purpose of asking unanimous consent to insert in the RECORD certain letters and documents touching the sale of so-called "friar lands" in the Philippines. The matter has not been before the Committee on Insular Affairs at all. It has not been referred to and has received no consideration at the hands of the committee, and I express neither for myself nor any other member of the committee any opinion whatever upon the subject; but merely in pursuance of a request made to me, ask unanimous consent to insert in the RECORD two letters from the Chief of the Bureau of Insular Affairs, a copy of the opinion of the solicitor-general of the Philippines, a copy of the opinion of Attorney-General Wickersham, and several acts of the Philippine legislature.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks by inserting in the RECORD the papers indicated by him. Is there objection?

Mr. KEIFER. Mr. Chairman, it would seem from the statement of the gentleman from Pennsylvania that the papers proposed to be inserted in the RECORD are of great public importance on the subject mentioned, and I think he ought to have introduced this request in the House and had these papers printed as a document, which would then be more available than if printed in the RECORD.

Mr. OLMSTED. I can not make that request now, as we are in Committee of the Whole.

Mr. KEIFER. The gentleman can make that request in the House.

Mr. OLMSTED. I will make that request also in the House. The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The documents referred to are as follows:

WAR DEPARTMENT,  
BUREAU OF INSULAR AFFAIRS,  
Washington, March 24, 1910.

MY DEAR Mr. OLMSTED: My attention has just been called to a letter of Mr. Moorfield Storey to the Hon. SAMUEL W. McCALL, of Massachusetts, which was published in the CONGRESSIONAL RECORD of March 22, with reference to the legality of the sale of one of the unoccupied friar estates, the area thus sold being very largely in excess of the limitation placed by the act of Congress of July 1, 1902, on the amount of agricultural land of the public domain which might be sold to a single purchaser.

I do not care to enter into the legality of this action further than to refer to my letter to you of January 28, 1910, in which I inclosed an opinion of the solicitor-general of the Philippine Islands to the

effect that the legislation of the Philippine legislature authorizing the sale of unoccupied friar lands without reference to the limitation of acreage was not in contravention of the laws of Congress, and also the opinion of the Attorney-General of the United States to the effect that the law of Congress did not restrict the Philippine legislature in this regard.

I do not wish, however, that you should be misinformed as to the effect of this act of the Philippine legislature.

Mr. Storey points out that the lands treated of in the opinion of the Attorney-General were "very choice agricultural land;" and again, that they were "a very important portion of Philippine agricultural lands."

The best estimate available gives 61,000,000 acres as the extent of the public domain of the Philippine Islands. The Director of Forestry hopes that he can classify as more available for forestry than agricultural purposes 40,000,000 acres of this land; and while this is a rather liberal allowance for forestry purposes, it would still leave an area of 21,000,000 acres of land to be classed as agricultural in character and now subject to leasing and homesteading under the act of July 1, 1902, and with the very restricted limitations imposed therein.

The so-called "friar lands" consist of 23 estates of a total area of approximately 390,000 acres. Of this area 45.06 per cent is actually occupied, and under existing law the part of these estates thus occupied must be disposed of to the actual occupants, and it is, as a matter of fact, being so disposed of as rapidly as possible. Of the remainder of the estates a part is taken up with land which does not lend itself readily to agriculture. It is not unnatural to suppose that the 45 per cent held as above set forth is the best of the land. This natural supposition is borne out by the facts. So there would remain at the most something less than 200,000 acres of land of these estates which could be classified as unoccupied, and the sale of which could be effected under the acts of the Philippine legislature now questioned. These 200,000 acres are made up in this way—55,000 acres in the San Jose estate in Mindoro, and 45,000 acres of the Isabela estate. Both of these estates are of agricultural value, but not such as to have attracted tenants. The remaining 100,000 acres of unoccupied land is formed of the unoccupied part of 17 widely separated estates. Instead of designating this as "very choice agricultural land," it might have been truthfully described as unchosen land.

It will, therefore, be seen that this effort to exploit the Philippine Islands is limited to the reasonable disposition of something less than 200,000 acres of land—it may be to "Americans or other capitalists"—leaving 1,000,000 acres to be held in forest or disposed of under the very strict limitations imposed by the act of July 1, 1902.

Mr. Storey concludes his letter with this statement, which may be taken as the syllabus of his opinion: "I am of opinion, therefore, that the sale of agricultural land to any corporation or association in excess of the amount limited by the provisions of the act which I have quoted is unauthorized and void, and that the purchaser acquires no title to the land so sold."

It would be interesting to know if under this view of the case Mr. Storey is of the opinion that the Philippine government was restrained from selling his holding to a Filipino, who was occupying, and whose parents before him had occupied, as a tenant, an area on a friar estate in excess of 16 hectares. If so, the law had been violated prior to the sale of this unoccupied estate.

The San Marcus estate of 87 hectares had but one tenant, and he purchased the estate from the government as soon as he could under the liberal terms as to deferred payments provided by the government for the disposal of the estate. It is expected that Emilio Aguinaldo will purchase land held by him as a tenant on the Imus estate, presumably in excess of the 16 hectares limitation.

Mr. Storey also refers in a very pointed manner to the fact that Congress intended to provide that these lands be "administered for the benefit of the inhabitants thereof." It would be interesting to know how Mr. Storey would administer this estate of San Jose for the benefit of the inhabitants of the Philippine Islands. I do not say the "inhabitants thereof," as the estate is uninhabited. The view of the Philippine government was evidently that this was best administered by disposing of it to some person who could utilize it, rather than to hold it unoccupied and as a continuous burden to the Philippine people, who were required to pay 4 per cent annually on the \$300,000 which had been paid therefor.

The price received for it is admittedly a good price. It is hoped that the purchaser will be able to utilize it to the further advantage of the Filipino people. It is the hope of a great many of the Philippine people that it will attract thereto many of the people who are at present being induced to leave the islands for Hawaii to obtain employment on similar estates in those islands.

Briefly, the Philippine government by this act of its legislature practically placed itself with reference to the disposition of approximately 200,000 acres of unoccupied land in the position of a private owner who desired to sell.

This land was unoccupied. In quantity it was inconsiderable compared to land in private ownership and practically negligible as compared to the public domain.

In favor of the legality of the action taken there is the presumption which attaches to the passage of three acts—one of the Philippine Commission and two of the Philippine legislature—to the formal official opinions of the solicitor-general of the Philippine Islands and the Attorney-General of the United States, and to the opinion of the very able attorney of the investor.

The question of ownership of agricultural land by a corporation is in no way involved. The sale was to an individual.

Very respectfully,

C. R. EDWARDS,  
Brigadier-General, United States Army,  
Chief of Bureau.

Hon. M. E. OLMSTED,  
Chairman Committee on Insular Affairs,  
House of Representatives.

WAR DEPARTMENT,  
BUREAU OF INSULAR AFFAIRS,  
Washington, January 28, 1910.

MY DEAR MR. OLMSTED: I beg to acknowledge the receipt of your letter of January 24, inclosing one addressed to the Hon. S. W. McCALL by Mr. Erving Winslow, secretary of the Anti-Imperialist League, regarding the sale of one of the friar estates, comprising approximately 58,000 acres.

I return Mr. Winslow's letter herewith. He thinks this sale is illegal, notwithstanding the opinion of the Attorney-General, of which I inclose a copy.

This opinion of the Attorney-General seems to cover fully the legal aspect of the question. I also inclose copy of a pamphlet containing a compilation of the laws and regulations relating to public lands in the Philippines, prepared in 1908, and also copies of two acts of the Philippine legislature, amending the laws of the Philippine Commission regarding the sale of friar lands. These will be referred to in the following statement, which, I think, will make clear the facts in the case:

Beginning with section 12 of the act of Congress approved July 1, 1902, generally known as the organic act of the Philippine government, are a number of sections which relate to the public domain of the Philippine Islands. Section 15 contains the conditions under which the Philippine government might dispose of the public domain, limiting the amount which might be acquired by an individual to 16 hectares—approximately 40 acres—and by a corporation or association of persons to 1,024 hectares—approximately 2,500 acres.

In another part of this very comprehensive act, beginning with section 63, authority was given the Philippine government to purchase certain lands of religious orders and to issue bonds for the purchase price thereof, and section 65 authorized that government to dispose of these lands under certain conditions.

It was never contended, as far as known here, that the lands thus purchased, or which, in fact, might be purchased under any authority of the Philippine government to acquire lands, became thereby a part of the public domain or subject in any way to the laws which related to the public domain.

Having purchased the friar lands under the authority above outlined, the Philippine Commission, on April 26, 1904, enacted a law providing for the administration, temporary leasing, and sale of these lands. This act (No. 1120), which you will find on page 41, et seq., of the inclosed compilation, distinctly stated in the fourth paragraph of the preamble thereto that "whereas the said lands are not public lands in the sense in which those words are used in the public-land act, and can not be acquired or leased under the provisions thereof \* \* \*." So as to this point there seems never to have been any doubt. However, in this act the commission did impose the same restrictions on the sale of the friar lands as were provided in the case of public lands in the Philippine Islands, except that an actual occupant of the land might acquire an amount in excess of that limitation. The purchase of this land by the government having been made for the benefit of the occupants, the principal object of the transaction would have been defeated if a tenant holding more than 40 acres had been restricted to that amount when he attempted to become the owner of his holding.

It should be observed that of the 23 estates purchased from the friars, one, the San Jose estate, in Mindoro, which is now under consideration, was wholly unoccupied; another, the Isabela estate, in Isabela Province, Luzon, is practically unoccupied, and one known as the Calamba estate, in Laguna Province, Luzon, was but 30 per cent occupied. Of the other estates all were in large part occupied.

From the date of acquiring these lands the Philippine government proceeded under the act above referred to, its efforts being principally directed to disposing of the land to the actual occupants, where occupied. However, it soon became evident that the unoccupied estates could not be disposed of with the limitations as to individual purchasers in the public-land law, which had been embodied by the Philippine Commission in the law governing the sale of the friar lands.

Before the lands could be sold it was necessary to make surveys and proper descriptions of the various estates, so that the bureau of the Philippine government having the matter in hand was occupied in various preliminaries and was not prepared to offer these unoccupied lands for sale much before 1908. In his report for that year the chief of the bureau of lands called attention to the impossibility of selling such lands in the very small lots allowed by existing laws of the Philippines, and recommended that the law be so modified as to enable the government to offer these unoccupied estates under such terms as would attract purchasers. This recommendation met the approval of the Philippine legislature, the Philippine Commission having ceased to be the legislative body of the islands, becoming simply the upper house of the legislature, the lower house being elective. This legislature enacted acts Nos. 1847 and 1933, copies of which are inclosed herewith.

The principal object of these acts was to enable the Philippine government to dispose of these unoccupied friar lands. As far as known no question had ever been raised as to the legality of the action thus taken by the legislature. It was believed to be acting within the authority which had been given it by Congress to dispose of these lands.

Proceeding in accordance with the friar-land act, as thus amended, effort was made to sell the San Jose estate in the island of Mindoro, which is the one referred to above as being wholly unoccupied. The Christian, civilized inhabitants of the island are very few in number, and it was evident to anyone acquainted with conditions in the Philippines that if the sale of this estate was restricted to small, 40-acre sections, it would not be disposed of within the life of the bonds issued for its purchase by the government. The Philippine government had paid for this estate \$298,000. The bonds paid 4 per cent, so that the annual charges against the estate were considerable, and the large initial cost to the Philippine government was being rapidly increased, as the only revenues received from it were small amounts for grazing privileges, the land being unoccupied and uncultivated.

This was considered to be good sugar land, and there was no great delay in obtaining an offer for it after the removal of the limitation as to area which could be sold to one purchaser.

The first information concerning the sale of this estate to be received in the War Department was through the public press. It was to the effect that a Mr. Poole, of Habana, was the buyer. The governor-general of the Philippine Islands had proceeded with the sale under the laws above referred to and had not felt it necessary to consult the department in the matter. However, as it was the first sale under the amended laws, the Secretary of War cabled the governor-general to hold up the conclusion of the sale pending an investigation of the right of the Philippine government to make the proposed sale, and at the same time the attorney of the proposed purchaser submitted the same question to the Secretary of War.

The opinion of the Attorney-General covers the legal question very completely. The sale was effected, and the first payment thereon was made January 4, 1910. The sale price was \$367,000, which covers the initial cost to the Philippine government, with interest thereon at 4 per cent per annum from the date of purchase until the date of sale, and the cost of administration, with interest thereon at the same rate.

As you are well aware, there has been considerable criticism of the action of the Philippine government in purchasing these estates. There

have been allegations that the prices paid were far in excess of their commercial value. Rather than to enter into a discussion of this last feature the Philippine government has been disposed to admit that the price was a large one, but to justify the purchase on the grounds of broad public policy.

Since the sale of this estate in the open market at the price paid for it, plus interest and administration charges, there has been in certain quarters a disposition to criticize this transaction. Having prophesied an immense loss to the Philippine government from this purchase, there has been some disappointment that the government had not been disposed to justify these prophecies.

There may still be losses due to the purchase of these estates, but they will be chargeable not to the high price paid for the property, but to the effort of the government to protect the tenants occupying the estates and to transfer to them the ownership of their holdings. It would certainly have been unwise on the part of the government to increase the loss which will arise from this carrying out of a policy determined upon when the estates were purchased by improvidently holding unoccupied estates which could not for generations be sold except to persons who would buy them only in large tracts.

It should be noted that this was a sale to an individual and not to a corporation, so that the question of the area of land which may be operated by a corporation engaged in agriculture (sec. 75, act of Congress of July 1, 1902) is in no way involved.

Yours, very truly,

Hon. MARLIN E. OLMSTED,  
Representative in Congress.

C. R. EDWARDS.

OPINION OF SOLICITOR-GENERAL OF THE PHILIPPINES.

MANILA, June 15, 1909.

SIR: I have the honor, in response to your letter of May 25, 1909, to submit an opinion upon the following question:

What lands of the so-called friar estates are now to be considered as being "vacant lands," and therefore requiring the publication of bandillos, as provided by section 3 of act No. 1933, before such lands may be legally sold or leased by the director of lands?

The second paragraph of section 11 of act No. 1120 was added to said section by act No. 1847, and was amended by section 3 of act No. 1933 to read as follows:

"In case of lease of vacant lands, as well as in case of sale of same under the provisions of section 9 of this act, the director of lands shall notify the municipal president or municipal presidents of the municipality or municipalities in which said lands lie before the same takes place. Upon receipt of such notification by said municipal president or municipal presidents, the latter shall publish the same for three consecutive days, by bandillos, in the poblacion and barrio or barrios affected, and shall certify all these acts to the director of lands, who shall then, and not before, proceed to execute the contract of lease or to make the said sale with preference, other conditions being equal, to the purchaser who has been a tenant or bona fide occupant at any time of the said lands or part thereof, and if there has been more than one occupant to the last tenant or occupant: *Provided, however*, That no contract for the lease of and no sale of vacant lands made in accordance with this section shall be valid nor of any effect without the requisite as to publication by bandillos, above provided."

Said act No. 1933 was passed by the legislature on May 20, 1909, and was enacted to take effect on its passage.

It would seem to be clear that the said amendment refers to lands which were vacant at the time of the passage of said act No. 1933, and does not refer to all lands which were vacant upon the date of the purchase of the friar lands by the Government, some of which have since been leased by the Government to certain tenants not included under the heading of "actual and bona fide occupants."

The term "vacant lands" as used in said act can only mean lands that are unoccupied and lying idle without being leased under the provisions of the friar-lands act. When it is proposed to sell or lease any portion of such unoccupied lands it will be necessary for the director of lands to notify the municipal president, who will cause bandillos to be published for three days in the poblacion and the barrio or barrios affected, and when the municipal president shall certify such fact to the director of lands, the latter shall proceed to sell or lease said land, as the case may be, giving preference to a former occupant of said land, if there be one, and if there has been more than one occupant, to the last tenant or occupant.

The said act No. 1933 can not in any way affect or invalidate the contracts of lease or the sales of such lands made since the purchase thereof by the Government and before the passage of said amendment, but can only apply to leases and sales made after its passage.

It follows, therefore, that all lands which were vacant at the time of the passage of said act, or which later become vacant by surrender of leases, or otherwise, are subject to the provisions of said amendatory act.

Very respectfully,

G. R. HARVEY,  
Solicitor-General.

DIRECTOR OF LANDS, Manila.

Approved:

IGNACIO VILLAMOR, Attorney-General.

OPINION OF ATTORNEY-GENERAL WICKERSHAM.

DEPARTMENT OF JUSTICE,  
Washington, December 18, 1909.

The SECRETARY OF WAR.

SIR: In your letter of December 4th instant you request an opinion upon the question "whether section 15 of the act of Congress approved July 1, 1902, entitled 'An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes,' limiting the amount of land which may be acquired by individuals and corporations, is made applicable by section 65 of said act to the estates purchased from religious orders in the Philippine Islands pursuant to the authority conferred upon the Philippine government by sections 63, 64, and said section 65 of the act mentioned."

Section 15 must be taken in connection with sections 12 and 13, which are as follows:

"Sec. 12. That all the property and rights which may have been acquired in the Philippine Islands by the United States under the treaty of peace with Spain, signed December 10, 1898, except such land or other property as shall be designated by the President of the United States for military and other reservations of the Government of the United States, are hereby placed under the control of the government of said islands, to be administered for the benefit of the inhabitants thereof, except as provided in this act.

"Sec. 13. That the government of the Philippine Islands, subject to the provisions of this act and except as herein provided, shall classify according to its agricultural character and productiveness, and shall immediately make rules and regulations for the lease, sale, or other disposition of the public lands other than timber or mineral lands; but such rules and regulations shall not go into effect or have the force of law until they have received the approval of the President, and when approved by the President they shall be submitted by him to Congress at the beginning of the ensuing session thereof, and, unless disapproved or amended by Congress at said session, they shall at the close of such period have the force and effect of law in the Philippine Islands: *Provided*, That a single homestead entry shall not exceed 16 hectares in extent."

Section 15 then provides:

"That the government of the Philippine Islands is hereby authorized and empowered, on such terms as it may prescribe by general legislation, to provide for the granting or sale and conveyance to actual occupants and settlers and other citizens of said islands such parts and portions of the public domain, other than timber and mineral lands, of the United States in said islands as it may deem wise, not exceeding 16 hectares to any one person, and for the sale and conveyance of not more than 1,024 hectares to any corporation or association of persons: *Provided*, That the grant or sale of such lands, whether the purchase price be paid at once or in partial payments, shall be conditioned upon actual and continued occupancy, improvement, and cultivation of the premises sold for a period of not less than five years, during which time the purchaser or grantee can not alienate or encumber said land or the title thereto; but such restriction shall not apply to transfers of rights and title of inheritance under the laws for the distribution of the estates of decedents."

The lands referred to in sections 13 and 15 are agricultural lands. They are carefully distinguished from timber and mineral lands. They are lands which have been acquired in the Philippine Islands by the United States under the treaty with Spain. Section 13 is a recognition of homestead entries. Section 15 provides for the grant or sale of lands to actual occupants and settlers and other citizens, but the grants and sale thus made are upon the condition of actual and continued occupancy, improvement, and cultivation for less than five years.

In accordance with the authority given to it the Philippine Commission enacted the law known as the public land law, to carry out the provisions of these sections.

Sections 63, 64, and 65 were enacted for a different purpose. The authority of the Philippine government in relation to property was largely extended. They are as follows:

"Sec. 63. That the government of the Philippine Islands is hereby authorized, subject to the limitations and conditions prescribed in this act, to acquire, receive, hold, maintain, and convey title to real and personal property, and may acquire real estate for public uses by the exercise of eminent domain.

"Sec. 64. That the powers hereinbefore conferred in section 63 may also be exercised in respect of any lands, easements, appurtenances, and hereditaments which, on the 13th of August, 1898, were owned or held by associations, corporations, communities, religious orders, or private individuals in such large tracts or parcels and in such manner as, in the opinion of the commission, injuriously to affect the peace and welfare of the people of the Philippine Islands. And for the purpose of providing funds to acquire the lands mentioned in this section said government of the Philippine Islands is hereby empowered to incur indebtedness, to borrow money, and to issue, and to sell at not less than par value, in gold coin of the United States of the present standard value or the equivalent in value in money of said islands, upon such terms and conditions as it may deem best, registered or coupon bonds of said government for such amount as may be necessary, said bonds to be in denominations of \$50 or any multiple thereof, bearing interest at a rate not exceeding 4½ per cent per annum, payable quarterly, and to be payable at the pleasure of said government after dates named in said bonds not less than five nor more than thirty years from the date of their issue, together with interest thereon, in gold coin of the United States of the present standard value or the equivalent in value in money of said islands; and said bonds shall be exempt from the payment of all taxes or duties of said government, or any local authority therein, or of the Government of the United States, as well as from taxation in any form by or under state, municipal, or local authority in the United States or the Philippine Islands. The moneys which may be realized or received from the issue and sale of said bonds shall be applied by the government of the Philippine Islands to the acquisition of the property authorized by this section, and to no other purposes.

"Sec. 65. That all lands acquired by virtue of the preceding section shall constitute a part and portion of the public property of the government of the Philippine Islands, and may be held, sold, and conveyed, or leased temporarily for a period not exceeding three years after their acquisition by said government on such terms and conditions as it may prescribe, subject to the limitations and conditions provided for in this act: *Provided*, That all deferred payments and the interest thereon shall be payable in the money prescribed for the payment of principal and interest of the bonds authorized to be issued in payment of said lands by the preceding section and said deferred payments shall bear interest at the rate borne by the bonds. All moneys realized or received from sales or other disposition of said lands or by reason thereof shall constitute a trust fund for the payment of principal and interest of said bonds, and also constitute a sinking fund for the payment of said bonds at their maturity. Actual settlers and occupants at the time said lands are acquired by the government shall have the preference over all others to lease, purchase, or acquire their holdings within such reasonable time as may be determined by said government."

The lands designated in these sections were acquired in an entirely different manner from the property acquired under the treaty with Spain. Their disposition was upon different principles. Complete general power to acquire and dispose of property, real and personal, was given by the section 63 to the Philippine government, subject only to the limitations and conditions of the act. Special provision was made in the sixty-fourth section for the acquisition of lands owned or held by associations, corporations, communities, religious orders, or private individuals in such large tracts or parcels and in such manner as in the opinion of the commission injuriously to affect the peace and welfare of the people of the Philippine Islands. To provide funds for this purpose, the government was authorized to issue and sell their registered or coupon bonds, the proceeds of the sales of which were to be applied exclusively to the acquisition of the property. By section 65 the lands were to be held, sold, and conveyed on such terms and conditions as the Philippine government might prescribe, subject to the limitations and conditions of the act.

A sinking fund was created embracing the moneys realized from sales or disposition of the said lands for the payment of the bonds at their maturity.

To be sure, provisions was made for the protection of occupants and settlers by giving them preference in purchasing or leasing said lands; but these purchases were in recognition of rights vested before the lands were acquired, and were on a different basis from the preemption purchases by occupants and settlers upon the condition of occupancy, improvement, and cultivation.

The Philippine Commission enacted a law April 26, 1904, "for the administration and temporary leasing and sale of certain haciendas and parcels of land, commonly known as friar lands, for the purchase of which the government of the Philippine Islands has recently contracted, pursuant to the provisions of sections 63, 64, and 65 of an act of the Congress of the United States entitled 'an act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes,' approved on the 1st day of July, 1902."

This act fully provided for carrying into effect the act of Congress in the acquisition of the friar lands. It appears that the lands were purchased and the bonds issued in conformity with the conditions in these statutes.

One of the recitals in the Philippine act, after stating the terms of the act of Congress, is that "whereas the said lands are not 'public lands' in the sense in which these words are used in the public-land act No. 926, and can not be acquired or leased under the provisions thereof, and it is necessary to provide proper agencies for carrying out the terms of said contracts of purchase and the requirements of said act of Congress with reference to the leasing and selling of said lands and the creation of a sinking fund to secure the payment of the bonds so issued."

The public-lands act was "general legislation" to carry out the provisions of sections 12, 13, 14, 15, and 16. The restrictions and limitations of these sections are specific and well defined. They apply to lands acquired by the treaty of peace with Spain. The citizens are limited in their rights of purchase to quantity and to compliance with the requirements of occupancy and cultivation.

The purchase of the friar lands was made under the authority of the legislation herein recited. That authority was lawfully delegated to the Philippine government by Congress. The government has complete control over the sale of the lands "on such terms and conditions as it may prescribe," subject to the limitations and conditions provided for in the act of 1902.

All moneys realized from the issue and sale of the bonds authorized by the sections of the act recited herein must be applied to the acquisition of the property and to no other purpose. The moneys received from the sales and disposition of the lands constitute a trust fund for the payment of the principal and interest of the bonds and also a sinking fund for the payment of the bonds at maturity. There are conditions prescribed in the act of Congress and carried into the Philippine Commission act. The intention of Congress was to abolish a system of ownership disadvantageous to the government, and at the same time to provide for the sale of the acquired property, so that the bonds issued for the purchase might not become a permanent burden.

I am of opinion that the limitations in section 15 do not apply to the estates purchased from religious orders under sections 63, 64, and 65 of the Philippine act.

Very respectfully,

GEO. W. WICKERSHAM,  
Attorney-General.

#### FRIAR LANDS.

##### ADMINISTRATION, LEASING, AND SALE.

###### *The friar lands act, No. 1129.*

An act providing for the administration and temporary leasing and sale of certain haciendas and parcels of land, commonly known as friar lands, for the purchase of which the government of the Philippine Islands has recently contracted, pursuant to the provisions of sections 63, 64, and 65 of an act of the Congress of the United States entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," approved on the 1st day of July, 1902, as amended by act No. 1287.

Whereas, pursuant to the provisions of sections 63, 64, and 65 of an act of the Congress of the United States entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," approved July 1, 1902, the government of the Philippine Islands, on the 22d day of December, 1903, entered into contracts with the Philippine Sugar Estates Development Company, Limited, La Sociedad Agrícola de Ultramar, the British-Manila Estates Company, Limited, and the Recoletos Order of the Philippine Islands, for the purchase of about 164,127 hectares of land, situated in the Provinces of La Laguna, Bulacan, Cavite, Bataan, Cebu, Rizal, Isabela, and Mindoro, for the aggregate sum of \$7,239,784.66, money of the United States; and

Whereas in said contracts of purchase it was provided, among other things, that the government of the Philippine Islands should have a period of six months from the date of said contracts within which to examine the titles to said lands and also within which to survey the same in order to ascertain whether there is the quantity of land specified in said contracts, and, in the event there is not, that a proportionate reduction shall be made in the amounts agreed to be paid therefor; and it was further provided in said contracts that the said parties, so agreeing to sell, obligated themselves to convey good and indefeasible titles to said lands by proper conveyances; and

Whereas by said section 65 of said act of Congress the government of the Philippine Islands is empowered to lease the said lands after their acquisition for a period not exceeding three years, and to sell the same on such terms and conditions as it may prescribe, subject to the limitations and conditions contained in said act of Congress: *Provided*, That all deferred payments and the interest thereon shall be payable in the money prescribed for the payment of principal and interest of the bonds authorized to be issued and sold for the purpose of realizing the money necessary to pay for said lands by section 64 of said act of Congress, and that said deferred payments shall bear interest at the rate borne by said bonds: *And provided further*, That all moneys realized or received from the sales or other disposition of said lands, or by reason thereof, shall constitute a trust fund for the payment of principal and interest of said bonds, and also constitute a sinking fund for the payment of said bonds at their maturity: *And provided further*, That actual settlers and occupants at the time said lands are acquired by the government shall have the preference over all others to lease, purchase,

or acquire their holdings within such reasonable time as may be determined by said government; and

Whereas the said lands are not "public lands" in the sense in which those words are used in the public land act, No. 926, and can not be acquired or leased under the provisions thereof, and it is necessary to provide proper agencies for carrying out the terms of said contracts of purchase and the requirements of said act of Congress with reference to the leasing and selling of said lands and the creation of a sinking fund to secure the payment of the bonds so issued: Now, therefore,

*By authority of the United States, be it enacted by the Philippine Commission, that—*

SECTION 1. The civil governor is authorized and directed to have careful examination made to ascertain the sufficiency and soundness of the titles to said land so contracted to be purchased by the government of the Philippine Islands from the said corporations as set forth in the preamble hereof.

His action in employing the firm of Del Pan, Ortigas & Fisher, attorneys at law in the city of Manila, to make such examination and also to perform all legal services required of them in completing such purchases and thereafter in the leasing and selling of said lands as hereinafter provided, they to be compensated for their services at the rate of \$5,500 per annum, payable monthly, for such time as in the opinion of the civil governor their services may be needed, is hereby approved and confirmed.

SEC. 2. The consulting engineer to the commission is hereby directed to have careful surveys made of the said haciendas and tracts of land in order to ascertain with accuracy and certainty whether there is the amount of land in each of said haciendas and tracts specified in said contracts, and for that purpose he is empowered to put in the field and maintain the necessary surveying parties, and any funds in his hands at the present time not in terms devoted to defraying the cost of specific public works are hereby declared available for that purpose. As soon as these surveys shall have been completed he shall make report of the results thereof to the civil governor. Such steps as have already been taken by the consulting engineer by direction of the civil governor looking to the survey of said haciendas and lands are approved and confirmed.

SEC. 3. The firm of Del Pan, Ortigas & Fisher is also directed, as soon as the examination of the title deeds to said property shall have been completed, to make report of the result of their investigations in that behalf to the civil governor and under his direction to supervise the final deeds of conveyance of said lands by said corporations to the government of the Philippine Islands. The civil governor is also directed to submit their report, together with the said deeds, to the attorney-general for his opinion.

SEC. 4. The civil governor is hereby empowered, when it shall have been ascertained that the titles to said lands are perfect and indefeasible and proper instruments of conveyance are tendered by said corporations, to direct the payment to the corporations named in the preamble of the several sums agreed to be paid for said lands, and to that end to draw the warrants of the government of the Philippine Islands upon the sum realized from the sale of the bonds issued and sold as provided in act No. 1034.

SEC. 5. When the titles to said lands are finally vested in the government of the Philippine Islands they shall be under the immediate control and direction of the bureau of public lands. The chief of the bureau of public lands is empowered and directed, pending the completion of the purchase of said lands, to receive, take charge of, and carefully preserve the said contracts of sale and purchase and all muniments, documents, title deeds, or other papers pertaining to said lands, and all filed notes, surveys, and other data relating thereto, and also the deeds of conveyance hereafter made pursuant to the terms of said contracts of sale and purchase, and thereafter to keep and preserve the same, except as required for registration of said lands.

SEC. 6 (as amended by act No. 1287). The title deeds and instruments of conveyance pertaining to the lands in each province, when executed and delivered by said grantors to the government and placed in the keeping of the chief of the bureau of public lands, as above provided, shall be by him transmitted to the register of deeds of each province in which any part of said land lies, for registration in accordance with law. "But before transmitting the title deeds and instruments of conveyance in this section mentioned to the register of deeds of each province for registration, the chief of the bureau of public lands shall record all such deeds and instruments at length in one or more books to be provided by him for that purpose and retained in the bureau of public lands. He shall certify on each record the date on which the same was made. Copies of said records made by the chief of the bureau of public lands, when duly certified by him, shall be received in all courts of the Philippine Islands as sufficient evidence of the contents of the instruments so recorded whenever it is not practicable to produce the originals in court."

SEC. 7. Upon the vesting of the titles to said lands in the government of the Philippine Islands by proper deeds of conveyance, or sooner if so directed by the civil governor, the chief of the bureau of public lands shall ascertain the names and residences of the actual, bona fide settlers and occupants then in possession of said lands or of any portion of them, together with the extent of their several holdings and the character and value thereof. He is also directed to ascertain from said occupants whether they desire to purchase their holdings upon the terms prescribed in the succeeding sections.

SEC. 8. In case any occupant in possession does not desire to purchase his holding, but does desire to lease the same, then it shall be the duty of the chief of the bureau of public lands, after vesting of title, to see that such occupant attorns in due form to the government and enters into a lease with the usual covenants and agrees to pay a reasonable rental for the use and occupation of his holding. Such rental shall be fixed by the chief of the bureau of public lands, but in no instance shall any lease be made for a longer term than three years.

SEC. 9. In the event the chief of the bureau of public lands should find any of the said lands vacant, he is directed to take possession and charge thereof, and he may either lease such unoccupied lands for a term not exceeding three years or offer the same for sale, as in his judgment may seem for the best interests of the government, and in making such sales he shall proceed as provided in chapter 2 of the public-land act.

SEC. 10. Should he find any of the said lands in possession of a person or persons declining either to buy or to rent, as above set forth, he shall take possession thereof if he can do so peaceably, and if not he shall begin proper legal proceedings in the court of land registration to settle title and to oust him or them from his or their holdings, and upon adjudication in favor of the government shall likewise take possession of the same with the same power and authority as though originally vacant. He shall not, however, sell any of the main ha-

cienda houses or other large and substantial buildings save upon a resolution of the commission authorizing him so to do.

Sec. 11. Should any person who is the actual and bona fide settler upon and occupant of any portion of said lands at the time the same is conveyed to the government of the Philippine Islands desire to purchase the land so occupied by him, he shall be entitled to do so at the actual cost thereof to the government, and shall be allowed ten years from the date of purchase within which to pay for the same in equal annual installments, if he so desires, all deferred payments to bear interest at the rate of 4 per cent per annum.

Sec. 12. It shall be the duty of the chief of the bureau of public lands by proper investigation to ascertain what is the actual value of the parcel of land held by each settler and occupant, taking into consideration the location and quality of each holding of land and any other circumstances giving it value. The basis of valuation shall likewise be, so far as practicable, such that the aggregate of the values of all the holdings included in each particular tract shall be equal to the cost to the government of the entire tract, including the cost of surveys, administration, and interest upon the purchase money to the time of sale. When the cost thereof shall have been thus ascertained, the chief of the bureau of public lands shall give the said settler and occupant a certificate which shall set forth in detail that the government has agreed to sell to such settler and occupant the amount of land so held by him, at the price so fixed, payable as provided in this act at the office of the chief of the bureau of public lands, in gold coin of the United States or its equivalent in Philippine currency, and that upon the payment of the final installment together with all accrued interest the government will convey to such settler and occupant the said land so held by him by proper instrument of conveyance, which shall be issued and become effective in the manner provided in section 122 of the land-registration act. The chief of the bureau of public lands shall, in each instance where a certificate is given to the settler and occupant of any holding, take his formal receipt showing the delivery of such certificate, signed by said settler and occupant.

Sec. 13. The acceptance by the settler and occupant of such certificate shall be considered as an agreement by him to pay the purchase price so fixed and in the installments and at the interest specified in the certificate, and he shall by such acceptance become a debtor to the government in that amount, together with all accrued interest. In the event that any such settler and occupant may desire to pay for his holding of said lands in cash, or within a shorter period of time than that above specified, he shall be allowed to do so, and if payment be made in cash the lands shall at once be conveyed to him as above provided. But if purchase is made by installments, the certificate shall so state in accordance with the facts of the transaction: *Provided, however*, That every settler and occupant who desires to purchase his holding must enter into the agreement to purchase such holding by accepting the said certificate and executing the said receipt whenever called on so to do by the chief of the bureau of public lands, and a failure on the part of the settler and occupant to comply with this requirement shall be considered as a refusal to purchase, and he shall be ousted as above provided, and thereafter his holding may be leased or sold as in case of unoccupied lands: *And provided further*, That the chief of the bureau of public lands, in his discretion, may require of any settler and occupant so desiring to purchase that, pending the investigation requisite to fix the precise extent of his holding and its cost, he shall atorn to the government as its tenant and pay a reasonable rent for the use of his holding, but no such lease shall be for a longer term than three years, and refusal on the part of any settler and occupant so desiring to purchase to execute a lease pending such investigation shall be treated as a refusal either to lease or to purchase, and the chief of the bureau of public lands shall proceed to oust him as in this act provided.

Sec. 14. It shall be the duty of the chief of the bureau of public lands to collect and receive all rent and installments of purchase money and interest thereon due and payable under the provisions of this act, and to give proper receipts and acquittances therefor and make proper record thereof in the books of his office.

Sec. 15. The government hereby reserves the title to each and every parcel of land sold under the provisions of this act until the full payment of all installments of purchase money and interest by the purchaser has been made, and any sale or incumbrance made by him shall be invalid as against the government of the Philippine Islands and shall be in all respects subordinate to its prior claim.

Sec. 16. In the event of the death of a holder of a certificate the issuance of which is provided for in section 12 hereof prior to the execution of a deed by the government to any purchaser, his widow shall be entitled to receive a deed of the land stated in the certificate upon showing that she has complied with the requirements of law for the purchase of the same. In case a holder of a certificate dies before the giving of the deed and does not leave a widow, then the interest of the holder of the certificate shall descend and deed shall issue to the persons who under the laws of the Philippine Islands would have taken had the title been perfected before the death of the holder of the certificate, upon proof of the holders thus entitled of compliance with all the requirements of the certificate. In case the holder of the certificate shall have sold his interest in the land before having complied with all the conditions thereof, the purchaser from the holder of the certificate shall be entitled to all the rights of the holder of the certificate upon presenting his assignment to the chief of the bureau of public lands for registration.

Sec. 17. In the event that any lessee or purchaser of land under the provisions of this act should fail to pay his rent or any installment of purchase money and interest thereon, or accrued interest on any installment not due, when and as the same matures, it shall be the duty of the chief of the bureau of public lands at once to protect the government from loss. In the case of a lease, when the lessee is delinquent in payment of rent, the chief of the bureau of public lands is empowered to declare the lease forfeited, making proper entry to that effect in the books of his office and giving notice thereof to the tenant, and to enter upon and take possession of the land held by the lessee and bring suit against the lessee for all rent due; in the case of a delinquent purchaser, the chief of the bureau of public lands may enforce payment of any past-due installment and interest by bringing suit to recover the same with interest thereon, and also to enforce the lien of the government against the land by selling the same in the manner provided by act No. 190 for the foreclosure of mortgages. In the event of such sale the purchaser at such sale shall acquire a good and indefeasible title. The proceeds of sale shall be applied to the payment of the costs of court and of all installments due or to become due on such land. If the proceeds of the sale are sufficient to pay all delinquent installments as well as all future installments and all costs of the litigation, there shall be no further claim or liability against

the original purchaser. If the proceeds of the sale of said lands should amount to more than sufficient to pay all purchase money and interest due the government and costs of suit, the surplus thereof shall be returned to the original purchaser or to the person entitled thereto.

Sec. 18. No lease or sale made by the chief of the bureau of public lands under the provisions of this act shall be valid until approved by the secretary of the interior.

Sec. 19. No purchaser or lessee under this act shall acquire any exclusive rights to any canal, ditch, reservoir, or other irrigation works, or to any water supply upon which such irrigation works are or may be dependent, but all of such irrigation works and water supplies shall remain under the exclusive control of the government of the Philippine Islands and be administered under the direction of the chief of the bureau of public lands for the common benefit of those interests dependent upon them. And the government reserves as a part of the contract of sale in each instance the right to levy an equitable contribution or tax for the maintenance of such irrigation works, the assessment of which shall be based upon the amount of benefits received, and each purchaser under this act, by accepting the certificate of sale or deed herein provided to be given, shall be held to assent thereto. And it is further provided that all lands leased or conveyed under this act shall remain subject to the right of way of such irrigation canals, ditches, and reservoirs as now exist or as the government may hereafter see fit to construct.

Sec. 20. All persons receiving title to lands under the provisions of this act shall hold such lands subject to the same public servitudes as existed upon lands owned by private persons under the sovereignty of Spain, including those with reference to the littoral of the sea and the banks of navigable rivers and rivers upon which rafting may be done.

Sec. 21. The civil governor, when authorized by resolution of the commission, may, by proclamation, designate any tract or tracts of said lands as nonalienable, and reserve the same for public use, and thereafter such tracts shall not be subject to sale, lease, or other disposition under this act.

Sec. 22. It shall be the duty of the chief of the bureau of public lands to make quarterly reports, through the secretary of the interior, to the commission showing the lands leased or sold by him in accordance with the provisions of this act, the amounts of money derived from such rentals and sales, and such other information as in his opinion may be of value to the commission in connection with the said lands and their administration and disposition as provided by this act. Both the secretary of the interior and the chief of the bureau of public lands shall have the right to require of the special counsel named in the first section hereof, or of their successors, such advice and assistance as from time to time may be required by them in the performance of their duties under this act, and it shall be the duty of said counselors to give such legal advice and assistance.

Sec. 23. All moneys derived by the chief of the bureau of public lands from the leasing or sale of said lands, or from interest on deferred payments thereon, shall by him be promptly deposited in the insular treasury. Such moneys shall be by the treasurer held separate and apart from general insular funds and shall constitute a trust fund for the payment of the principal and interest of the \$7,237,000 of bonds issued and sold by the secretary of war in the name and on behalf of the government of the Philippine Islands for the purpose of raising money to pay the purchase price of said lands as provided in act No. 1084, entitled "An act providing for the issue of bonds of the government of the Philippine Islands to the amount of \$7,237,000, gold coin of the United States of the present standard value, for the purpose of acquiring funds for the payment of the purchase price of certain large tracts of land in the Philippine Islands, commonly known as the friar lands, pursuant to the provisions of sections 63, 64, and 65 of the act of Congress entitled 'An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes,' approved July 1, 1902." Said money shall also constitute a sinking fund for the payment of said bonds at maturity and may be invested and reinvested in safe interest-bearing bonds or other securities, which shall likewise be held by the treasurer as a part of such sinking fund, and all interest, dividends, or profits derived from said bonds or other securities thus purchased shall likewise be a part of such sinking fund and may in turn be invested and reinvested in bonds or other securities. All purchases of bonds or other securities by the treasurer shall be subject to the approval of the secretary of finance and justice.

Sec. 24. The chief of the bureau of public lands, under the supervision of the secretary of the interior, shall prepare and issue such forms and instructions, consistent with this act, as may be necessary and proper to carry into effect all the provisions hereof that are to be administered by or under the direction of the bureau of public lands, and for the conduct of all proceedings arising under such provisions.

Sec. 25. The sum of 10,000 pesos, Philippine currency, is hereby appropriated, out of any funds in the insular treasury not otherwise appropriated, for the purpose of paying the salary of the special counsel referred to in the first section hereof and for making the investigations and surveys required hereby and for the general carrying out of the provisions of this act.

Sec. 26. The short title of this act shall be "The friar lands act."  
Sec. 27. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An act prescribing the order of procedure by the commission in the enactment of laws," passed September 26, 1900.

Sec. 28. This act shall take effect on its passage.  
Enacted April 26, 1904.

#### FRIAR LANDS LOAN FUND.

[No. 1736.]

An act appropriating the sum of 100,000 pesos for the purpose of establishing a reimbursable fund for the promotion of agricultural pursuits upon certain haciendas and parcels of land, commonly known as friar lands, and for the extension of the cultivated area thereof.

By authority of the United States, be it enacted by the Philippine Commission, that—

SECTION 1. There is hereby appropriated out of any funds in the insular treasury not otherwise appropriated the sum of 100,000 pesos, for the purpose of establishing a reimbursable fund, under the direction and control of the director of lands except as hereinafter provided, which shall be known as the friar lands loan fund, and which shall be made available in accordance with the provisions hereinafter specified, for the making of mortgage loans upon growing crops and salable commodities manufactured therefrom, work animals, warehouses, mill houses and machinery, and other property, both real and

personal, belonging to actual and bona fide cultivators of the so-called friar estates, for the encouragement of agricultural pursuits and the extension of the cultivated areas of the said estates.

SEC. 2. The secretary of the interior shall designate to the director of lands the maximum amount of the friar lands loan fund which may be loaned in accordance with the provisions of this act within any given period of time, the rate of interest which such loans shall bear, the term within which the mortgages shall be redeemed, the estate or estates to which the provisions of this act shall be extended, the kind or kinds of crops or salable commodities manufactured therefrom, and the class or classes of buildings, animals, or other property, both real and personal, which may become subject to mortgage as herein provided, the manner in which advances of loans shall be made, and the maximum amount which shall be advanced for each hectare under cultivation: *Provided, however*, That in no case shall the maximum amount so advanced exceed 100 pesos for each hectare cultivated by the mortgagor.

SEC. 3. The director of lands shall, under the direction and approval of the secretary of the interior, promulgate such regulations and issue such forms and instructions as may become necessary to secure the government against loss and to carry out the purposes of this act. He shall likewise cause to be kept a full and complete record of all transactions regarding loans and payments thereof, and shall keep such books and render such accounts approved by the insular auditor as may be necessary for the proper accounting for said fund, and loans made therefrom, together with interest on such loans.

SEC. 4. By and with the approval of the Secretary of the Interior the director of lands is hereby empowered, for and on behalf of the government of the Philippine Islands, to make such loans as are authorized by this act, and to execute as mortgagee, acting for and on behalf of the government of the Philippine Islands, the necessary mortgages to carry out the purposes of this act, and all mortgages executed under this act shall be executed to the director of lands, mortgagee, acting for and on behalf of the government of the Philippine Islands.

SEC. 5. For the purposes of this act the director of lands shall be the trustee for all mortgagors for the purpose of disbursing amounts advanced in consideration of the mortgages, and shall have custody of all mortgages and other securities for the mortgage debts pending their final satisfaction and release. He shall approve or disapprove all applications for loans, either wholly or in part, and such approval or disapproval shall be final and conclusive: *Provided, however*, That the Secretary of the Interior shall indorse upon each mortgage his approval thereof, before said mortgage shall be considered as valid and effective.

SEC. 6. In case the mortgagors have failed or neglected to discharge the mortgages in accordance with the agreement therein specified, the director of lands shall, upon the maturity of the mortgage notes, proceed to the foreclosure of the mortgages in the manner provided by law. Whenever, in his opinion, the interests of the insular government are in jeopardy through the failure or neglect of the mortgagors properly to observe the conditions of the mortgage agreements, the director of lands shall likewise proceed to the foreclosure of all mortgages, or shall take such other action as may to him seem necessary in the premises.

SEC. 7. The actual and necessary expenses arising from the administration of the friar lands loan fund shall be advanced from the general appropriations made for the bureau of lands, and shall be reimbursed thereto from the interest and profits realized from the mortgage loans which may be made in accordance with the provisions of this act.

SEC. 8. Upon the repayment and satisfaction of all mortgage debts the principal of the loans shall be reimbursed to the friar lands loan fund as established by section 1 of this act, and all net profits from said loans shall likewise accrue to and become a part of said fund, and may be available for any or all of the purposes for which said fund may be used.

SEC. 9. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An act prescribing the order of procedure by the commission in the enactment of laws," passed September 26, 1900.

SEC. 10. This act shall take effect on its passage.  
Enacted October 2, 1907.

[C. B. No. 40.]

FIRST PHILIPPINE LEGISLATURE,  
*Special Session.*

An act (No. 1847) amending sections 9 and 11 of act No. 1120 entitled "The friar lands act," providing for the manner of sale of unoccupied lands and the time within which deferred payments by purchasers of friar lands may be made.

*By authority of the United States, be it enacted by the Philippine legislature that—*

SECTION 1. Section 9 of act No. 1120, entitled "The friar lands act," is hereby amended to read as follows:

"SEC. 9. In the event the director of lands should find any of the said lands vacant, he is directed to take possession and charge thereof, and he may either lease such unoccupied lands for a term not exceeding three years or offer the same for sale, as in his judgment may seem for the best interests of the government, and in making such sales he shall proceed as provided in section 11 of this act."

SEC. 2. Section 11 of the said act is hereby amended to read as follows:

"SEC. 11. Should any person who is the actual and bona fide settler upon and occupant of any portion of said lands at the time the same is conveyed to the government of the Philippine Islands desire to purchase the land so occupied by him, he shall be entitled to do so at the actual cost thereof to the government, and shall be allowed to pay for same in equal annual or semiannual installments: *Provided, however*, That payment by installments shall be in such amounts and at such time that the entire amount of the purchase price, with interest accrued, shall be paid at least one year before the maturity of what are known as the friar-land bonds, issued under the provisions of act No. 1034; that is, on or before February 1, 1933. The terms of purchase shall be agreed upon between the purchaser and the director of lands, subject to the approval of the Secretary of the Interior, and all deferred payments on the purchase price shall bear interest at the rate of 4 per cent per annum.

"In case of sale of vacant lands under the provisions of section 9 of this act, the director of lands shall notify the municipal president or municipal presidents of the municipality or municipalities in which said lands lie of said sale before the same takes place. Upon receipt of such notification by said municipal president or municipal presidents the latter shall publish the same for three consecutive days, by bandillos, in the poblacion and barrio or barrios affected, and shall certify all these acts to the director of lands, who shall then, and not before, proceed to make the said sale with preference, other conditions being

equal, to the purchaser who has been a tenant or bona fide occupant at any time of the said lands or part thereof, and if there has been more than one occupant, to the last tenant or occupant: *Provided, however*, That no sale of vacant lands made in accordance with this section shall be valid nor of any effect without the requisite as to publication by bandillos, above provided."

SEC. 3. This act shall take effect on its passage.

Enacted June 3, 1908.

[A. B. No. 520.]

FIRST PHILIPPINE LEGISLATURE,  
*Second Session.*

An act (No. 1933) adding new matter to section 7 of act No. 1120 and amending sections 9 and 11 of said act, as amended by act No. 1847, and for other purposes.

*By authority of the United States, be it enacted by the Philippine legislature, that—*

SECTION 1. The following is hereby added to the end of section 7 of act No. 1120:

"*Provided*, That the failure on the part of the occupants to state their desire to lease or purchase said lands shall not be understood to mean that they do not desire to acquire them. In case of such failure it shall be the duty of the director of lands, or his agents, to enjoin such occupants to state their desire in writing within the period of eight days from the date of such injunction, and their failure to do so shall be understood to mean that such occupants do not desire either to lease or to purchase said lands. The director of lands shall neither lease nor sell the said lands to any other person until the foregoing requirements shall have been complied with, and any contracts of lease or of sale hereafter executed without them shall be null and void."

SEC. 2. Section 9 of act No. 1120, as amended by act No. 1847, is hereby amended to read as follows:

"SEC. 9. In the event the director of lands should find any of said lands vacant, he is directed to take possession and charge thereof, and he may either lease such unoccupied lands for a term not exceeding three years, or sell same, as may be solicited, and in making such leases or such sales he shall proceed as provided in section 11 of this act."

SEC. 3. Paragraph 2 of section 11 of the said act, as amended by act No. 1847, is hereby amended to read as follows:

"In case of lease of vacant lands, as well as in case of sale of same under the provisions of section 9 of this act, the director of lands shall notify the municipal president or municipal presidents of the municipality or municipalities in which said lands lie before the same takes place. Upon receipt of such notification by said municipal president or municipal presidents the latter shall publish the same for three consecutive days, by bandillos, in the poblacion and barrio or barrios affected, and shall certify all these acts to the director of lands, who shall then, and not before, proceed to execute the contract of lease or to make the said sale with preference, other conditions being equal, to the purchaser who has been a tenant or bona fide occupant at any time of the said lands or part thereof, and if there has been more than one occupant to the last tenant or occupant: *Provided, however*, That no contract for the lease of and no sale of vacant lands made in accordance with this section shall be valid nor of any effect without the requisite as to publication by bandillos above provided."

SEC. 4. This act shall take effect on its passage.

Enacted May 20, 1909.

Mr. FOSS. I suggest to the gentleman from Tennessee [Mr. PADGETT] that he occupy some time on his side.

Mr. PADGETT. I yield to the gentleman from New York [Mr. GOULDEN].

Mr. GOULDEN. Mr. Chairman, after a careful study of the naval appropriation bill (H. R. 23311) I am in favor of its passage. The amount carried for the next fiscal year is \$129,037,602.93, being \$2,054,533.45 less than the estimates of the department.

If new construction, consisting of 2 first-class battle ships, 1 repair ship, 2 colliers, and 4 submarines, be deducted, it leaves the expenditures at a reasonable figure. It would be a source of gratification, if it were wise, to cut out the two battle ships. So long as the Government maintains its insular possessions, especially the Philippines, we must continue building war ships. There is no way of evading this matter. Our navy must in every way rank with that of the leading powers. Anything less than this is unwise and unpatriotic. I have no fear of war, yet the words of the immortal Washington are as true to-day as they were at the time he uttered that patriotic sentiment, "In time of peace prepare for war."

Would that we could with honor and safety relinquish our interest in the Philippines and permit the people there to govern themselves. I believe the time is not far distant when this can be done safely and another free republic established. I am sure all good Americans will welcome that day.

I am glad that the Secretary of the Navy and the committee have had the courage to recommend a reorganization of the navy.

I did not rise to make any extended remarks, but simply to ask leave to print in the RECORD an admirable article from the New York Sun of March 13 on the question of the increasing cost of the navies of the world, which I commend to the Members of the House. It is worthy of serious consideration. [Applause.]

RISING COST OF THE NAVIES—HUGE SUMS EUROPE IS SPENDING FOR BATTLE SHIPS—ABOUT \$600,000,000 DEVOTED BY GERMANY TO HER NEW NAVY—\$200,000,000 FOR A YEAR'S BRITISH NAVAL EXPENSES—\$13,000,000 WAR SHIPS FOR FRANCE.

LONDON, March 2.

Germany's navy act of 1900 fixed the battle-ship strength of the fleet at 38 vessels, which were to be completed by 1916. It also provided that 14 large armored cruisers should be in commission by the same

date. In 1906 a fresh navy act was passed by the Reichstag, its most important feature being an addition of 6 large cruisers to the standard fixed in 1900. In 1907 the navy act of 1906 was altered, the size and cost of the 20 large armored cruisers to be built being increased.

Basing his statements upon the foregoing facts, Colonel Gaedke, the naval critic, has written an article in the Berliner Tageblatt in which he points out that Germany is creating a fleet not of 38 battle ships, as provided by the navy act of 1900, but of 58 battle ships, the 20 large cruisers being equivalent in size and strength to first-class battle ships. He also asserts that the German armaments policy has apparently abandoned the principle that the prestige of the Fatherland depends on the army and maintains that the expansion of naval armaments is gradually outstripping the requirements for the defense of the Empire's trade and coasts.

"The time is gradually approaching, indeed," says Colonel Gaedke, "when the German fleet will be superior to all fleets in the world, with the single exception of the British. It was so unimpeachable a witness as the Kreuz Zeitung which told us a couple of months ago that our fleet was making such rapid progress that in 1911 it would be superior to that of the United States, even limiting calculations to the strictly modern type of vessels.

"It is officially admitted that in the spring of 1912 Britain will have 20 completed *Dreadnoughts*, the United States 12, Germany 11, and France 6. Thenceforward our relative strength will rapidly increase, so that in 1914, for example, we shall possess 19 *Dreadnoughts* against the 16 of the United States.

"In the six years between 1898 and 1903 Germany's expenditure on new ships was \$120,475,000. During the succeeding six years we spent \$195,475,000 on new ships, and in 1908 and 1909 \$91,775,000, or vastly more than either France or the United States devoted to the same purpose.

"Until 1914 at least the German disbursement for new vessels and armaments will be still more strongly emphasized. In 1911, for example, the programme calls for more than \$65,000,000. In the last twelve years Germany has spent on new ships alone \$316,000,000, and between now and 1914 will spend another \$287,500,000."

The readiness of Germany to expand her fleet regardless of expense was illustrated on Thursday last, when the budget committee of the Reichstag passed without debate the admiralty's estimate for new armor for the current year. The sum of \$21,482,500 for the artillery of new battle ships, cruisers, and torpedo boats and for mine-floating apparatus was voted without any suggestion of objection from any quarter.

At a recent meeting of the French council of ministers the minister of marine made a statement on the subject of his negotiations with the navy committee of the Chamber of Deputies. He announced that the designs for the six new 23,457-ton battle ships had been drawn up and approved in all particulars. No alterations were contemplated, and the ships were to be laid down at the rate of two a year in 1910, 1911, and 1912. The 1910 and 1912 ships were to be constructed in the naval dock yards at Brest and Lorient, respectively, while the 1911 pair were to be built by private contract. The period of construction for each ship was fixed at three years.

The ships were to be armed with twelve 305-millimeter guns and twenty-two 138.6-millimeter guns. Their speed was to be between 20 and 21 knots, with a steaming capacity of 2,300 miles at 20 knots, and 28,000 horsepower.

The heavy guns, which are of the 1906 50-caliber type, firing a 440-kilogram mellite shell, will be disposed in pairs in six turrets. The arrangements of the turrets, four along the center line of the ship and one on each side amidships, will permit ten guns to be fired broadside and eight ahead or astern. The fore turrets are to be about 8 feet higher than the aft turrets, and the highest placed gun will be nearly 38 feet, while the lowest will be over 21 feet above the water line.

The secondary armament will be arranged in eight independent batteries, each with a radius of fire of 120 degrees. Six batteries of three of these 138.6-millimeter guns will be disposed along the sides of the ship, while the remaining four will be situated low in the stern. The arrangement will allow six of these guns to be fired ahead and ten astern.

The armor will consist of an armored belt 270 millimeters thick at the two ends. The armored decks will be 70 and 48 millimeters thick. The battle ships will cost \$13,400,000 each, including \$900,000 worth of ammunition. Each battle ship is to have a reserve of \$1,360,000 worth of ammunition.

The large increase in the impending British naval estimates, foreshadowed in the King's speech, will show, it is understood, a rise of over \$16,000,000 above last year's estimates. Engineering says that the new estimates will total \$200,000,000, the largest sum that has ever been asked for by the British Admiralty in the ordinary estimates of any one year. It marks an advance of \$75,000,000 on the total of ten years ago. For the year now closing the gross total was \$183,750,000. Four battle ships are said to be included in the new programme.

According to Engineering, Great Britain has been forced into this increase by the growth of expenditure of other governments. It adds that the cost of the eight battle ships which are to be ready by April, 1912, is \$10,000,000 apiece.

The battle ship *Vanguard*, the eighth ship of the *Dreadnought* type to be completed for the British navy, was placed in commission at Devonport yesterday. In her main armament the *Vanguard* shows a great advance. Earlier ships have ten 45-caliber 12-inch guns. The *Vanguard's* weapons, the same in number, are 5-caliber longer, giving them a muzzle velocity of 53,400 foot-tons, compared with the 47,697 foot-tons of the shorter guns. The distribution is the same as in the first *Dreadnought*—that is to say, the *Vanguard* can fire eight guns on the broadside and six ahead or astern.

Admiral Calabritto, of the Italian navy, has devised a system by which funnels on torpedo boats and destroyers, and possibly on larger vessels also, may be abolished. The smoke is led off in ventilating shafts laid along the sides of the ship, and tests have shown that the invention is doubly satisfactory in that it reduces the heat in the stokeholds. It has been practically decided to adopt Admiral Calabritto's system on all the smaller Italian war craft.

A naval expert, commenting upon this invention, says that it follows, as a matter of course, upon the advent of the air ship and aeroplane. Their entry into the area of sea warfare, it is affirmed, must react on the design of war ships, some defense against bomb dropping being an essential feature of their construction. First of all, there will be the removal of structures on the upper deck, and Admiral Calabritto's invention removes the largest fitting of all, the funnel. This writer predicts that war ships of the future will possess armored decks as smooth and sloping as a turtle's back to ward off overhead attack.

Mr. PADGETT. I yield one hour to the gentleman from Alabama [Mr. HOBSON].

Mr. HOBSON. Mr. Chairman, there are two features of the naval appropriation bill to which I desire to address my remarks.

One bears on the fundamental question of the organization of the navy and the other bears on the question of our naval policy as embodied in the recommendation for new war ships. I shall give but a few minutes to the first proposition—that is, the question of organization—and I beg leave to call the attention of Members to the report of the Committee on Naval Affairs, in the latter part of which there is a more extended treatment of the subject.

Mr. Chairman, we are now on the borderland of what promises to be an important era in naval reorganization. We must of necessity, as we expand our navy, see that it is efficiently and economically managed. The country is fortunate in having had in the last Secretary of the Navy and in having in the present Secretary men of great business ability and individual initiative. It is to be regretted, however, that effort has been made at this early experimental stage of reorganization to secure premature legislation upon the subject, as embodied in the last clause of the naval appropriation bill, and I shall offer an amendment to have the clause stricken out when it is reached. The clause authorizes the Secretary of the Navy to transfer from one bureau to another the appropriations for the naval establishment. This is contrary to the practice established by Congress. It is really contrary to existing law.

In 1906 in the legislative, executive, and judicial appropriation bill Congress inserted a clause that defined the way in which transfers of this kind should be made, and that was by submitting to Congress from the department in question just the transfers proposed to be made, specifying them in a supplemental note with the estimates.

The Secretary of the Navy did make such a recommendation to Congress in a supplemental note. It was considered by the Naval Committee, and the Naval Committee declined to incorporate the changes in the appropriation bill. Now the proposition is to put in a clause at the end of the bill which will do indirectly exactly what the Naval Committee refused to do directly, and will not only authorize the transfers that the Secretary recommended, but any other transfers that he may care to make.

Now, Mr. Chairman, I believe we should not set a precedent of that kind at this juncture. The method prescribed in the act referred to is in the interest of economy, and has resulted in substantial benefit. It ought not to be suspended now. Changes of this kind ought to be given in detail, so they can be determined on their merits. Under no circumstances ought Congress to make a sweeping authorization like the one proposed. The precedent established would vitiate the integrity of the whole policy, for no good reasons have been advanced to support the proposition. It is suggested by its advocates that it is intended to give the so-called Meyer plan a fair trial. Mr. Chairman, that contention is not borne out by the facts. The Meyer plan has been in full operation since December 1. The Secretary now has power to put in operation the Meyer plan, or the Newberry plan, or any other plan, and in answer to a specific question before the Naval Committee he said the authorization in practice would only be a question of red tape. Upon a direct question by myself he said it would not affect the efficiency or economy of the putting into effect of his plan.

What it would really do would be this: It would cause Congress to put its approval on the Meyer plan at this juncture before the plan has been tried. Now, Congress ought not to be called on to give the stamp of legislative approval to a measure until it has been tried out. The Secretary of the Navy himself has not recommended legislative action for the main part of the Meyer plan in its real organization. It is only for that part embraced in navy-yard organization that he asks congressional approval, and this is the bad part of the Meyer plan.

I wish to be understood as entirely in favor of the main features of the Meyer plan. They are founded on sound principles of organization. There are two broad divisions of a navy, namely, the fleet and its operations. Now, in the use of a fleet the operations are really of more importance than the fleet itself. Therefore in the Meyer plan the head of the operations of the fleet is the highest functionary below the Secretary of the Navy, and properly so.

The fleet consists of ships and men, or the matériel and the personnel, giving rise to a division of personnel and a division of matériel. The personnel must be given an importance superior to the matériel. Under the Meyer plan this is done, and

the aid for personnel comes next to the aid for operation of the fleet.

In the classification of the parts of a ship there are two natural divisions—one the hull and its fittings and the other the propelling machinery and its fittings. These two natural subdivisions, embraced in the matériel, are included in the Secretary's organization under the Chief of the Bureau of Construction and Repair and the Chief of the Bureau of Steam Engineering. Thus far, in its real essentials, the Meyer plan of organization is fundamentally sound. I am for it and hope to see it ultimately enacted into law, so that it will become the basis of the permanent organization of the Navy Department.

When the question of navy-yard organization is reached, however, the Secretary departs from the principles of efficiency and economy and enters into a domain of internal controversy which should put the matter of congressional approval beyond the pale of consideration by Congress at this juncture. I shall refrain from discussing the merits of the Meyer plan or the Newberry plan or any other plan at this juncture, being content with calling the attention of Members to that part of the minority report that deals with this matter.

It is thus clear, Mr. Chairman, even from a superficial examination, that even if the Meyer plan were good in all its features, the last paragraph of this bill should not be adopted, and it is unnecessary to discuss the faults of the plan. I am convinced that reflection will convince those interested that it is a mistake to ask for this legislation. I do not anticipate any insistence from the Naval Committee or from other Members of this House, and I can the more readily refrain from criticisms of the Meyer plan. I have made criticisms of navy-yard features of the plan in my minority report, as it would be difficult to get any frank criticisms from technical officers in the navy, in order that the House may have both sides of this question should a fight be made to enact the last clause of this bill.

Mr. CRAIG. Will the gentleman give us an outline of what the Meyer plan is?

Mr. HOBSON. It would probably take at least twenty minutes of my time if I did so. If the gentleman will permit me, I will ask consent to publish as a part of my remarks a description of the two plans.

Mr. CRAIG. I only wanted the gentleman to outline what the change was.

Mr. HOBSON. Fundamentally as to the navy-yards it is this: The Newberry plan, so-called, consolidated all the manufacturing activities of the navy-yard under one management, under the naval constructor as manager. The naval constructor is the chief manufacturing officer on permanent shore duty, thus giving control of manufacturing to one technical head, in keeping with the principle of consolidation and economy.

The Meyer plan, on the other hand, divides the manufacturing establishments of the navy-yards into two parts, one relating to the machinery and the other relating to the hull, and divides the management accordingly under two technical heads, one of which is a line officer, or fighting officer, not detailed to permanent shore duty, thus going against the principle of technical consolidation and against the principle of specialization. The two managements are brought together under the commandant, but he is a fighting officer, and there is thus no one technical head to insure economy in manufacturing.

The disadvantage of having a fighting officer at the head of manufacturing management would be greatest in war time, when this fighting officer would go to the front and leave the manufacturing management in new hands just at the time when it is most needed to quickly repair and fit out injured ships.

That is the fundamental difference. Now, I might further point out to the gentleman how the Meyer plan tends to exalt the fighting officer in the manufacturing department, which is against the true principle of training. Exalting the fighting officers in manufacturing also curtails the development of the manufacturing officers in that line. The fighting officer ought to be exalted in the fighting department, which is his specialty, and the manufacturing officer ought to be exalted in the manufacturing department, which is his specialty. The Meyer plan goes counter to that principle.

I might cite other features, but to save time I will ask unanimous consent to extend my remarks on this subject in the RECORD, so I will not have to consume more of my time at this moment.

Mr. GOULDEN. Will the gentleman yield?

Mr. HOBSON. Yes.

Mr. GOULDEN. As I understand it, the gentleman is in favor of the Newberry plan, so called?

Mr. HOBSON. I am favorable to the Newberry plan as adopted in navy-yards.

Mr. GOULDEN. In the construction department of the navy-yards?

Mr. HOBSON. Yes; and I am also favorable to the Meyer plan in all its essentials.

Mr. GOULDEN. With that one exception. Yes, I believe that the gentleman from Alabama is absolutely right in his contention.

Mr. HOBSON. The organization of the manufacturing departments as recently adopted is not really an essential part of the Meyer plan. There was a shock in the navy when, by the Newberry plan, so much of the manufacturing work that had been under the fighting officers was transferred to the manufacturing officers. This shock produced a strong reaction on the part of the fighting officers, and the present organization at navy-yards is an embodiment of that reaction. It not only takes away from the manufacturing officers what had been added by the Newberry plan, but, in addition, takes away old duties that they had always had before, giving all out to fighting officers. Those shocks were natural and to be expected within any service when such large changes were made.

In the reaction I do not believe the Secretary has had the full benefit of counsel from the manufacturing and staff side of the navy, but I do believe that the Secretary of the Navy is most anxious to get the very best results, and that in time from the differences that naturally exist he will ultimately work out a very happy system. In my judgment, he has made a good start toward producing in our navy the best organization in the world, and I shall stand for holding up his hands in giving a full trial even to the things I regard as imperfections that have been embodied in navy-yard administration—I stand for letting him try them, as he is now doing. The point is simply this, that at this juncture we ought not to put legislative approval upon any plan until it has been tried out.

Mr. GOULDEN. It is simply an experiment, then, so far, but worthy of a fair trial. This it should have at the hands of Congress.

Mr. HOBSON. I concur in the gentleman's remark. Mr. Chairman, I come to the second part of the question, namely, the provision for new ships, as bearing upon our naval policy. I wish to impress upon the Members of this House at the outset that the number of vessels recommended in this bill does not raise the question of a large navy, nor the question of an increase of the navy. We have about 700,000 tons of war-ship displacement. A plant of that kind, as any practical man knows, will depreciate at least 10 per cent a year. At this time when vessels that precede the *Dreadnought* class are fast becoming obsolete I do not hesitate to say that of our 700,000 tons of war-ship displacement fully 500,000 tons will be regarded as utterly obsolete within five years, and it would be conservative to write off 100,000 tons per year. Taking the depreciation only upon the basis of 10 per cent per year, it would mean that we must build about 70,000 tons a year to take the place of the vessels becoming obsolete. It would take three *Dreadnoughts* a year to maintain our navy in the same absolute status we now have. A two-battle-ships-a-year programme has meant a declining scale. If gentlemen will take the pains to look at the figures, they will see that ever since 1905 the amount of new construction building, as reported on the 1st of November each year, has been declining.

We have not been holding our own in the abstract, in the absolute, and we have been dropping behind at an alarming rate in comparison with other nations. The whole question is a relative one.

Mr. HINSHAW. Will the gentleman yield?

Mr. HOBSON. Certainly.

Mr. HINSHAW. Does this depreciation come about entirely from innovations, new inventions, and the application of ingenuity in new devices for war ships?

Mr. HOBSON. It comes about from that and also from the natural wear and tear on machinery of that general nature.

Mr. HINSHAW. And in five years, as I understand the gentleman, a battle ship which is up to date now would be obsolete, without considering the ordinary wear and tear of the vessel.

Mr. HOBSON. I would not say that. I would say that a battle ship built prior to 1905 will be obsolete then. The battle ships that preceded the Russo-Japanese war will be obsolete when the *Dreadnought* types that followed that war are finally in commission in the navies of the world.

Mr. HINSHAW. This is equally true of every other nation in the world.

Mr. HOBSON. Yes.

Mr. HINSHAW. And are other nations keeping pace with their navies so as to maintain the equilibrium?

Mr. HOBSON. Mr. Chairman, I shall be delighted to answer the gentleman's question, and will now take it up as the next

point. As stated before, the whole question of the navy is a relative one. We seem to forget that since 1905 all great nations have gone forth with rapid strides to renew their whole navies.

At present Great Britain is building 248,000 tons of new warship displacement, Germany is building 211,000 tons, France is building 164,000 tons, Russia is building 153,000 tons, and America is building just an even 100,000 tons. Japan is building 93,000 tons. We have been proceeding for the last three years with a two-battle-ship-a-year policy, only half as fast as Germany and, on the average, about one-third as fast as Great Britain.

Mr. HUGHES of New Jersey. Will the gentleman yield, or does he desire to be interrupted at this point?

Mr. HOBSON. If it is not long.

Mr. HUGHES of New Jersey. I noticed a statement in a publication, I think the Saturday Evening Post of this week, calling attention to the fact that new construction costs the German Government about \$70,000,000, as compared with about \$100,000,000 as the cost of American construction. Has the gentleman anything to say in regard to that statement, as to the accuracy of it?

Mr. HOBSON. I could give the gentleman detailed information on that subject, but it will suffice to tell him this, that the extra expense to the American Navy is not that of construction. On a two-battle-ships-a-year basis, our total expenditure for construction is running about \$30,000,000 per year, and Germany's on a four-battle-ship basis is running about \$65,000,000. To-day our new ships are being constructed cheaper than similar ships are being constructed anywhere else in the world. I do not think there is any exception to that statement. An American yard has recently underbid all the yards of the world for building Argentine battle ships. In the cost of maintenance, however, particularly in the pay of officers and enlisted men, the expense runs high in America. In Germany the enlistment is by conscription and the pay is negligible, while in the United States we have to offer high rates of pay to induce Americans to enlist that we have to maintain a high standard of living, which make our establishments very expensive.

Coming back to the effect of our building but two battle ships a year during the last three years, we find that Great Britain has either built or building, of the *Dreadnought* type, 20 ships; Germany has built or building 13 ships; America has built or building 6 ships. Some would make our number 8 by counting the *Michigan* and the *South Carolina*. This is an error. These 2 ships are only 16,000 tons and of 2½ knots less speed than *Dreadnoughts*, and without batteries to repel torpedo attack beyond short range. We have dropped 14 ships behind Great Britain and 7 ships behind Germany.

Great Britain is going ahead at an average rate of 6 *Dreadnoughts* a year, and Germany is going ahead at the absolute rate of 4 ships of the *Dreadnought* type a year. Under the German law of 1907 the programme of construction must produce 16 battle ships and 12 armored cruisers, the cruisers being of *Dreadnought* dimensions, making 28 *Dreadnoughts*. Under this law Germany lays down 4 *Dreadnoughts* every year.

Mr. SULZER. Will my friend yield for a question?

Mr. HOBSON. Certainly.

Mr. SULZER. I am very much interested in the remarks of the gentleman, and to some extent I concur in the same substantially; but I would like to know, speaking in the interest of the taxpayers of the country, when is this gigantic preparation for war going to cease?

Mr. HOBSON. I will be glad to take that up. It is part of my discourse as laid out. If the gentleman does not object, I will take it up a little later; and in case I do not bring it up in its regular place, if the gentleman will remind me later on, I will be delighted to speak on the subject. Now, then, what is the question presented by the bill's recommendation of 2 battle ships? In 1905 we occupied the commendable position of a second-class naval power; we were substantially the second naval power in the world.

We have now dropped down to third place, and are still dropping. Two battle ships are insufficient to make up for deterioration. We are seven *Dreadnoughts* behind Germany, and Germany is going ahead at four per year. If we authorized four, we would still be seven behind this second-rate power, without making up anything. If we wish to get back to where we were in the Atlantic four years ago we have not only got to have four battle ships a year to keep up the pace, but we have got to add some additional, and at one additional—which would make five per year—it would take us seven years to get back.

Mr. ADAIR. Will the gentleman yield?

Mr. HOBSON. Yes.

Mr. ADAIR. Does the gentleman believe the nations of the world ought to run a race in the construction of battle ships, and if we do not keep up with the other nations of the world we are in any danger of attack?

Mr. HOBSON. That will come up in the orderly position in my remarks, and again I will say to the gentleman that if he will remind me—though certainly it will not escape my attention—I will be delighted to answer the gentleman.

Mr. KEIFER. May I ask the gentleman and inquire what period the gentleman fixes for the life of one of these battle ships?

Mr. HOBSON. I will answer the gentleman, that the absolute life is very long, but the life in the first line of battle is not so very long. Germany places it at fifteen years at the outside. I think this is a reasonable estimate.

Mr. KEIFER. Is it not a fact thus far it is less than fifteen years, ten years or less; that then it is gone out of its class?

Mr. HOBSON. The gentleman is perfectly correct as to recent years. Every important war revolutionizes naval architecture. The war between Russia and Japan brought in the *Dreadnought* type and revolutionized naval architecture, and you may say within the space of the next five years all ships built before the *Dreadnoughts* will be relegated to the second line of defense.

Mr. KEIFER. Have we any seaworthy or battle worthy battle ships now that we had on the 1st of January, 1899?

Mr. HOBSON. Very few. We are reconstructing the *Indiana* and the *Oregon*, but they would not be put on the first line of battle. I will say to the gentleman, we have not a single ship that came out of the Spanish war that to-day could be put on the first line of battle.

Mr. KEIFER. I was on board of the *Texas* in the harbor of Habana in January, 1899. I understand it has practically gone or is on the way to the scrap heap.

Mr. HOBSON. Long since, I will say to the gentleman.

Mr. KEIFER. It was one of the finest ships I ever knew.

Mr. HOBSON. If the gentlemen will allow me to proceed, I believe all the questions they are asking will be brought up. Since my time is now so limited, I will have to cover them rapidly. The first part is to have you understand what is the question when you reach the matter of the increase of the navy. The General Board has recommended 4 battle ships, 10 destroyers, 4 scout cruisers, and 3 auxiliaries as, in the words of the board, "a minimum of military requirement." The programme carried by this bill is only one-half of this minimum. It not only is no increase, but it does not enable us to hold our own pace. It will take not less than five battle ships and require us to proceed on that programme for ten years in order to get back where we were three years ago in the Atlantic Ocean. The situation is very simple.

Mr. ADAIR. What does the new type cost?

Mr. HOBSON. I will bring that in, too, later. It costs about \$11,500,000, but it costs the other nations just as much, and a little more.

Now, then, for the Pacific Ocean. Some reference has been made as to the approaching completion of the Panama Canal as a means of enabling us to slacken our pace in naval construction. I hope the Members of this House will disabuse themselves of any such hope, because it is fundamentally in error. The distances are so vast in the oceans that wash our shores that a fleet operating from a base in one ocean can not possibly protect the other ocean. With our fleet cruising in the Pacific, our coasts could be assailed in the Atlantic and the enemy retire to Europe before our fleet could come to the rescue, even with the Panama Canal, and vice versa. You take, for instance, the base in the Atlantic that is nearest to the Pacific. Take Norfolk and Hampton Roads. It is over 5,000 miles from this base to San Francisco, going through the Panama Canal. Add 2,000 more miles to Alaska; and add 2,000 for the Hawaiian Islands. It is over 11,000 miles to the Philippines. An elementary grasp of the limitations of the operations of a fleet shows that our vital interests in the Pacific can not be protected by a fleet operating from the Atlantic, and vice versa. Even if we had the Panama Canal always under our control, we would still be the one nation on earth that is doomed to a two-ocean naval policy. But the truth is, when we do not control the sea in either ocean the Panama Canal is not ours. An enemy reaching it can seize it with his army and it will belong to him. Our navy must be maintained on a basis to keep equilibrium in the Atlantic and in the Pacific both at the same time.

Japan has built and building four ships of the *Dreadnought* class, and is building at the rate of one new ship a year. At

present we have not a single battle ship in the Pacific Ocean. We are four behind and must add one to hold the pace. Thus in the Atlantic the rate is four per year, and we are seven behind. In the Pacific the rate is one per year, and we are four behind. Adding the two together, our rate must be five per year and eleven to make up. That means that in reality we must authorize six per year for ten years to recover the position we held in 1905.

I wish to impress this on the Members of this House: It will take us ten years, at the rate of six battle ships a year, to get up to the position of the second naval power—

Mr. MICHAEL E. DRISCOLL. Do you mean to keep up relatively with the other nations, or keep up absolutely with what we have now?

Mr. HOBSON. This is relatively to the other nations. I pointed out above and will repeat to the gentleman that it will take just about three *Dreadnoughts* a year to keep up absolutely the tonnage we have now.

Now we come to the second part of this question. America need not think that she can stop with the position of the second naval power. Mark you what I have said already is on the assumption that we are simply going to try to be a second-rate power. But fate will not permit us to remain on that basis. I assume the gentlemen here, even those that desire the advent of peace and the coming of the millenium, recognize in all things human that where there are values there must be protection.

Even the preacher, who preaches "Peace on earth, good will toward man," locks his door at night, even in the most civilized community in the world, where there is law and order all established.

Furthermore, it is a recognized principle that protection must be in proportion to the values exposed. What are our values exposed to naval attack? I wish Members of this House would pause to realize their magnitude. In the Atlantic Ocean alone we have 5,400 miles of exposed coast line and indentations. On the Gulf we have 4,300 miles.

Mr. ADAIR. Does not the gentleman believe that in time the preachers who are preaching "Peace on earth and good will to men" will finally have such an effect upon the peoples of the world that such large navies will be unnecessary?

Mr. HOBSON. I believe that if the peaceful nations, like America, are able to maintain an equilibrium in the world sufficiently long, so that the world's great producing forces, its great commercial, industrial, economic forces, its great educational, moral, and religious forces, can operate without the retrograding effects of war, then in time the world would develop an organization for justice and the armaments of the nations could be pooled; but even then, as in civilized nations to-day, there would still have to be power behind law and order. [Applause.]

Mr. ADAIR. It does not speak very well for the civilization of the world to be constantly preparing for war.

Mr. HOBSON. I will touch all those matters. I hope the gentleman will not think we are preparing for war; what I am proposing is to prepare for peace. How can the church and the preacher go on if the thug and assassin is free to run at large? [Applause.] You have got to be able to have law and order before you can do anything else—before churches, schools, business can operate. The proposition that I will now lay down is this: There must be provision for settling differences that arise. In civilized communities the courts are established to interpret laws and the executive to enforce them, and the power of individuals is pooled to sustain this organization.

Out in the world no similar system is in operation, and in the absence of such a system you have got to resort to the next best thing, which is an equilibrium, a balance of power, between the parties that are interested in a controversy. [Applause.] You have got to have an equilibrium if you are to have any chance for justice in the outcome; and if you do not have it, the consequences are inevitable—the weaker side must surrender its rights or fight at a disadvantage, a perversion of justice leading up to war.

Mr. ADAIR. If the gentleman will permit me.

Mr. HOBSON. I would like to give the gentleman my hour if I could. I will endeavor later to further discuss this question with relation to armaments and disarmament—

Mr. ADAIR. Just one statement.

Mr. HOBSON (continuing). But there are other questions which can not be omitted.

Mr. ADAIR. I will ask the gentleman if he does not think the danger of war rests only in the selfishness of mankind.

Mr. HOBSON. Exactly; and that selfishness will not be changed within the next twenty-four hours. It will be there right on, even after the nations of the world have pooled their armaments and reduced the cost to the minimum.

Now let us come back to where we were. We are not called on in this bill to build up a great navy or increase the present navy or even to hold our own as a second-rate power, but with two battle ships, only to provide for a part of current deterioration.

Fate is driving us, however, toward the responsibilities and interests of the first power, and we can no longer ignore with safety the great set of the world currents.

The bill does not provide for half our needs as a second-rate naval power, while we ought to be preparing for the needs of the first power.

As I was saying, on the Atlantic Ocean alone we have 5,300 miles of exposed coast line; on the Gulf, 4,200 miles; and on the Pacific, 3,100 miles; in Alaska and the Aleutian Islands, over 5,000 miles; and on the Great Lakes, 4,700 miles, a total of 22,600 miles. In the West Indies, including Cuba, Porto Rico, and Panama, we have another 7,500 miles. Adding this to the 22,600 miles of continental coast line, we have a total of 30,000 miles of practically vital coast line. Now, if you will add to this the Hawaiian Islands and the Philippine Islands, there is another 14,000 miles. This makes 44,000 miles—more coast line than any other power in the world. In comparing our navy with Germany we should remember that Germany has but 800 miles of coast line. The current idea in the United States is that we do not need a great navy like that of Great Britain because we do not have over-sea responsibilities. Investigate this question. There are 2,900 miles of coast line involved in Mexico, and 3,400 miles in Central America. There are 26,300 miles involved in the two coasts of South America.

Under the Monroe doctrine we are under the necessity of being able to extend security to all of these coasts. To the Nation's own coast line of 44,000 miles we have to add 32,000 miles under the Monroe doctrine, making the total coast line which we are bound to protect greater by nearly one-half than that of the British Empire. A glance at the globe of the world will show the magnitude of our ocean responsibilities. Our American continent is astride the two great oceans of the world. Our responsibilities may be regarded as extending beyond Porto Rico and South America, taking in half of the whole Atlantic Ocean. In the Pacific they cover at least three-quarters of the whole ocean, from Alaska and the Aleutian Islands down across the heart of the ocean, the Hawaiian Islands, to Samoa; from Guam and the Philippines to the coasts of North and South America. This Nation is on the crest of the oceans, and the security that it must extend already embraces more than three-fifths of the entire water surface of the earth.

Some one may say, "Well, perhaps all of that may be true, but it is not very vital." Let us examine.

Mr. GARRETT. Is it agreeable to the gentleman to submit to an interruption just there?

Mr. HOBSON. A short one.

Mr. GARRETT. This responsibility growing out of the Monroe doctrine is one which we have had for a long, long time.

Mr. HOBSON. Yes.

Mr. GARRETT. What are the differences now from our responsibilities in the past with respect to that?

Mr. HOBSON. In the sixties, when America was embroiled in her own civil war, France invaded Mexico with troops under Maximilian. The United States called on France to withdraw her troops; that their presence there was a violation of the Monroe doctrine. France ignored that demand. When the war was over America had the best fleet in the world. She was free then. She had a million men under arms, the best troops in the world. She dispatched 60,000 troops, under General Sheridan, to the Rio Grande. Then she requested France to evacuate Mexico, and France complied instantly. [Applause.] Our weakness brought on the violation of the doctrine, our strength its observance.

I will say to the gentleman that in the winter of 1901-02 Germany seized the custom-houses of Venezuela. America proceeded to assemble the greatest fleet we had ever assembled to date in Guantanamo, under Admiral Dewey. Now, I am not making statements that are not well considered. I have it on good authority that that fleet was substantially superior to the German navy, and that it was that fact that brought about the withdrawal of the German forces from Venezuela, saving a violation of the Monroe doctrine. I will say to my friend from Tennessee that if that condition were to recur five years from now, when the German navy will be over twice as strong as ours, I would hesitate to hope that Germany would withdraw with equal facility and without the interruption of friendly relations.

Mr. BURKE of Pennsylvania. Will the gentleman yield to a question on that line?

Mr. HOBSON. I am going to touch that more fully a little later.

Mr. BURKE of Pennsylvania. As I understand the gentleman's argument—

Mr. HOBSON. The gentleman will understand it if he will just wait.

Mr. BURKE of Pennsylvania. I am with the gentleman on his general theory.

Mr. HOBSON. Yes; and I have only twenty minutes more time and have not covered half the ground of my speech.

Mr. BURKE of Pennsylvania. Will the gentleman yield for one short question?

Mr. HOBSON. Yes; if you will make it short.

Mr. BURKE of Pennsylvania. Is it your theory that we should continue the construction and maintenance of our navy in the proportion you have already explained, based on the necessity as to our own coast, regardless of our responsibilities touching the Monroe doctrine? As I understand it, that is your contention.

Mr. HOBSON. Exactly. I will now show from the facts that we must be the first naval power in the world.

Mr. BURKE of Pennsylvania. Will the gentleman yield?

Mr. HOBSON. For a short question; I have very little time left.

Mr. BURKE of Pennsylvania. And therefore any change in the naval attitude of South American republics by way of adding to their naval equipment would not have any effect?

Mr. HOBSON. No substantial effect. We must be the first naval power on account of our own vital interests. So much of my time has been consumed by interruptions that I shall ask permission to print as a part of my remarks the detailed record of values exposed to naval attack in the United States that are within 15 miles of the water that can be reached from the sea. It will appall the Members of this House to find out how extensive it is. Take our 5,300 miles of Atlantic coast line and the homes of over 15,000,000 of our citizens and over \$17,000,000,000 of our property are exposed on that amount of coast line alone. I will give the distribution of this population and property in the printed extension of my remarks, and also property and population on the other lines and on the great rivers leading up therefrom, giving the counties and States. The civil war showed how these rivers can be ascended. This information was compiled for me in the office of the Chief of Staff. It will be seen that America has to-day within gunshot of the water the homes of nearly one-half of all our citizens, with accumulation of over thirty-nine thousand millions of property—more citizens and more property directly exposed in the United States than in all the rest of the world combined. Coming down to the ultimate proposition of self-preservation and calculating the provision for protection by values exposed, the United States would have a navy greater than all the navies of the world combined.

Mr. MICHAEL E. DRISCOLL. Would the gentleman be in favor of that?

Mr. HOBSON. I certainly would not.

Mr. MICHAEL E. DRISCOLL. The gentleman ought to be, to be consistent.

Mr. HOBSON. I do not think so.

Mr. MARTIN of South Dakota. Will the gentleman yield?

Mr. HOBSON. For just a question.

Mr. MARTIN of South Dakota. Does it not occur to the gentleman that as a peace-loving and industrious people we have built up these great values without a large navy, we might continue to get along without a large navy?

Mr. HOBSON. I will say to the gentleman that perhaps he has accumulated large property somewhere, and because he has not been robbed or has not been assassinated some night in his bed, would he advocate the abolition of the courts of justice, the sheriffs, and the police force?

Mr. MARTIN of South Dakota. No; I do not think that is analogous.

Mr. HOBSON. Mr. Chairman, though I plan to touch upon that point later, I will say to gentlemen here that we have heretofore not had immunity from attack from the rest of the world. From 1809 to 1812 our interests were constantly assailed because we had no strength of navy, and because we refused to make preparations we had war as a consequence.

In 1800 the same thing happened; our neutrality was assailed, and we had war because we were not prepared. A few years ago we called on Russia to evacuate Manchuria. She refused. Why? We had no power in the Pacific Ocean. If we had had an equilibrium in the Pacific Ocean, there is a good chance that Russia would have evacuated Manchuria and there would have been no Russo-Japanese war.

I will say further that in 1897 and 1898, when negotiations were going on with Spain, the trend of public opinion in Spain and the information given out to its people led to the belief that

the Spanish navy was fully as good as ours, even better; that the officers were better, and the matériel was supposed to be about on an equilibrium. The result of our weakness was that negotiations failed and war came. I have heard it stated, and it is my own belief, if we had had three more battle ships, just three more—we had four—that all of the difficulties in Cuba could have been settled by diplomacy.

Mr. MICHAEL E. DRISCOLL. And if we had not had so many we would have had no difficulty at all, and all the trouble we have had since would have been avoided.

Mr. HOBSON. If the other nations had not had any navies, we would have had no trouble, I will say to the gentleman, now that he is coming down to real consistency. It is either no navy at all or an adequate navy, one or the other [applause]; either throw ourselves at the mercy of the world or else be prepared to maintain our part. Now, I would say to the gentleman that three battle ships in 1895—that would have been plenty of time—added to the *Oregon* class, would have cost about \$10,000,000. Those \$10,000,000 put into war ships in time would have saved us from war, which it is estimated has cost us directly and indirectly more than fifteen thousand million.

Mr. HITCHCOCK. Can the gentleman point to any instance in history in which a great nation has been subjected to serious financial loss or great danger of invasion by bombardment or threatening of its coast—

Mr. HOBSON. No; but I will tell the gentleman this: That every serious invasion in the world, from the days of Rome and Carthage down to the time of the overthrow of Napoleon, was settled by the control of the sea. That will bring me very nicely down—and he asked about the bombardment of coasts—to the point where I may say to him that this country of ours can not look to coast defenses, because we have no mobile army.

Mr. HITCHCOCK. I was unable to conceive of the possibility of the United States coast line being assailed either on the Pacific Ocean or the Atlantic Ocean, and I could not recall, myself, any historical instance where a great nation has been imperiled in that way.

Mr. HOBSON. I can tell the gentleman that he is perfectly accurate as to whether bombardment could produce any serious results. It could not, because the coast forts would drive the ships off. But it is not a question of bombardment. It would be only bombardment if we attacked any nation in Europe, or any other nation, because they would have mobile armies to prevent our landing; but we have no mobile army to prevent their landing. If they have control of the sea, their ships would not come and attack our forts. They would land an army below and come up and take our forts from the rear, and it would be absolutely impossible for America to prevent it. The whole of the regular infantry in the United States is about 17,000, and ordinarily we have been running along with 10,000 or 11,000—or about as many as there are policemen in the city of New York.

Mr. HITCHCOCK. I understood the gentleman to refer to the enormous wealth accumulated on the coast which was subject to danger from an enemy's navy.

Mr. HOBSON. Yes; and I will point out to the gentleman very gladly how it is. If he will step down to the War College and look at the results of the war games, he will find this, that any European nation of the first power, with a modern army and a merchant marine—I will take Germany merely as an illustration—he will find that most of them can put 200,000 men aboard ships in a single expedition. But they would not require that much. The War Department has worked it out that two army corps, 100,000 men, could come on the fastest ships, one army corps landing on the coast of Long Island and the other on the coast of New Jersey, and that inside of a few weeks that small force could seize Washington, Baltimore, Philadelphia, and New York without any substantial resistance.

Mr. GARRETT. They have not taken the volunteers into consideration in that at all.

Mr. HOBSON. They certainly have taken every one into consideration. There are only a little over 100,000 militia in any state of readiness, scattered all over the United States. I would like to ask the gentleman if he took the volunteers into consideration in the war with Spain or in the war of 1812, when 3,000 British regulars burned Washington? In 1898 we called out a quarter of a million volunteers. They stayed at home and never appeared before the enemy, but their casualties exceeded in proportion the combined casualties of the Russians and Japanese in the war in Manchuria. They never were armed and equipped, and even the small force sent to Cuba was armed in part with rifles left over from the civil war. I would like to impress upon every Member that in modern wars it is not a question of resources and population, but a question of preparation in advance. Let us take the modern wars which most of us can remember.

Take the war of 1866 between Prussia and Austria. It was over in a few weeks. Austria was not exhausted, but her preparations were inferior and she suffered defeat. Take the Franco-Prussian war in 1870 and 1871. The war was over in a few months. France was not exhausted, but her preparations were inferior. Take the case of the war between Russia and Japan. The Russian resources were never touched. The Japanese army never reached within 4,000 miles of the vital territory of Russia, and two-thirds of Russia's regular army never reached the zone of war, and yet the war was over in a few months and Russia was in defeat. Our people are resting in a sense of false security, conscious of the country's vast resources, vainly dreaming that these resources could be brought to bear and give us victory, while the military authorities all agree that lacking in a mobile army ready, if an enemy gets control of the sea, we can be assailed on the Atlantic or on the Pacific, and then the enemy could retire across the ocean before we could organize a modern army, and America would be just like a turtle turned on its back—absolutely powerless to strike back. The result would be we would have to accept defeat and be compelled to suffer the dire consequences.

Let us follow this up further. I say we would be compelled to accept defeat. The world does not have wars of exhaustion now. The world would say to us, like we said to Russia, "You have been whipped; take it like a man; in the name of humanity, call it off; then do like the rest of the world—if you want to fight it out again, go and get ready." Accepting defeat because of our lack of preparation, what would be the effect upon this nation? It would militarize our people. We would begin to organize armies. We would turn the United States into military divisions. Then it is that you would spend your thousands of millions of dollars on armies and on war ships. It is then that the Government would be centralized, and our institutions overturned during the long years of preparation, extending probably for fifteen or twenty years; and during the great war that would follow, revenge, anger, and hatred would be in the hearts of Americans, and our free civilization would revert backward to the military civilization of Europe, from which we sprang, all because we did not have the foresight to make the preparations necessary to preserve peace as long as possible or to give victory when war came.

Mr. HITCHCOCK. I think the House has misunderstood the gentleman. I understood him to say we had many thousand million dollars' worth of property subject to attack along our shores.

Mr. HOBSON. If the enemy's fleet controls the sea, we are at the mercy of his ready armies that can take our forts from the rear and descend upon our cities without resistance.

Mr. HITCHCOCK. Now, I understand the gentleman to say the real danger is that the foreign naval power might at one time land upon our shores some 200,000 men, which I think is impossible, but I would like to have the gentleman tell the committee what a foreign naval power would do with 200,000 men after they had landed them among 90,000,000 of people.

Mr. HOBSON. Of course the gentleman assumes we would raise three or four million of men, but it would take this Government just an even three years, according to the estimate of scientific men, to organize such an army.

Mr. HITCHCOCK. Does the gentleman think it will take three years for 90,000,000 of people to drive out 200,000 men?

Mr. HOBSON. Of course not, but that 200,000 comes in a raiding expedition. I said that we are at their mercy, that they can raid the coasts and retire before we could organize an army for resistance. We could not possibly avoid the attack; and, having no navy to control the sea, we could not possibly pursue them across the sea, no matter how large an army we could raise.

Mr. COOPER of Wisconsin. Will the gentleman permit? The gentleman from Nebraska speaks of 90,000,000 of people. How many of those are women and children?

Mr. HOBSON. Well, it is very interesting, is it not?

Mr. COOPER of Wisconsin. How many are able-bodied men ready to go in an army?

Mr. HOBSON. I will say to the gentleman that in olden days single regiments called out would march to the front and begin fighting. Now the smallest unit is a division of 15,000 men. We have had great battles fought with less than 15,000 men on a side.

Mr. HITCHCOCK. I would like to have the gentleman, when he prepares his speech for the Record, insert in the Record some evidence that any country in the world could land 200,000 men on this coast without danger.

Mr. HOBSON. I will say to the gentleman that if he will go down to the War College he can get official information on this

subject. An article was written for Everybody's Magazine, March, 1908, by Lieut. Hugh Johnson, United States Army, describing how a German army of 200,000 men could capture our Atlantic seaboard cities. The President referred it to the Chief of Staff, and the Chief of Staff referred it to the War College, which declared the situation to be worse than depicted; that a foreign foe could raid our coast and seize our cities with less than 200,000 men; that they could do it with 100,000 men.

I will be glad to insert information on this subject. I will proceed, Mr. Chairman. Besides the vast accumulation of property exposed on our coast lines we have a growing foreign commerce on the seas that can look to no other protection but that of our navy. This applies not only when we are engaged in war, but when we are neutral. Our rights to trade in non-contraband of war with both belligerents would be sure of respect only if we had an adequate navy. Without it we shall be in danger of being drawn into any European war through the violation of our rights as a neutral.

America is fast approaching the period that comes in the life of every industrial nation, when to keep up the development of our industries we must seek foreign markets where we must face the competition of the great military nations of the world. This is notably the case in the market of China. As the greatest of producing nations we can not expect military powers to sit idly by with their expensive armaments and permit America, defenseless, to take away the trade.

Trade and commerce as well as property and territory demand that our navy should be able to hold equilibrium on the oceans with the navies of military powers, the standard being equilibrium with the German navy in the Atlantic and the Japanese navy in the Pacific.

There are other interests as vital as territory and trade, namely, sovereignty and liberty. America's institutions are at stake.

It is an unfortunate fact that I can not refer to existing conditions on the Pacific coast without the peace dreamers crying out "war and jingoism." Members can verify in their general knowledge the statements I make. The city of San Francisco to-day can not regulate its schools as it desires where the citizens of Japan are affected. The legislatures of California, Oregon, and Washington to-day can not legislate upon segregation of yellow peoples. It is a fact that segregation of white people is in full force in Japan. I have been segregated over there myself. But you can not mention it; you can not ask the mutual concession. You must not even discuss the question in those legislatures.

Mr. HINSHAW. Why not?

Mr. HOBSON. The reason was stated to those legislatures when they were called on by our National Government to drop these dangerous questions. I will give it to you. It is because we are defenseless in the Pacific Ocean.

Mr. BURKE of Pennsylvania. Is it not also because of certain provisions that exist in the treaty?

Mr. HOBSON. On the contrary, the treaty of commerce with Japan specifically provides that questions like that of the schools are to be under the police power, and that is local, and the treaty would authorize us to regulate the schools as we pleased. They have a right to regulate schools in California like we do in Alabama, to segregate the different races if they like.

I will invoke the general knowledge of the Members again. Here in Congress we can not legislate for Japanese exclusion to-day. We have a perfect right to, as an exercise of sovereignty, but we do not dare. In other words, the United States of America is living under a condition where local self-government, as embraced in municipal government and in state government, and national sovereignty, as embraced in the full exercise of sovereignty in our own territory, are under suspension because of the weakness of our navy.

Mr. HINSHAW. Will the gentleman permit me? Did he not state a while ago that we were building 100,000 tons displacement a year to Japan's 93,000 tons?

Mr. HOBSON. Yes.

Mr. HINSHAW. How does our navy compare in fighting strength with that of Japan?

Mr. HOBSON. The Japanese navy is rated at about 490,000 tons and ours at 695,000 tons. All of our battle-ship tonnage is in the Atlantic and is not sufficient for that ocean.

Mr. HINSHAW. Our Atlantic Fleet does not help us in the Pacific Ocean?

Mr. HOBSON. It does not help us in the Pacific Ocean.

Mr. CRAIG. Where is the Japanese fleet?

Mr. HOBSON. Nobody knows. It is where it listeth, but it is all united.

Mr. CRAIG. Has it anything to look after except the Pacific Ocean?

Mr. HOBSON. That is all. There is only one objective. Now, I submit it to thoughtful gentlemen here, America can not, as a working proposition, live permanently under this condition of the surrender of vital interests of sovereignty. The right of local self-government surrendered on the Pacific coast is what our forefathers died for. It is the right for which Anglo-Saxons have died for a thousand years. You do not suppose that any foreign power is to be permitted to suppress those institutions permanently in any part of America? They are suppressed now on the whole Pacific coast.

Mr. Chairman, I am not talking war. I am giving the facts in an effort to provide equilibrium in the Pacific Ocean under which we could come to mutual concessions and solve the problems of that ocean in peace. I am pointing out the only way to prevent war.

To the interests above cited may be added the Monroe doctrine, which has come to be regarded in the nature of a sacred or vital interest. This doctrine, covering distant lands, clearly demands as a minimum strength equilibrium in the Atlantic with any nation of Europe and equilibrium in the Pacific with any nation of Asia.

This equilibrium in both oceans at the same time is the demand of the most vital interests known to nations, protection of territory, of trade and property, of institutions and liberty, of national obligations and national honor. These vital interests are not secure under the present strength of our navy. How can Members take part in thrusting our navy yet faster down the steep decline that has set in for three years? By providing for only two battle ships we are going only half fast enough to maintain equilibrium in the Atlantic alone with one second-rate power. And yet some Members express their purpose to vote even against two battle ships.

Mr. MARTIN of South Dakota. Do I understand the gentleman to say that it will require us to have four battle ships built to maintain an equilibrium on the Pacific?

Mr. HOBSON. I said we are 4 behind in the Pacific, Japan having already provided for 4 *Dreadnoughts* to none of ours in that ocean. It would require catching up these 4 and proceeding at a rate of 1 more each year in addition to those for the Atlantic.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HOBSON. I hope the gentleman will grant me fifteen minutes more. I have had so many interruptions.

Mr. PADGETT. I yield the gentleman fifteen minutes.

Mr. HOBSON. We are dealing with the supreme question of self-preservation. This is the first law of nature, whether it applies to plants, animals, or the life of men, whether in the individual or whether as a nation, whether as a race or whether as a civilization—it is the law of survival. In this naval appropriation we are dealing with the vital question of intelligently protecting ourselves against the military systems of the world. How easily we can do it, and leave all our people at work, with never a thought of militarism. Putting an infinitesimal part of our resources into our navy, we could have an equilibrium on the oceans that wash our shores and could go along in absolute security for our territory and without molestation to our institutions. We could then have a fair chance in the markets of the world.

If we only would establish an equilibrium on the waters, we would then continue our wonderful peaceful development, unbroken by war or by interference. With an equal chance in the foreign markets, military nations that take their men away from their work could not compete with an industrial, producing, peaceful Nation like ours. They would then be compelled to give up their armaments and become industrial. If this American Nation would only get right down to the realities and do its duty, we could through an equilibrium prevent militarism from getting the advantage of its armaments in war, and with the disadvantages of armaments in peace they would have to disarm or drop out of the industrial and commercial race.

Mr. KOPP. I know the gentleman is an expert on this subject, and I am asking information. To preserve this equilibrium you refer to, what naval force would be necessary for us to have?

Mr. HOBSON. I should say, roughly, that I would leave out the British Empire in this connection, because we have Canada in a sense as a hostage here; but after that we will have to be able to maintain in the Atlantic a fleet the equal of any other nation of Europe, and at the same time have to maintain on the Pacific a fleet equal to that of any nation in Asia. That is all.

You can work it out each year what the programme would have to be to equal the programmes of the other nations. At the present juncture we must reckon on *Dreadnoughts*. We have fallen behind Germany in the Atlantic 7 *Dreadnoughts* and behind Japan in the Pacific 4 *Dreadnoughts*. We are thus

11 *Dreadnoughts* behind. If we should authorize 5 battle ships that would keep up the pace—4 with Germany, 1 with Japan—but we should still be 11 behind. The gentleman can well understand how the General Board in recommending 4 battle ships this year called them the minimum for military necessities.

Mr. KOPP. How much less force by virtue of the completion of the Panama Canal?

Mr. HOBSON. That is difficult to say; but I should estimate the advantage would not be more than 20 per cent; and that would depend entirely as to whether we will be able to control it. We can not tell how that will be until we can tell whether we are going to have the Panama Canal at all or whether the enemy will seize it.

Mr. CRAIG. Now, one more question with reference to the Panama Canal. The situation is the same there as with England, which controls the Suez Canal by its control of the Mediterranean. What assurance have we, with the armaments of the world as they are; how are we going to control the Panama Canal after we get it?

Mr. HOBSON. None in the world. I am glad the gentleman brings that out.

Mr. CRAIG. Has the Naval Committee considered the question how many ships it will require to protect that canal at all times, especially in times of war?

Mr. HOBSON. I do not think they have. Mr. Chairman, the control of the sea in both oceans is the only way to guarantee the security of that canal. Being ourselves without any armies, in the face of the great mobile armies of the world, the control of the sea in both oceans is the only way to get the full advantage of and guarantee the neutrality of the Panama Canal.

Mr. CRAIG. One more question in regard to the Panama fortifications.

Mr. PADGETT. If the gentleman will allow me, the Panama Canal is being fortified by the military, and you can not get a battle ship within firing range of it. A battle ship will not go under a fort.

Mr. HOBSON. The battle ship would not go under the forts, but the army would land down on the side and come up and take the forts in the rear.

Mr. CRAIG. Are the fortifications which the gentleman refers to ordinary, modern fortifications?

Mr. HOBSON. They are forts.

Mr. CRAIG. Their guns are trained on the sea, are they not?

Mr. HOBSON. Yes.

Mr. CRAIG. Are they also trained on the land in the rear of the forts?

Mr. HOBSON. They are not; and, furthermore—

Mr. CRAIG. Is it not possible for an enemy to land troops north or south of the canal, come in behind the forts, and take them, unless they are properly protected?

Mr. HOBSON. The gentleman is entirely correct. Our forts there, like our other forts, are unprotected against attack from the rear. It would take more than an army corps stationed there to protect those forts from the rear, and even with an army corps there they would soon fall, like Port Arthur fell, unless we could send relief and reinforcements. These could not go overland; they could only be sent after gaining control of the sea.

Mr. CRAIG. If we had an adequate fleet or squadron out in the sea to keep ships from landing, would it not obviate in a great measure the expensive fortifications which are being put there now?

Mr. HOBSON. It would. I do not wish the gentleman to infer, however, that I am against fortifications; but the truth is, you do not get the benefit of the money you spend on fortifications unless you can control the sea so that an army can not land and attack in the rear.

Mr. HAYES. Suppose we did control the sea; is there not a possibility that some enemy might blow up the locks of the canal and in that way destroy its usefulness?

Mr. HOBSON. There is that possibility or they could sink a ship and bottle up the entrance. While we do control the sea an enemy would not attempt to convey an army, but frequently our fleet has to be away a long distance, and then a flying squadron of the enemy could come and assail us if we did not have coast fortifications to drive them off; so you must have them both; but the coast forts do not give you protection in this country unless you control the sea also, so that armies can not cross.

Now, I wish to have the especial attention of my colleagues on the Democratic side. The Constitution of the United States calls upon Congress to build and maintain a navy and places no time limit, as in providing for the army. My colleagues recall that the Democratic platform at Denver, referring to this clause of the Constitution, stated the question plainly to mean

an adequate navy. There is no middle ground. Have an adequate navy or none at all. That is now Democratic doctrine specified in our last national platform. It said a "navy sufficient to protect the coasts." It used the word in the plural. Two battle ships a year can not protect the Atlantic coast. One a year can not protect the Pacific coast. How can any Democrat be a one-battle-ship man when we have to protect both coasts and all outlying territory? A one-battle-ship policy would not protect the Gulf coast. It could not protect the coasts of the Panama Zone.

The Democratic platform says:

A navy sufficient to protect the coasts and protect the interests of our citizens wherever exposed.

That means in Manchuria; that means in the distant markets of the world; that means an equilibrium with the great commercial nations like Germany, Great Britain, Japan. How can Democrats here be one-battle-ship men in the face of both specifications of our platform, for a navy adequate to protect all our coasts and all our interests beyond the seas?

In conclusion, Mr. Chairman, I would like to take up a few of the objections that have been raised. One is the question of cost. I have touched indirectly on that out of its place. It is on the principle that preventive is better than cure. It is urged that the Treasury is depressed at this time. You might as well say to the richest man in the world: "Do not have any locks on your doors; do not have a watchman down there by your vaults; stocks are low, you can not afford it; you want to make other investments." Proper provision for our navy must be regarded as a vital necessity, irrespective of the condition of the Treasury.

The short life of ships has been brought up as an objection. On the contrary, it is an advantage; the faster they get obsolete the better. We can afford to get new ones and the military nations can not. It is the nation of peace that is producing the fastest and accumulating resources that can afford the frequent renewal of costly battle ships, while the military nation, that takes men away from work, can not stand the burden. America to-day controls seventeen thousand millions of the world's banking capital, the best measure of producing activities that go on and of available resources. All the rest of the world combined controls only about that much. The whole British Empire controls only about five thousand millions.

Now I will answer the question of the gentleman put to me a while ago, "Where is the end to be?" We can put an end to the exhaustive straining race in armaments by demonstrating that, no matter how fast the military nations go, America can just trot along and keep up with them. The faster they go the sooner they will recognize there is no use in trying to race, the sooner they will be willing to come down to a lower level of equilibrium.

Mr. BURKE of Pennsylvania. Will the gentleman yield?

Mr. HOBSON. Yes.

Mr. BURKE of Pennsylvania. How long does the gentleman believe that Japan, with her present internal financial condition existing, can continue her present ratio of improvement in her naval forces?

Mr. HOBSON. I think she will do it just as long as America pays no attention to the Pacific Ocean and leaves Japan under the delusion that she, Japan, can compete with us for control of that ocean.

Mr. BURKE of Pennsylvania. The gentleman thinks the condition of her internal affairs will have no influence upon it whatever?

Mr. HOBSON. None at all. On the contrary, she makes enormous loans and issues bonds for that purpose, irrespective of internal conditions or the condition of the national treasury. Germany has issued bonds to carry out her programme. We are the only Nation in the world that allows the temporary condition of the Treasury to affect the naval programme.

It is urged that building ships promotes militarism. On the contrary, it is the only escape we can have from the menace of the armies of the world and the militarism that would otherwise result. There are 32,000,000 of armed men across the oceans equipped and ready, with large merchant marines for transportation, which has brought them to our doors. A clash with these armies is inevitable unless we wisely employ a small part of our resources in the form of ships to control the oceans between our shores and those armies. This is the only way to escape an ultimate militarism. Some say that this Nation would go about like a bully if she had the power that goes with a great navy. When has America ever done any such thing as that? Never! It is when the nation is the weakest that America is the most generous and considerate. Mexico has been only the more secure because of America's great power. The same thing applies to Cuba and all Central and South America. We are living in the age of armaments.

Some nations are going to have the power. The peace dreamer can not escape this existing fact.

Now, when it is a question of equilibrium out there in the councils of the world, where they hope to promote international peace and organization for law and order, I will ask them which nation would they rather trust with the power—the nations that are military, that have enemies, that think of war and dream of war; the nations whose foreign policies are determined by one man or group of men, or would they rather trust the power in the hands of 90,000,000 of people of the peace nation, the nation that never thinks of war, that is made up of all the other nations—English, French, Dutch, German—all the enemies of the world, that have met here in America and have been reconciled, brother to brother, in peace, in the interests of international peace and justice? Is not this the nation to whom to give the power? It is, and must be seen by even the dreamers if they will come down from the clouds to the real world, where we live.

Some have intimated that it is unchristian to provide an adequate navy. It is not unusual to hear references made to "war scares" as we approach the consideration of our naval appropriation bills. War scares are not half as sure to come as are these petitions of the preachers who are dreaming up in the clouds.

Let them heed what the Master said when the disciples came to Him and asked Him who was going to get to heaven. He answered them and gave them the true policy for a noble life in this world. He said, "Not every one that saith unto Me, Lord, Lord, shall enter into the kingdom of heaven"—it is not the dreamer, it is not the prayer.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HOBSON. Mr. Chairman, I will ask the gentleman to yield me five minutes more and I will close.

Mr. PADGETT. I yield the gentleman five minutes more.

Mr. HOBSON. "Not every one that saith unto Me, Lord, Lord." It is not the prayer. Prayer is not the road to heaven. I would not have you think that I do not believe in prayer, because I do. I believe it is the only way to live in this world—to establish some relationship with the Infinite that is all about us. But what did the Master say? "Not every one that saith unto Me, Lord, Lord," but who? "He that doeth." It is the man of action—this thought runs all through the Master's teachings. "If ye love Me, keep My commandments." "Ye shall know a tree by its fruits."

The Master blighted a fig tree root and branch because it had no fruit. "He that doeth the will of my Father which is in heaven." That means that the Father has a will for this world. It means, my countrymen, that there are great purposes running down the ages. "He that doeth." Who is he? The man, the men, you and I. Each one has some part in those great purposes, but above all the aggregates, the social aggregates to which we belong, have the greatest part in those great purposes. What part do you think America has, the Nation that has finally evolved the institutions of equality, of opportunity, and equal rights, the only basis of enduring peace, the Nation that was given the fairest of all the continents, with all its resources, athwart the oceans, the kinsman of all the other nations, the great peace nation. Why do you suppose the great impelling hand of destiny has thrust us out into the Pacific Ocean, with Alaska and the Aleutian Islands of the north, Samoa on the south, Guam and the Philippine Islands on the west, the Hawaiian Islands in midocean—all around and through that ocean—why do you suppose we are there on the threshold of Asia and its eight or nine hundred millions of people? Why do you suppose the yellow race and the white race are met on American soil?

It is all because America is in the hands of destiny and has the major rôle to play in the Pacific Ocean, the ocean of destiny, where the civilization of the Orient meets the civilization of the Occident, where the great white race meets the great yellow race.

According to the drift of history this meeting would mean a war of extermination, one or the other. It is for America to lay the solid foundation in equilibrium, upon which the two races may meet as friends in peace to help each other and not as enemies in war to destroy each other. It is not for America to dream or even to fold her hands in prayer, but to take hold of the actual conditions of the real world where we live. She should lose no time to build up power on the sea. Then and then only can we go down to Japan with propositions of mutual concession to solve the problems of the Pacific in peace, the great world problems upon which the future of mankind must largely depend. In this way we can prevent any military power from dominating China and turning the Chinese millions upon the world as a scourge of armies, but on the contrary we could then keep the door wide open for commerce, for science, for in-

dustries, for education, for the gospel of peace, keeping the Chinese industries as a great producing power to bless the world.

By building up power on the sea America can hold the balance of power of the world and keep that balance on the side of peace; it is then that great strides would be taken in promoting the cause of international organization for law and order. It is then that the law of equal opportunity and justice would prevail over the world, the nations that live by might would be restrained from using their armaments, and under this law the nations of peace and commerce, the industrial, producing nations, would advance, while the military nations would drop behind.

The naval policy that would enable our country to protect its vital interests, to prevent war as long as possible, and to win victory when war does come would also put America in position to do its duty and lay the foundation for a new era in the world in which destroying would give way to producing; in which service would be the measure of greatness. It is with such a naval policy that America can be a "Nation of action" and perform its mighty part in destiny, extending the institutions of liberty and hastening the reign of justice and right, until at last, from ocean to ocean, from pole to pole, there would be on earth peace, good will toward men. [Loud applause.]

#### DISARMAMENT.

[By RICHMOND P. HOBSON, in American Journal of International Law for October, 1908.]

Universal peace is the hope of the whole world—peace between individual men, peace between social groups. It has been the heart's desire of good men and the dream of poets and philosophers since time immemorial.

Scientific study and investigation of the subject, however, only began with the convening of the First Hague Conference. The most remarkable and most hopeful result of this study has been the decline of agitation for national disarmament, or limitation of armaments. It will be recalled that the limitation of armaments was the chief object of the Russian Emperor in issuing the call for the First Hague Conference, and stood at the head of his famous rescript of August 24, 1898. Strangely enough, the subject was omitted altogether in the call for the Second Hague Conference. It will be recalled that at the first conference the subject was taken up with alacrity by almost general consent, and was assigned as the first question for investigation by the first committee. At the Second Hague Conference the subject was not taken up seriously and was not assigned to any committee. Investigation brought out—as it must always bring out—the fact that the causes of war lie deeper than armaments and that armaments have other functions besides that of war, that under existing conditions disarmament is impossible, that any attempt to bring it about would be fraught with disaster, and that the agitation for disarmament is liable to be harmful to the cause of peace itself.

The more the general subject of peace is investigated the less important becomes the question of disarmament. Indeed, enthusiasm on the subject is becoming a sign of superficiality on the part of the individual, and of insincerity on the part of the nation. All that was done on this subject by the two conferences of The Hague was to recommend to the nations the "study of the question at home." Now, the study of the question is eminently desirable, not only as the means of educating men out of the popular error of depending upon disarmament, but also as a means of turning the feet of the wise seeker, who loves peace, out of this blind alley into the path that really leads to the great goal of general peace.

All life in this world is cast in the midst of dangers—dangers of derangement within, dangers of violence without. Throughout all nature, from the lowest form of simple protoplasm up to the highest social organization found in a great complex nation, the first law is self-preservation. No living thing, whether plant, animal, man, or nation, can hope to survive without large provision of self-defense and for procuring things necessary to sustain life. In all organizations the most important fundamental function is the one entrusted with providing self-defense. In the case of nations this lies in the instrumentalities of armaments. Where life may be in danger all other functions must be held subject to this function of self-defense.

Indeed, broadly speaking, all characteristics, traits, habits, institutions, in plants, animals, and men, have had their origin, motive, and evolutionary history in efforts for better self-preservation, and thus far more for self-defense than for procuring the necessities for life. Peace between men is no exception in its evolution. Kindred families formed clans for the primary purpose of a better defense against a common foe, and only then did interfamily wars decline; kindred clans formed tribes for the same purpose, and only then did clan wars decline; kindred clans formed nations for the same purpose, and only then did tribal wars decline. The time is ripening fast under the annihilation of space for nations to form unions for the same purpose. Ultimately the union of nations will come together to form a great brotherhood to avoid fighting each other, or else to face the common perils that nature will probably throw across the path of all human life.

As man gains more and more control over nature's forces, he will become more and more emancipated from the law of destroying, and will come more and more under the law of serving. Cooperation will supplant strife when destroying declines. Then, and not until then, can defense against destruction be expected to decline. The transformation will, of course, be an evolutionary one. The old law giving ground to the new, only as the new demonstrates in actual experience its superiority in meeting the demands of self-preservation. Evidently the process must be slow at best, even after material conditions have thoroughly changed, for it rests in the ultimate on a change in human nature. All mankind has consciously or unconsciously the destroying heredity from all the past generations lived under the old law. Furthermore, the whole world must move forward all together. As long as some nations still arm themselves to live by the law of war other nations must be armed to resist them and restrain them.

Two of the greatest nations of the world—Japan and Russia—are just emerging from feudalism, the former being permeated with the spirit of military chivalry, and upon these two nations will depend the development of half of the human race. The very forces which are to

overthrow, destroying in the end, only multiply manifold at the present juncture the powers and opportunities of the nations bent on destroying. These, arming more and more, as they will, must necessitate ever-increasing armaments on the part of the more advanced nations, not only for self-defense on their part, but also for keeping the peace so that the forces of transformation will have an opportunity to work. Modern armaments are thus of two directly opposite kinds—armaments for peace and armaments for war. In practical life it is only through the former that the latter can be curbed until the slower forces of transformation can work the overthrow of war. Fortunately the naval form of armament is chiefly a question of wealth and not of men in arms, and the advanced nations are the wealthy nations, so that they can, if they would, derive complete self-defense and place a check upon the aggression of war while their citizens remained at peaceful pursuits. Unfortunately, the misguided efforts of the disarmament agitators have no influence on the backward nations, but tend, through the influence of public opinion, which is strong in advanced nations, to check the preparation of the latter institutions, the one great essential to peace at this stage of the world's progress.

In human affairs there are two methods of attaining an end—individual and collective. Individual methods come first in time, but are ultimately set aside for collective methods as these prove superior. Up to the present time nations have only evolved individual methods of providing for self-defense—that of armaments. There is no collective armament in existence.

It would be sinful for a nation to abandon this existing method, as elementary and imperfect as it is, until a more efficient collective method has been developed and successfully applied, and then the abandonment of the more primitive method should not be precipitate, but should come as a natural consequence of its being found unnecessary and unprofitable. The proposition for universal disarmament at the present time flies into the face of the most fundamental law of life and its advocacy can only harm the cause of peace for which it professes allegiance. It is preposterous to advocate disarmament until some effective substitute for armaments is offered as a means of national self-preservation. Many substitutes exist in theory, but all are found upon investigation to be ineffective and visionary.

Among the nations there is as yet no system of law or order. So-called international law is now only where common law was in its early stage of evolution before usage had received the full sanction of courts, with this difference, that though conferences are resorted to between nations there exists as yet no equivalent of courts to give sanction to customs, so that they become binding upon all, nor does there exist the authority and power to enforce international law, or call to the bar of justice nations that violate its tenets. Valuable efforts have been made to codify the so-called law of nations, but the situation among nations is still analogous to the situation on the frontier of a new country before the advent of law and order, before the establishment of courts, before the establishment of a law-making body, before the installation of officers or agencies of authority. In such a condition, while agreements are being entered into between individuals and practices are being established that promise some day to develop into a system of law and order, still there is no effective constraint upon the primitive instincts and passions of men. The whole history of the world and the universal experience of mankind prove that in such a condition of a lack of public or collective provision for defense there must continue individual preparation, and never has there been a case of general voluntary disarmament in advance of the establishment of law and authority. An attempt at such a voluntary disarmament without authority and power to enforce observance could only prove abortive. Since the least advanced and more primitive and unbridled would be the ones to retain weapons, the attempt would only loosen the required restraint upon these and thereby retard the day of supremacy of the peaceable elements, thus delaying the advent of law and order.

Up to the present time the only restraint between nations is treaty agreement, and here, unfortunately, there is no bond for the execution of the obligations entered into. The pages of history are covered with cases of flagrant violation of solemn treaty pledges. Moreover, there is no way to insure a nation's getting even the inadequate guaranty of treaties. However just and equitable a claim may be, there is no way of compelling another nation to enter into a treaty. In fact, broadly speaking, a nation to-day enjoys the benefits of treaty agreements, both as to negotiations and fulfillment, about in proportion to the size of its armaments. Clearly, international law and treaties can not even make a pretense of offering an effective means of national self-preservation.

The hopes of many have been exalted by the prospect of arbitration as a substitute for armaments. An investigation shows that arbitration to-day rests only on the insecure foundation of treaty agreements. It is true that wonderful progress has been made in this direction in the last twenty years, but the most ardent enthusiast must realize that arbitration is only in its infancy. The powerful efforts of the American delegates at the Second Hague Conference failed to secure the adoption of a "Mondial treaty" of arbitration, though great ability was shown in evolving a proposed elastic treaty of this kind. However, the result of the vote on the proposed treaty, 35 to 9 in its favor, is really a signal victory for the principle involved. A unanimous vote was secured for the principle of obligatory arbitration, though unfortunately it was coupled with the limitation that the principle should apply only to questions of a legal nature, or arising out of the interpretation of treaties. Notwithstanding, this unanimous vote for the principle marks a sweeping victory for the general cause of arbitration.

The most practical subject taken up at the Second Hague Conference was the one to remove from the field of war to the field of arbitration the question of contractual debts. While this was a most encouraging victory in the onward march, yet the complete failure to accept the proposition of the Brazilian delegate to include territory along with debts shows the incompleteness and inadequacy of arbitration.

The net result to date finds arbitration still only voluntary and confined to nations in pairs through the negotiation in each case of special treaties.

The recent treaty negotiated by the United States with various nations, known as the French type of treaty, may be taken as an example of the practical results to date between the great powers, though more general treaties have been negotiated between certain smaller powers. Article 1 of the treaty between the United States and France, which contains the substance of the treaty, reads as follows:

"Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two contracting parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the

honor of the two contracting states, and do not concern the interests of third parties."

It is hard to conceive of the area covered being more restricted than it is in this treaty. The limitation to questions of law and the interpretation of treaties is further sublimated by the specific exclusion of all matters of first importance, the very matters which are the main causes of war. Thus, in theory, all nations accept the general principle of compulsory arbitration, but they are careful to confine its area and to apply it in practice to almost nothing. This should demonstrate to the advocate of disarmament that arbitration has only begun its long road necessary to be traveled before it can be offered as a practical substitute for armaments, and it must be clear that progress can be won only slowly by making good each step advanced.

The governments of the world can scarcely be blamed for this caution in adopting arbitration, for really there is no provision for its enforcement after adoption beyond the public opinion of the world. It would be wrong for a government, as for an individual, to have vital interests hanging upon the option of another, subject only to the constraint of public opinion. I advocate in my lectures throughout the country the negotiation by the United States of general arbitration treaties with all nations, treaties where the nations would agree to respect each other's territory and sovereignty in that territory and to arbitrate all other questions, but even the existence of this treaty, if it were possible to negotiate, would in no way relieve us of the necessity of maintaining armaments until an agency had been created with the authority, duty, and power to execute and enforce the provisions of the treaties. The power required for this purpose would itself of necessity have to be drawn from the armaments of individual nations or from a developed confederated organization of the world, which is still far in the future.

The delegation from Uruguay to the Second Hague Conference presented to the conference on the 4th of July a declaration proposing a tribunal of compulsory arbitration, to consist of ten or more signatory powers, bound by a treaty of alliance, to resort to arbitration in cases of dispute among themselves, and to investigate the cases of disputes between outside powers with the view of compelling them to arbitrate.

This suggestion for providing effective arbitration received but little, if any, attention. It is clear that this or any similar proposition would have to rest upon the armaments of the signatory powers and disarmament would destroy any chance of effectiveness.

Thus we find that arbitration in its present stage is so limited that it does not profess to offer a substitute for armaments, and that actually, in its meager area, it is dependent upon armaments for its effectiveness.

The main hope for a day when peace will reign and individual armaments disappear is found in the widening conception of and acceptance of the principle of an international organization adequate to establish and maintain between nations a condition of law and order analogous to the condition that now exists within civilized nations.

The conception of such an organization has fascinated the minds of a few great men from the days of Henry IV of France. It has only spread to large numbers in the last few decades. This spread is due chiefly to the efforts of the Interparliamentary Union, whose members are the real pathfinders and pioneers in this wonderful, but unexplored, realm.

As a result of the initiative and perseverance of this union, the First Hague Conference brought forth the Permanent International Court of Arbitration, located at The Hague. This court is essentially a diplomatic body, rather than a judicial body. It has no authority of initiation, though the permanent bureau, under the council of administration, is under obligation to remind disputing nations of the existence and readiness of the court. It has no jurisdiction except what is conferred in each case by expressed treaty agreement between the nations in controversy. In substance it is only a primitive piece of machinery to facilitate and promote the application of arbitration by treaty agreement. It partakes of all the insufficiencies of treaties. The creation of this court marks a real milestone in the evolution of peace, but it is the height of folly to assume that its existence relieves nations in any way from the duty of providing each for its own self-defense through the only existing agency of armaments.

The movement for evolving an international organization for the administration of justice made a great stride at the Second Hague Conference, due chiefly to the efforts of the American delegation, when the conference accepted in principle and provided for the future establishment of an international judicial body.

The greatest stride of all, however, toward international organization was made when the second conference provided for its own successor, in a third conference to be held at The Hague in 1915, and accepted in principle the establishment of a self-governing international congress automatic in its assembling. An international legislative body and an international judicial body are thus passing from the realm of dreams into the realm of reality. They are as yet, however, only in the embryo stage.

No action has yet been taken to provide the equivalent of an international executive body, and it is doubtful whether any such body, even in an elementary form, can be created for a long time to come for the reason that such a body would infringe upon the sovereignty of individual nations.

If one fact was emphasized above all other facts at both Hague conferences, it was that nations cherish beyond all things else the completeness of their sovereignty. Any move that might touch in the remotest way the fringe of individual sovereignty brought the delegates to their feet in instant opposition.

This characteristic marks the fundamental difference in the comparison of individuals within a nation and the nations of the world. From the earliest stages of social evolution individuals have always been under some form of subordination and restraint from society. On the other hand, nations that gather in the world's councils have been sovereign from their infancy. The annihilation of space is giving growth to a feeling of solidarity between nations, taking on the shape of a public opinion of the world. But the first and most stupendous effect has been to accentuate the feeling of national individuality. Internationalism is in the embryo; nationalism is in full bloom. The former is to be a longer and a greater growth, but the latter is the first and stronger growth. The former will slowly, progressively encroach upon the latter, but the latter will continue to determine the policies of nations for a long time to come.

International organization is the product of internationalism, as armaments are the product of nationalism. The development of an international organization will therefore be slow and only at some distant day can men hope to see such an organization in a position to guarantee national sovereignty and self-preservation, and not until that day can nations be expected to abandon their individual armaments.

The effectiveness of this guaranty itself, when it comes, must really rest on armaments, and the international executive will doubtless derive

its power, at least in the first period, from the combined armaments of individual nations. The period of confederation during which individual armaments prevail will doubtless last, when it comes, relatively much longer for the nations of the world than it did for the States of the American Union. The difficulties arising from the reluctance to part with individual sovereignty will be manifold greater for the nations than they were for our States, as great as they were for these. These difficulties would only be increased by any call on the nations to give up their individual armaments, the origin and the basis of sovereignty. Individual armaments will therefore doubtless be permitted even after the period of consolidation is inaugurated, being abandoned only when by actual experience they clearly become unnecessary and unprofitable.

Thus, international organization, the ultimate hope of disarmament, is, like arbitration proper, and like treaties and international law, utterly impotent to guarantee security for the life and independence of nations, and can not, therefore, offer a substitute for national armaments. On the contrary, an attempt at disarmament would actually retard the progress of international organization and postpone the future day when such organization would make disarmament possible.

Other agencies are being introduced in international affairs to promote the cause of peace—notably the commission of inquiry established by the First Hague Conference. This agency has been applied with signal success in the Dogger Bank incident, and promises practical results of the greatest value. Likewise, mediation, general and special, and good offices, all of which were established by the First Hague Conference, are now in a practical form and give great promise. But obviously all of these useful agencies are utterly imperfect to guarantee security for life and independence of nations, and can not therefore be regarded in any way as a substitute for armaments. On the contrary, the existence of strong national armaments is the surest guaranty that these agencies will be chosen in preference to war to settle international disputes.

To sum up, all existing agencies, commissions of inquiry, mediation, good offices, international law, treaties, arbitration proper, and international organization, individually and collectively, fail utterly to meet the fundamental requisites of a substitute for national armaments, nor do they hold out any prospect for developing these requisites for a long time to come, nor would a relinquishment of armaments promote but rather generally retard their development. In fact, it would be in keeping with actual conditions to advocate universal arming instead of universal disarmament, for the present is of necessity the very age of armaments.

The modern annihilation of space has not only quickened the feeling of nationality, but has also brought all nations within striking distance of each other, multiplying manifold as intimated above the opportunities for aggression on the part of the aggressor and the danger from aggression on the part of the passive nations. War operations are now so swift in execution, and are so stupendous in magnitude, and require so long a time in preparation that it is absolutely necessary to be prepared at the time that war comes. The penalty for being unprepared is simply staggering. The net result is that all inherently military nations have leaped to arms, transforming their countries, even in time of peace, into great armed camps where preparation for war is the chief thought and occupation of the people. Under these actual conditions, unless the world is to be delivered over to the backward and military nations, it would be criminal for the nonmilitary nations to remain unprepared. The first duty of self-preservation demands a great augmentation of their armaments.

Furthermore, for these nations to remain unarmed would only add to the temptation of the military nations to go to war, and would increase the profits and the rewards of war-making armaments and perpetuate the period of their existence.

Whereas armaments in the possession of the unaggressive nations serve as a restraint, and the only effective restraint upon the aggressive nations to maintain peace, and thus insure opportunity for the great economic, industrial forces, the forces of international commerce, international finance, the educational, moral, and religious forces to work their slow but sure process of transformation, progressively undermining militarism and rendering armaments less and less profitable, it has always been through the establishment of temporary peace by the restraint imposed by peaceable settlers that frontier regions have been brought into a condition of law and order that finally brought about the abandonment of the practice of individuals going armed. What the world most needs at this period of transformation is for the peaceable, nonaggressive nations to arm to the limit.

Fortunately, the nonaggressive nations are more productive than the military nations, and with greater wealth and resources can more readily bear the burdens imposed.

The quickest road toward a reduction of armaments is to increase armaments and make them intolerable for the aggressive, and thus put the spur of necessity behind the nations that are retarding the movement for international organization that can ultimately offer a real substitute for armaments.

It may be argued that the increasing military activities would quicken the military spirit in the nonaggressive and retard the progress of their people. This is true to a certain extent, so that the military spirit in any of the nations thus retards the progress of all, indicating the solidarity of the human race.

Advancing nations must, then, in the brotherhood of the world, carry their backward brothers along, but the combined effect of generations of military activities in peace could not produce a fraction of the militarism and retardation that could be brought about by a great war where a military nation, through its great armaments, vanquishes a nonmilitary nation because of its lack of preparation. Such a result would not only hurl the vanquished nation back into the depths of militarism, but would cause the whole world to conclude that the nonmilitary civilization, whatever its beauties and advantages, is premature and still impracticable.

Furthermore, as intimated above, it will appear upon examination that one phase of armaments, navies, does not produce or foster the military spirit, because it involves relatively a very small number of men. It is estimated that a first-class battle ship, with a crew of 1,000 men, adds to a nation's strength the equivalent of an army corps of 50,000 men. If a nation has water approaches, it can derive its chief protection and its main influence in the world from battle ships, and leave its population engaged in peaceful pursuits, which would create wealth upon which to base the naval power without causing a heavy burden of taxation.

This is the reason why the great republics of history have all been located on the sea and why liberal institutions have developed more rapidly within insular nations. It is a popular error with advocates of disarmament loosely and superficially to lump both branches of armaments together and to oppose navies along with armies on the general ground of militarism. The nonmilitary nations that leave their men at

work develop the resources and create the wealth necessary for naval power, so that they can, if they would, without feeling the burden, control the high seas, and not only live secure at home, free from militarism themselves, but supply the necessary restraint abroad to put a check upon the march of war, to take away the profits derived from arms, and in the shortest time bring the reign of militarism to a close.

The true friend of peace, and the man who loves his fellow-man, ought at this juncture to advocate armaments on the part of the non-aggressive nations and urge forward especially the building up of their navies.

Disarmament at the present stage is not only an impossible dream, but the advocacy of it is positively harmful to the cause of peace itself. At both Hague conferences the agitation of disarmament made the nations suspicious and impeded their frank and cordial cooperation when they could really come together on other practicable and important matters in the interests of peace and humanity. Fortunately, this harmful effect was recognized early, and at the second conference disarmament agitation was reduced to a minimum. At the third conference in 1915 the subject will probably be debarred altogether.

The ill effects of disarmament agitation are not confined to the Hague conferences, but extend to the world at large, where the public has been widely misled by the disarmament agitators into imagining that disarmament is the road and only road to peace. This misleading was the foundation of the public discontent over the results of the two Hague conferences. The disarmament agitators are really responsible for the failure of the earnest workers for peace at these conferences and outside to receive that hearty and powerful support they were entitled to receive during and after the deliberations from the press and public opinion of the world.

The most pernicious effect of this false education is found in non-military nations where public opinion determines national policies. Disarmament propaganda is not undertaken and could have little effect among military nations, but is carried among the people of nonmilitary nations, and affects public opinion and causes memorials to the governments. In this way it has thwarted efforts to secure increases of naval preparation, which alone could insure national safety and promote international peace and make it possible some day to realize actual disarmament. This propaganda plays to the inherent weakness attending liberal institutions, the lack of attention to national defense, which has largely compassed the overthrow of liberal governments in the past and should be looked upon as an insidious disease striking at the vitals of the nation.

The greatest harm of all has been done in the United States. This Nation has no natural or inherited hatred, but is made up of all the other nations mingled in a perfect reconciliation. It covets no territory of another nation and has an abhorrence for colonial empire. Its people do not follow military pursuits, but are absorbed year in and year out in occupations of peace. In the organization of forty-six sovereign States, under a system with legislative, judicial, and executive branches, it represents in model form the coming organization of the nations of the world, under which individual armaments will disappear. The application of the principle of equal rights and equal opportunities to the development of unparalleled natural resources has produced and continues to produce fabulous wealth. Free from the turmoils that embroil the nations of Europe and Asia, asking only that just policies prevail, America is wonderfully equipped and is the only nation equipped for the task of counterbalancing the military tendency of the present transformation period of growing armaments. Fortunately, lying over the ocean from the armies of Europe and Asia, she can do this through naval power alone. Control of the sea in the two oceans washing our shores would enable us to live in security and continue indefinitely our peaceful pursuits at home, guaranteeing absolutely the survival of the new civilization of peace based on justice, which this Nation now embodies, and would enable impartial America to hold the balance of power in Europe and keep that balance permanently turned to the side of peace. It would have caused Russia to evacuate Manchuria, when our just demand for evacuation was made, thus averting the war between Russia and Japan. It would enable us now to make good the just policy of the "open door" in China, averting the world-wide wars that will ensue if contemplated attempts at the invasion and partition of China are carried out. It would enable America to lay the foundation of justice in the Pacific upon which the yellow race and white race, remaining each in its own habitat, could meet as friends in commerce to help each other, and not as enemies in war to destroy each other.

Wealth and population of counties wholly or partly within 15 miles of the coast line of the United States and on both sides of rivers navigable for steamboats.

Wealth is the estimated true value of real property and improvements, and is exclusive of railroads, street railways, telegraph and telephone systems, privately owned waterworks, and privately owned central electric light and power stations, the data for which is not available.

[Compiled from Special Report of the Census Office on Wealth, Debt, and Taxation, 1907, and Abstract of the Twelfth Census, 1900.]

ATLANTIC STATES.

	Wealth, 1904.	Population, 1900.
<b>Maine:</b>		
Washington.....	\$15,054,706	45,232
Hancock.....	21,768,401	37,241
Waldo.....	10,875,815	24,185
Lincoln.....	8,450,992	19,669
Sagadahoc.....	10,994,991	20,330
Cumberland.....	82,237,205	100,689
York.....	43,139,559	64,385
Penobscot.....	41,930,683	76,246
Kennebec.....	41,556,419	59,117
Androscoggin.....	36,374,370	54,242
<b>Total.....</b>	<b>312,383,141</b>	<b>601,836</b>
<b>New Hampshire:</b>		
Strafford.....	26,524,716	39,337
Rockingham.....	38,514,735	51,118
<b>Total.....</b>	<b>65,039,451</b>	<b>90,455</b>

Wealth and population of counties, etc.—Continued.  
ATLANTIC STATES—continued.

	Wealth, 1904.	Population, 1900.
<b>Massachusetts:</b>		
Suffolk.....	\$1,220,166,700	611,417
Essex.....	336,361,766	357,030
Barnstable.....	18,155,071	27,826
Plymouth.....	87,715,625	113,985
Dukes.....	4,558,889	4,561
Nantucket.....	2,930,875	3,006
Bristol.....	164,976,122	252,029
Middlesex.....	671,099,042	565,696
<b>Total.....</b>	<b>2,505,964,090</b>	<b>1,935,550</b>
<b>Rhode Island.....</b>	<b>523,417,256</b>	<b>428,556</b>
<b>Connecticut:</b>		
New London.....	61,839,395	82,758
Middlesex.....	24,280,836	41,790
New Haven.....	301,677,629	269,163
Fairfield.....	171,603,431	184,203
Hartford.....	211,099,223	195,480
<b>Total.....</b>	<b>770,509,514</b>	<b>773,364</b>
<b>New York:</b>		
Suffolk.....	72,240,167	77,532
New York City.....	6,141,004,093	* 4,000,403
Westchester.....	236,513,618	184,257
Putnam.....	12,652,983	15,787
Dutchess.....	69,656,775	81,670
Columbia.....	29,913,473	43,211
Rensselaer.....	94,737,738	121,697
Albany.....	150,125,571	165,571
Greene.....	19,977,572	31,478
Ulster.....	58,447,646	83,422
Orange.....	69,715,328	109,859
Nassau.....	52,096,451	55,443
<b>Total.....</b>	<b>7,002,071,415</b>	<b>4,967,385</b>
<b>New Jersey:</b>		
Bergen.....	87,743,642	78,441
Essex.....	444,236,570	359,033
Union.....	75,806,821	99,353
Middlesex.....	53,728,620	79,792
Monmouth.....	94,994,434	82,037
Ocean.....	17,660,675	19,747
Burlington.....	41,544,457	58,241
Atlantic.....	92,937,981	46,462
Cape May.....	12,233,964	13,301
Cumberland.....	26,462,944	61,193
Salem.....	19,897,799	25,530
Gloucester.....	20,808,689	31,905
Camden.....	78,592,387	107,643
Mercer.....	90,327,513	95,365
Passaic.....	167,820,939	155,202
<b>Total.....</b>	<b>1,333,801,615</b>	<b>1,808,095</b>
<b>Pennsylvania:</b>		
Delaware.....	91,223,149	94,762
Chester.....	86,229,974	95,695
Philadelphia.....	2,035,428,837	* 1,417,032
Montgomery.....	140,842,396	138,995
Bucks.....	63,524,353	71,190
York.....	90,222,604	116,413
Lancaster.....	149,150,694	159,241
<b>Total.....</b>	<b>2,656,622,577</b>	<b>2,093,358</b>
<b>Delaware.....</b>	<b>134,431,240</b>	<b>184,735</b>
<b>Maryland:</b>		
Cecil.....	15,675,625	24,662
Harford.....	18,061,631	28,269
Baltimore (county).....	114,953,647	90,755
Baltimore (city).....	475,762,349	* 546,217
Howard.....	13,136,187	16,715
Anne Arundel.....	17,149,351	39,620
Calvert.....	3,372,381	10,223
St. Mary.....	5,483,785	17,182
Charles.....	6,433,999	17,662
Prince George.....	15,703,812	29,898
Montgomery.....	25,340,326	30,451
Kent.....	13,024,062	18,786
Queen Anne.....	11,347,317	18,364
Talbot.....	13,672,289	20,342
Caroline.....	7,606,260	16,248
Dorchester.....	10,251,696	27,962
Wicomico.....	7,891,988	22,852
Somerset.....	6,028,211	25,923
Worcester.....	6,432,007	20,865
<b>Total.....</b>	<b>787,326,923</b>	<b>1,022,996</b>
<b>District of Columbia.....</b>	<b>830,244,062</b>	<b>* 302,883</b>
<b>Virginia:</b>		
Accomac.....	7,423,234	32,570
Northampton.....	3,901,534	13,770
Princess Anne.....	3,302,659	11,192
Norfolk.....	23,909,013	50,780
Nansemond.....	5,082,625	23,078
Isle of Wight.....	2,215,008	13,102
Warwick.....	2,062,141	4,888

\* 1905.

Wealth and population of counties, etc.—Continued.  
ATLANTIC STATES—continued.

	Wealth, 1904.	Population, 1900.
<b>Virginia—Continued.</b>		
Elizabeth City	\$5,997,796	19,460
Surry	1,338,677	8,469
Prince George	2,822,898	7,752
Chesterfield	6,279,043	18,804
Henrico	16,351,698	30,032
Charles City	902,055	5,040
James City	1,038,334	3,688
York	824,416	7,482
Gloucester	1,961,415	12,832
Mathews	1,672,970	8,239
New Kent	810,799	4,865
King William	1,631,701	8,389
King and Queen	1,185,451	9,265
Middlesex	1,408,847	8,220
Essex	1,589,132	9,701
Lancaster	1,631,701	8,949
Northumberland	2,014,235	9,816
Westmoreland	1,564,445	9,243
Richmond	1,955,423	7,088
King George	1,063,224	6,918
Caroline	2,512,085	16,709
Stafford	1,231,315	8,007
Prince William	3,275,751	11,112
Fairfax	7,463,255	18,580
Alexandria	4,839,325	6,430
Alexandria (city)	8,699,410	14,528
Fredericksburg (city)	8,311,017	5,038
Manchester (city)	4,484,007	9,715
Newport News (city)	27,971,960	19,635
Norfolk (city)	43,172,030	58,006
Petersburg (city)	11,876,735	21,810
Portsmouth (city)	9,907,426	17,427
Richmond (city)	80,836,236	86,880
Williamsburg (city)	606,612	2,044
<b>Total</b>	<b>310,747,815</b>	<b>650,724</b>
<b>North Carolina:</b>		
Currituck	1,067,364	6,529
Camden	1,321,020	5,474
Pasquotank	4,668,771	18,060
Perquimans	2,354,054	10,091
Chowan	1,786,076	10,258
Gates	1,495,156	10,413
Hertford	2,149,070	14,294
Bertie	2,720,223	20,538
Washington	1,852,136	10,608
Tyrrell	780,677	4,980
Dare	821,558	4,757
Hyde	2,959,439	9,278
Beaufort	4,611,336	26,404
Pitt	5,711,334	30,889
Martin	2,170,687	15,383
Craven	5,601,186	24,160
Pamlico	1,182,905	8,045
Carteret	2,285,379	11,811
Onslow	1,351,041	11,940
Jones	1,594,506	8,226
Pender	1,834,505	13,381
New Hanover	10,808,788	25,785
Brunswick	2,933,597	12,667
<b>Total</b>	<b>64,060,068</b>	<b>309,561</b>
<b>South Carolina:</b>		
Bamberg	2,680,993	17,296
Horry	2,580,609	23,364
Marion	6,607,916	35,181
Georgetown	4,198,601	22,846
Williamsburg	3,330,476	31,985
Berkeley	2,580,284	30,454
Colleton	3,725,273	33,452
Hampton	3,941,249	23,738
Beaufort	4,008,329	35,495
Charleston	40,631,876	88,003
Dorchester	2,657,523	16,294
Clarendon	3,460,782	28,184
Orangeburg	9,972,992	59,663
Richland	16,054,453	45,589
Lexington	5,053,244	27,234
Sumter	5,529,164	51,237
Kershaw	3,060,788	24,696
Marlboro	6,651,532	27,639
Chesterfield	2,493,213	20,401
Darlington	5,443,904	32,338
Barnwell	4,858,635	35,504
Aiken	6,959,691	39,032
<b>Total</b>	<b>146,472,647</b>	<b>749,408</b>
<b>Georgia:</b>		
Telfair	1,955,944	10,083
Montgomery	2,834,552	16,359
Tattnall	3,102,296	20,419
Appling	1,642,353	12,336
Wayne	1,473,839	9,449
Chatham	67,152,386	71,239
Bryan	696,818	6,122
Liberty	1,461,444	13,093
McIntosh	859,919	6,537
Glynn	5,545,709	14,317
Camden	1,042,995	7,669
Charlton	427,069	3,592
Coffee	2,616,284	16,169

\* 1905.

Wealth and population of counties, etc.—Continued.  
ATLANTIC STATES—continued.

	Wealth, 1904.	Population, 1900.
<b>Georgia—Continued.</b>		
Irwin	\$3,807,761	13,645
Wilcox	1,998,973	11,097
Dodge	3,010,136	13,975
Pulaski	4,193,843	18,489
Laurens	5,280,004	25,908
Wilkinson	1,462,831	11,440
Washington	4,239,771	23,227
Baldwin	2,941,821	17,768
Twiggs	1,580,058	8,716
Houston	3,678,986	22,641
Macon	2,421,335	14,093
<b>Total</b>	<b>125,427,067</b>	<b>393,383</b>
<b>Florida:</b>		
Nassau	2,179,883	9,654
Duval	27,236,124	32,732
Clay	1,571,083	5,635
St. John	4,514,374	9,165
Putnam	5,213,238	11,641
Volusia	7,352,388	10,003
Orange	7,816,671	11,874
Brevard	5,452,968	5,158
Dade	8,723,048	4,955
<b>Total</b>	<b>70,059,799</b>	<b>107,318</b>
<b>Total for Atlantic States</b>	<b>17,638,490,611</b>	<b>15,814,907</b>
<b>GULF COAST STATES.</b>		
<b>Florida:</b>		
Monroe	\$7,186,687	18,006
Lee	4,616,676	3,071
De Soto	8,720,677	8,047
Manatee	7,604,999	4,663
Hillsboro	21,595,338	36,013
Pasco	1,588,988	6,054
Hernando	1,364,834	3,638
Citrus	2,474,983	5,391
Levy	1,987,771	8,603
Lafayette	2,811,794	4,987
Taylor	2,195,953	3,999
Jefferson	2,013,072	16,195
Wakulla	798,595	5,149
Franklin	1,360,148	4,800
Calhoun	1,970,609	5,132
Liberty	1,142,393	2,956
Washington	3,008,842	10,154
Walton	2,455,071	9,346
Santa Rosa	2,238,420	10,293
Escambia	13,179,537	28,313
Jackson	2,653,895	23,377
Gadsden	1,853,916	15,294
<b>Total</b>	<b>94,823,016</b>	<b>413,571</b>
<b>Alabama:</b>		
Baldwin	3,726,383	13,194
Mobile	30,896,542	62,740
Washington	2,223,527	11,134
Monroe	3,753,832	23,666
Clarke	3,493,579	27,790
Wilcox	4,063,779	35,631
Choctaw	2,047,284	18,136
Marengo	6,260,390	38,515
Dallas	11,819,275	54,657
Lowndes	4,514,485	35,651
Autauga	3,747,734	17,915
Montgomery	35,541,696	72,047
<b>Total</b>	<b>112,088,376</b>	<b>410,576</b>
<b>Mississippi:</b>		
Jackson	2,899,667	16,513
Harrison	7,140,822	21,002
Hancock	4,190,466	11,886
Pearl River	3,222,675	6,097
<b>Total</b>	<b>17,453,650</b>	<b>56,098</b>
<b>Louisiana:</b>		
Ascension	5,612,492	24,142
Livingston	2,121,961	8,100
Tangipahoa	6,290,181	17,625
St. Tammany	4,611,252	13,335
St. James	4,506,744	20,197
St. John the Baptist	3,927,391	12,330
Orleans	167,378,304	287,104
Jefferson	5,805,769	15,321
St. Bernard	3,593,894	5,031
Plaquemines	3,274,706	13,039
St. Charles	2,394,507	9,072
Lafourche	7,536,771	28,882
Assumption	6,483,150	21,620
Terrebonne	4,699,854	24,464
St. Mary	12,484,710	34,145
Iberia	9,361,848	29,615
St. Martin	3,984,860	18,940
Vermilion	6,159,390	20,705
Cameron	2,212,570	3,952
<b>Total</b>	<b>292,410,354</b>	<b>606,019</b>

Wealth and population of counties, etc.—Continued.

GULF COAST STATES—continued.

	Wealth, 1904.	Population, 1900.
<b>Texas:</b>		
Newton	\$3,018,118	7,232
Orange	8,367,127	5,905
Jefferson	40,884,543	14,239
Chambers	1,684,596	3,046
Hardin	7,487,688	5,049
Tyler	2,022,561	11,899
Jasper	4,031,785	7,138
Liberty	4,112,239	8,102
Harris	63,134,562	63,786
Galveston	39,830,754	44,116
Brazoria	9,549,112	14,861
Matagorda	6,163,233	6,097
Jackson	3,295,629	6,094
Victoria	9,582,285	13,678
Calhoun	2,046,400	2,395
Aramas	2,752,788	1,716
Refugio	2,895,545	1,641
San Patricio	1,771,349	2,372
Nueces	7,300,087	10,439
Cameron	11,811,007	16,095
Travis	43,605,133	47,389
Bastrop	8,801,434	26,845
Fayette	16,304,234	36,542
Colorado	9,807,176	22,203
Wharton	9,023,426	16,942
<b>Total</b>	<b>314,322,811</b>	<b>395,968</b>
<b>Total for Gulf Coast States</b>	<b>801,098,207</b>	<b>1,882,532</b>

PACIFIC STATES.

<b>Washington:</b>		
San Juan	\$1,411,873	2,928
Island	1,749,792	1,870
Whatcom	18,795,316	24,116
Skagit	10,403,366	14,272
Snohomish	20,498,014	23,950
King	138,761,573	110,053
Kitsap	4,188,167	6,767
Pierce	55,797,292	55,515
Thurston	7,979,154	9,927
Mason	2,957,604	3,810
Clallam	8,720,369	5,603
Jefferson	4,062,074	5,712
Chehalis	18,835,063	15,124
Pacific	6,455,974	5,983
Wahkiakum	1,858,736	2,819
Cowlitz	5,746,074	7,877
Clarke	8,030,018	13,419
Skamania	1,190,612	1,688
<b>Total</b>	<b>317,441,071</b>	<b>311,433</b>
<b>Oregon:</b>		
Clatsop	12,150,110	12,765
Columbia	5,795,291	6,237
Washington	13,156,140	14,467
Multnomah	151,003,062	103,167
Tillamook	9,441,193	4,471
Lincoln	2,365,602	3,575
Lane	25,272,891	19,604
Douglas	18,539,094	14,565
Coos	7,400,419	10,324
Curry	2,682,135	1,868
<b>Total</b>	<b>247,895,937</b>	<b>191,043</b>
<b>California:</b>		
Del Norte	4,290,736	2,408
Humboldt	34,670,582	27,104
Mendocino	13,613,148	20,465
Sonoma	56,215,840	38,480
Marin	17,576,404	15,702
San Francisco	627,510,537	355,919
San Mateo	21,897,704	12,094
Napa	22,305,311	16,451
Solano	33,919,816	24,143
Contra Costa	27,198,141	18,049
Alameda	172,839,138	130,197
Santa Clara	90,531,500	60,216
Santa Cruz	24,323,363	21,512
Monterey	24,907,900	19,830
Yolo	22,287,207	13,618
Sacramento	67,255,967	45,915
San Joaquin	66,820,596	35,452
San Luis Obispo	16,888,101	16,637
Santa Barbara	37,980,234	18,934
Ventura	27,209,036	14,367
Los Angeles	587,088,925	170,298
Orange	33,552,446	19,696
San Diego	62,905,979	35,090
<b>Total</b>	<b>2,093,789,581</b>	<b>1,132,124</b>
<b>Total for Pacific States</b>	<b>2,659,036,589</b>	<b>1,634,600</b>

GREAT LAKES STATES.

<b>New York:</b>		
St. Lawrence	\$58,578,196	89,083
Jefferson	60,531,633	76,748
Oswego	42,971,494	70,881
Onondaga	160,405,595	168,735
Cayuga	53,007,857	68,234
Wayne	38,619,431	48,660

Wealth and population of counties, etc.—Continued.

GREAT LAKES STATES—continued.

	Wealth, 1904.	Population, 1900.
<b>New York—Continued.</b>		
Monroe	\$176,371,484	217,854
Orleans	25,704,910	39,164
Niagara	57,170,122	74,931
Erie	412,767,089	433,686
Chautauqua	69,906,783	88,314
Clinton	16,603,001	47,430
Essex	14,810,007	30,707
Warren	12,774,191	29,943
Washington	27,101,035	45,624
<b>Total</b>	<b>1,227,322,828</b>	<b>1,519,024</b>
<b>Vermont:</b>		
Franklin	16,063,195	30,193
Grand Isles	2,297,901	4,462
Chittenden	27,902,283	39,000
Addison	13,719,404	21,912
Rutland	25,300,848	44,209
<b>Total</b>	<b>85,283,634</b>	<b>140,381</b>
<b>Pennsylvania:</b>		
Erie	80,746,869	98,473
<b>Ohio:</b>		
Ashtabula	31,539,280	51,448
Lake	19,012,771	21,680
Cuyahoga	546,684,900	439,120
Lorain	41,458,718	54,837
Erie	31,700,901	37,650
Sandusky	30,492,546	34,311
Ottawa	16,469,220	22,213
Lucas	218,632,803	153,559
<b>Total</b>	<b>935,991,199</b>	<b>814,833</b>
<b>Michigan:</b>		
Monroe	23,395,109	32,754
Wayne	394,687,539	348,733
Macomb	30,960,876	33,244
St. Clair	41,295,081	55,228
Sanilac	14,782,881	35,055
Huron	13,781,669	34,162
Tuscola	19,826,513	35,830
Saginaw	56,077,668	81,222
Bay	39,732,332	62,378
Arenac	2,419,126	9,821
Iosco	3,321,675	10,246
Alcona	1,277,504	5,691
Alpena	7,046,873	18,254
Presque Isle	3,457,541	8,821
Cheboygan	9,928,822	15,516
Emmet	9,830,026	15,931
Charlevoix	6,882,249	13,956
Antrim	6,590,018	16,568
Kalkaska	3,905,712	7,133
Grand Traverse	10,024,201	20,479
Leelanau	3,806,931	10,556
Benzie	5,178,125	9,685
Manistee	12,576,682	27,836
Mason	9,433,000	18,885
Oceana	7,837,019	16,644
Muskegon	20,325,297	37,036
Ottawa	25,768,230	39,667
Allegan	22,116,376	38,812
Van Buren	22,744,949	33,274
Berrien	38,147,694	49,165
Chippewa	24,208,348	21,338
Luce	5,596,049	2,983
Mackinac	5,011,898	7,703
Schoolcraft	4,377,176	7,889
Kent	149,169,843	129,714
Alger	5,717,364	5,808
Delta	18,103,060	23,881
Menominee	2,151,899	27,046
Marquette	41,454,934	41,239
Baraga	6,001,447	4,320
Houghton	127,346,715	66,063
Keweenaw	9,268,415	3,217
Ontonagon	7,451,610	6,197
Gogebic	22,574,002	16,738
<b>Total</b>	<b>1,295,490,478</b>	<b>1,506,918</b>
<b>Minnesota:</b>		
Cook	4,794,546	810
Lake	13,762,550	4,654
St. Louis	257,675,542	82,932
<b>Total</b>	<b>276,232,638</b>	<b>88,396</b>
<b>Wisconsin:</b>		
Douglas	39,327,267	36,335
Bayfield	12,193,259	14,302
Ashland	9,019,095	20,176
Iron	4,578,596	6,616
Marinette	13,562,536	30,822
Oconto	8,535,879	20,874
Brown	25,782,442	46,350
Door	9,840,633	17,533
Kewaunee	9,333,007	17,212
Manitowoc	31,041,076	42,291
Sheboygan	42,075,441	50,345
Ozaukee	14,407,532	16,333
Milwaukee	419,075,377	330,017
Racine	40,700,930	45,644
Kenosha	17,925,043	21,707
Outagamie	35,901,212	46,247
Calumet	14,461,241	17,078

Wealth and population of counties, etc.—Continued.  
GREAT LAKES STATES—continued.

	Wealth, 1904.	Population, 1900.
<b>Wisconsin—Continued.</b>		
Winnebago.....	\$47,186,912	58,225
Fond du Lac.....	48,134,661	47,589
<b>Total.....</b>	<b>843,205,202</b>	<b>885,845</b>
<b>Illinois:</b>		
Lake.....	39,669,271	34,504
Cook.....	2,368,632,154	1,838,735
<b>Total.....</b>	<b>2,408,301,425</b>	<b>1,873,239</b>
<b>Indiana:</b>		
Lake.....	25,645,032	37,892
Porter.....	16,854,480	19,175
Laporte.....	30,390,014	38,383
<b>Total.....</b>	<b>72,889,526</b>	<b>95,453</b>
<b>Total for Great Lakes States.....</b>	<b>7,225,463,790</b>	<b>7,022,567</b>

MISSISSIPPI VALLEY STATES.

<b>Mississippi:</b>		
Jefferson.....	\$2,516,077	21,292
Adams.....	7,471,962	30,111
Wilkinson.....	2,311,812	21,453
De Soto.....	3,898,670	24,751
Tunica.....	4,439,329	16,479
Coahoma.....	7,801,042	26,293
Bellvar.....	8,847,275	35,427
Washington.....	15,205,887	49,216
Issaquena.....	3,438,125	10,400
Warren.....	15,212,622	40,912
Claiborne.....	3,107,878	20,787
<b>Total.....</b>	<b>74,250,679</b>	<b>297,121</b>
<b>Louisiana:</b>		
East Carroll.....	3,539,726	11,373
Madison.....	2,926,154	12,322
Tensas.....	4,757,462	19,070
Concordia.....	3,616,373	13,559
Pointe Coupee.....	6,825,170	25,777
West Feliciana.....	2,796,555	15,994
East Baton Rouge.....	10,864,472	31,153
West Baton Rouge.....	3,779,353	10,285
Iberville.....	8,021,437	27,006
Caddo.....	26,316,620	44,499
Bossier.....	3,981,929	24,153
De Soto.....	4,075,396	25,063
Red River.....	1,778,465	11,548
Natchitoches.....	6,558,056	33,216
Grant.....	2,879,912	12,902
Rapides.....	7,997,241	39,578
Avozelles.....	5,821,772	29,701
St. Landry.....	9,273,925	52,906
Catahoula.....	5,090,516	16,351
Caldwell.....	2,634,838	6,917
Ouachita.....	7,565,675	29,947
Franklin.....	3,037,902	8,890
Union.....	3,022,863	18,520
<b>Total.....</b>	<b>137,161,712</b>	<b>511,730</b>
<b>Arkansas:</b>		
Mississippi.....	9,893,508	16,384
Crittenden.....	12,076,477	14,529
St. Francis.....	5,242,005	17,157
Lee.....	3,892,946	19,409
Phillips.....	8,450,945	26,561
Desha.....	4,559,549	11,511
Chicot.....	7,432,175	14,528
Lafayette.....	2,290,229	10,594
Miller.....	6,271,825	17,558
Little River.....	4,314,831	13,731
Cross.....	3,061,171	11,051
Poinsett.....	2,947,342	7,025
Craighead.....	7,017,447	19,505
Greene.....	5,900,461	16,979
Clay.....	7,454,039	15,886
Crawford.....	5,814,833	21,270
Sebastian.....	15,720,684	39,935
Franklin.....	2,578,406	17,395
Johnson.....	3,382,491	17,448
Logan.....	3,402,026	20,563
Pope.....	3,903,486	21,715
Yell.....	5,455,905	22,750
Conway.....	3,068,547	19,772
Faulkner.....	3,185,143	20,780
Perry.....	1,654,872	7,294
Pulaski.....	60,366,808	63,179
Lonoke.....	7,683,537	22,544
Jefferson.....	21,996,340	40,972
Lincoln.....	3,182,853	13,889
Arkansas.....	5,933,066	12,973
Independence.....	4,581,635	22,557
Jackson.....	6,877,528	18,383
White.....	4,394,877	24,864
Woodruff.....	7,647,386	16,804
Prairie.....	3,222,626	11,575
Monroe.....	5,140,283	16,816
Ouachita.....	2,281,436	20,892
Calhoun.....	892,145	8,539
Union.....	2,693,102	22,495
Ashley.....	6,489,353	19,734
<b>Total.....</b>	<b>282,479,973</b>	<b>773,846</b>

Wealth and population of counties, etc.—Continued.  
MISSISSIPPI VALLEY STATES—continued.

	Wealth, 1904.	Population, 1900.
<b>Tennessee:</b>		
Lake.....	\$3,173,589	7,368
Obion.....	10,108,272	28,286
Dyer.....	7,756,674	23,776
Lauderdale.....	5,085,356	21,971
Tipton.....	5,533,270	29,273
Shelby.....	71,877,733	153,557
Benton.....	1,703,020	11,888
Decatur.....	1,420,354	10,439
Hardin.....	3,157,225	19,249
Stewart.....	2,166,154	15,224
Houston.....	945,740	6,476
Humphreys.....	2,881,574	13,398
Perry.....	1,719,059	8,800
Wayne.....	1,772,068	12,936
Montgomery.....	13,355,744	36,017
Cheatham.....	2,194,521	10,112
Davidson.....	78,966,284	112,815
Marion.....	3,267,438	17,281
Hamilton.....	22,361,683	61,695
James.....	1,141,772	5,407
Rhea.....	3,081,254	14,318
Meigs.....	1,544,041	7,491
Roane.....	4,504,969	22,738
<b>Total.....</b>	<b>249,807,794</b>	<b>650,507</b>
<b>Mississippi:</b>		
Tishomingo.....	810,603	10,124
<b>Alabama:</b>		
Colbert.....	6,060,502	22,341
Lauderdale.....	6,301,105	26,559
Lawrence.....	2,819,772	20,124
Limestone.....	4,508,092	22,387
Madison.....	13,683,257	43,702
Morgan.....	5,971,045	28,820
Jackson.....	5,040,823	30,508
Marshall.....	3,341,853	23,280
<b>Total.....</b>	<b>47,726,449</b>	<b>217,730</b>
<b>Kentucky:</b>		
Fulton.....	5,068,726	11,546
Hickman.....	4,452,985	11,745
Carlisle.....	3,200,345	10,195
Ballard.....	3,582,792	10,761
McCracken.....	15,643,550	28,733
Livingston.....	2,416,563	11,354
Crittenden.....	3,592,739	15,191
Union.....	10,402,348	21,326
Marshall.....	2,360,280	13,602
Calloway.....	3,423,821	17,633
Lyon.....	1,778,462	9,319
Trigg.....	3,321,929	14,073
Henderson.....	14,161,679	32,907
Davies.....	18,383,887	38,667
Hancock.....	2,281,423	8,914
Webster.....	6,231,533	20,097
McLean.....	3,493,646	12,448
Muhlenberg.....	4,075,312	20,741
Butler.....	2,192,793	15,896
Warren.....	10,446,990	29,970
Edmonson.....	1,684,945	10,080
Ohio.....	4,413,857	27,287
Breckenridge.....	3,795,888	20,534
Meade.....	2,699,188	10,533
Bullitt.....	2,798,497	9,602
Jefferson.....	221,838,715	232,549
Oldham.....	3,988,115	7,078
Trimble.....	2,467,265	7,272
Carroll.....	4,183,193	9,825
Gallatin.....	2,002,131	5,163
Owen.....	6,551,296	17,553
Henry.....	6,522,190	14,620
Franklin.....	10,506,793	20,852
Boone.....	6,822,071	11,170
Kenton.....	39,622,768	63,501
Campbell.....	39,345,489	54,223
Pendleton.....	4,914,652	14,947
Bracken.....	5,410,493	12,137
Mason.....	11,688,955	29,446
Lewis.....	3,128,585	17,838
Greenup.....	2,143,032	15,432
Boyd.....	5,883,635	18,834
Lawrence.....	2,314,716	19,612
Johnson.....	1,649,855	13,730
Martin.....	1,043,216	5,780
<b>Total.....</b>	<b>517,762,213</b>	<b>1,015,926</b>
<b>West Virginia:</b>		
Mingo.....	3,078,209	11,359
Wayne.....	3,881,662	23,610
Cabell.....	10,805,728	29,252
Mason.....	5,767,791	24,142
Jackson.....	6,028,684	22,987
Wood.....	19,789,632	34,452
Pleasants.....	2,201,820	9,345
Tyler.....	4,693,158	18,252
Wetzel.....	7,114,856	22,880
Marshall.....	12,494,598	26,444
Ohio.....	39,534,103	48,024
Brooke.....	3,540,183	7,219
Hancock.....	3,535,900	6,693
Putnam.....	22,940,779	17,330
Kanawha.....	30,034,869	54,696
Fayette.....	7,777,361	31,987
<b>Total.....</b>	<b>163,219,383</b>	<b>388,681</b>

Wealth and population of counties, etc.—Continued.  
MISSISSIPPI VALLEY STATES—continued.

	Wealth, 1904.	Population, 1900.
<b>Pennsylvania:</b>		
Beaver	\$43,965,831	56,432
Allegheny	1,150,641,286	775,058
Total	1,194,576,617	831,490
<b>Ohio:</b>		
Columbiana	46,264,180	68,590
Jefferson	21,995,497	44,357
Belmont	28,624,225	60,875
Monroe	9,873,751	27,031
Washington	23,260,248	48,245
Meigs	8,707,861	28,620
Gallia	8,842,824	27,018
Lawrence	16,905,818	39,534
Scioto	13,123,300	40,981
Adams	7,727,071	26,328
Brown	12,763,844	28,237
Clermont	12,164,462	31,610
Hamilton	517,470,023	409,479
Total	727,723,054	881,805
<b>Indiana:</b>		
Dearborn	11,716,478	22,194
Ohio	2,204,187	4,724
Switzerland	4,154,237	11,840
Jefferson	8,489,606	22,913
Clark	12,810,632	31,835
Floyd	14,725,685	30,118
Harrison	6,202,521	21,702
Crawford	2,354,744	13,476
Perry	4,691,821	18,778
Spencer	6,850,363	22,407
Warrick	7,913,146	22,329
Vanderburg	42,271,552	71,709
Posey	18,207,713	22,333
Gibson	15,515,615	30,099
Knox	22,361,766	32,746
Sullivan	15,076,605	26,005
Vigo	45,826,360	62,035
Vermillion	10,681,362	15,232
Parke	11,056,684	23,000
Fountain	16,342,984	21,446
Total	282,454,064	527,001
<b>Illinois:</b>		
Clark	14,349,181	24,633
Crawford	13,536,310	19,240
Lawrence	10,492,550	16,523
Wabash	8,908,589	12,583
White	13,518,242	25,386
Gallatin	66,444,275	15,839
Hardin	1,689,228	7,448
Pope	3,488,418	13,585
Massac	5,539,268	13,110
Pulaski	3,214,019	14,554
Alexander	8,695,161	19,334
Union	8,855,093	22,610
Jackson	12,917,649	33,871
Randolph	16,006,496	28,001
Monroe	10,958,061	13,847
St. Clair	62,308,109	86,685
Madison	45,782,657	64,694
Jersey	11,073,206	14,612
Calhoun	5,390,892	8,917
Pike	23,341,688	31,595
Adams	51,836,062	67,038
Hancock	33,921,541	32,215
Henderson	12,935,324	10,836
Mercer	25,011,246	20,945
Rock Island	44,497,492	55,249
Whiteside	39,074,068	34,710
Carroll	22,602,131	18,993
Jo Daviess	29,228,922	24,533
Greene	20,630,256	23,402
Scott	10,708,412	10,455
Morgan	88,984,539	35,006
Brown	8,866,203	11,557
Schuyler	15,199,679	16,129
Cass	19,722,454	17,322
Fulton	44,161,638	46,201
Tazewell	45,667,078	33,221
Peoria	88,219,913	88,608
Woodford	40,121,736	21,822
Marshall	24,236,531	16,370
Putnam	8,096,106	4,746
Bureau	54,676,314	41,112
La Salle	108,698,730	87,776
Kendall	17,988,732	11,467
Grundy	27,954,605	24,138
Will	88,231,653	74,704
Du Page	33,120,581	28,196
Washington	10,897,738	19,526
Clinton	14,297,759	19,824
Fayette	13,575,083	28,065
Total	1,320,583,747	1,410,628
<b>Wisconsin:</b>		
Grant	4,308,956	38,881
Crawford	8,478,250	17,286
Vernon	15,838,159	26,351
La Crosse	36,256,446	42,997

Wealth and population of counties, etc.—Continued.  
MISSISSIPPI VALLEY STATES—continued.

	Wealth, 1904.	Population, 1900.
<b>Wisconsin—Continued.</b>		
Trempealeau	\$13,897,411	23,114
Buffalo	11,056,596	16,765
Pierce	14,119,803	23,943
St. Croix	17,799,835	26,830
Richland	12,498,562	19,483
Sauk	23,880,117	35,005
Columbia	29,380,295	31,121
Dane	82,164,141	69,435
Iowa	18,784,266	23,114
Total	288,487,813	394,826
<b>Minnesota:</b>		
Ramsey	170,159,518	170,554
Hennepin	236,271,164	228,340
Washington	21,808,310	27,303
Dakota	17,027,826	21,733
Goodhue	29,092,920	31,137
Wabasha	19,857,069	18,924
Winona	31,837,652	35,688
Houston	13,593,181	15,400
Total	589,557,941	549,582
<b>Iowa:</b>		
Allamakee	15,487,802	18,711
Clayton	23,309,071	27,750
Dubuque	51,279,359	56,403
Jackson	19,994,290	23,615
Clinton	36,842,788	43,832
Scott	51,832,929	51,558
Muscatine	28,169,417	28,242
Louisa	16,186,282	13,516
Des Moines	29,985,232	35,989
Lee	31,928,446	30,719
Polk	96,454,394	82,624
Marion	21,641,700	24,159
Mahaska	28,497,076	34,273
Wapello	23,683,208	35,426
Van Buren	13,886,667	17,354
Plymouth	37,259,821	22,209
Woodbury	61,493,845	54,610
Monona	19,271,358	17,980
Harrison	23,263,335	25,597
Pottawattamie	57,406,317	54,339
Mills	19,563,730	16,764
Fremont	20,489,720	18,546
Total	727,870,767	743,213
<b>Missouri:</b>		
Clark	11,103,009	15,383
Lewis	10,754,338	16,724
Marion	18,067,709	26,331
Ralls	9,501,875	12,287
Pike	17,867,294	25,744
Lincoln	10,344,283	18,352
St. Charles	17,470,198	24,474
St. Louis	53,646,475	60,040
Jefferson	11,152,132	25,712
St. Genevieve	4,946,070	10,359
Perry	6,512,217	15,134
Cape Girardeau	13,270,890	24,315
Scott	7,789,280	13,092
Mississippi	11,482,719	11,837
New Madrid	7,701,038	11,280
Pemiscot	5,317,240	12,115
Dunklin	7,239,212	21,706
Warren	5,518,078	9,919
Franklin	15,346,288	30,581
Montgomery	8,480,589	16,571
St. Louis (city)	656,305,816	686,973
Gasconade	5,494,273	14,096
Osage	5,063,604	14,096
Callaway	13,746,575	25,384
Boone	18,275,940	28,642
Cole	13,625,191	26,578
Howard	12,789,148	18,337
Cooper	17,094,966	22,582
Saline	24,313,315	33,703
Chariton	18,537,110	26,826
Carroll	20,001,910	26,455
Lafayette	23,206,159	31,672
Ray	14,221,064	24,805
Jackson	246,206,772	195,193
Olay	16,829,918	18,908
Platte	14,698,829	16,138
Buchanan	73,797,656	121,838
Andrew	18,212,408	17,332
Holt	15,390,730	17,083
Atchison	21,185,751	16,501
Total	1,502,284,822	1,717,907
<b>North Dakota (incomplete):</b>		
Mercer	2,844,286	1,773
McLean	4,038,531	4,791
Oliver	985,558	990
Burleigh	7,726,074	6,031
Morton	7,850,003	8,099
Emmons	3,749,562	4,349
Total	27,194,014	26,067

Wealth and population of counties, etc.—Continued.  
MISSISSIPPI VALLEY STATES—continued.

	Wealth, 1904.	Population, 1900.
<b>South Dakota (incomplete):</b>		
Campbell	\$1,968,508	4,527
Walworth	2,474,939	3,539
Potter	2,880,125	2,983
Sully	1,550,116	1,715
Stanley	1,801,601	1,341
Hughes	4,180,982	3,684
Lyman	1,591,278	2,632
Buffalo	518,499	1,790
Hyde	4,794,674	1,492
Brule	8,813,079	5,401
Charles Mix	7,599,691	8,498
Gregory	2,015,177	2,211
Bonhomme	8,173,072	10,379
Yankton	9,823,848	12,649
Clay	9,532,836	9,316
Union	11,636,538	11,153
<b>Total</b>	<b>73,854,963</b>	<b>83,615</b>
<b>Nebraska:</b>		
Boyd	4,977,059	7,332
Knox	12,717,949	14,343
Cedar	19,607,953	12,467
Dixon	11,605,800	10,535
Dakota	6,415,864	6,283
Thurston	1,492,147	6,517
Burt	15,083,140	13,040
Washington	21,550,760	13,083
Douglas	106,480,774	140,690
Sarpy	9,741,897	9,080
Cass	23,993,334	21,330
Otoe	25,437,161	22,288
Nemaha	14,261,704	14,952
Richardson	18,779,621	19,614
<b>Total</b>	<b>292,748,162</b>	<b>311,460</b>
<b>Kansas:</b>		
Brown	23,679,331	22,369
Doniphan	13,155,169	15,079
Atchison	22,675,263	28,606
Leavenworth	37,026,701	40,940
Wyandotte	65,492,971	73,227
Johnson	17,888,832	18,104
<b>Total</b>	<b>179,918,317</b>	<b>198,325</b>
Total Mississippi Valley States	8,630,472,807	11,541,084
Total Pacific States	2,659,036,589	1,634,600
Total Great Lakes States	7,225,463,790	7,622,567
Total Gulf Coast States	801,098,207	1,882,532
Total Atlantic States	17,638,490,611	15,814,907
<b>Grand total</b>	<b>36,954,482,013</b>	<b>38,495,690</b>

## THE NEWBERRY PLAN.

NAVY DEPARTMENT,  
Washington, D. C., January 25, 1909.General Order  
No. 9.

For the purpose of consolidating the manufacturing force at navy-yards, on February 1 the commandants of all navy-yards and stations (except the Washington Navy-Yard, the torpedo station, the proving ground, and naval magazines) shall place all work not involved in the handling of stores, the manufacturing of clothing, or the preparation and handling of provisions in the hands of the naval constructor, who, as the principal technical assistant to the commandant, shall thereafter, under his direction, be responsible for the efficiency of the manufacturing force of the navy-yard.

The commandant shall place all public works and the equipment thereof under the control of the above-named technical assistant, under such regulations as the commandant may for the time being prescribe, and therewith such drafting and clerical force as he may deem necessary. The status and duties of the captain of the yard, general storekeeper, medical officer, pay officer, and officer in charge of provisions and clothing are in no wise affected by this order. The heads of the now existing departments of ordnance, equipment, and steam engineering may remain on duty under the title and discharge the functions of inspector of ordnance, inspector of equipment, inspector of machinery, retaining, subject to the commandant's approval, such clerical force and such assistants as may be necessary for the purpose of inspecting the work done for them by the consolidated manufacturing department.

The inspection of all ordinary supplies shall, as a rule, be made by the officers directly attached to the manufacturing department, but any special articles or appliances shall be inspected by such officers as the commandant may direct.

The civil engineer will be attached to the commandant's office, as consulting engineer and inspector of public works, for the purpose of inspecting such work as may be done on docks, dry docks, railways, etc., and generally comprised under the term of "public works." To this end he shall be granted such assistants and such clerical and other force as the commandant may deem necessary.

In a general way, the effect of this order will be to make the commandant, while, as heretofore, paramount, resemble, in his connection with yard work, the president of a large industrial plant; the principal technical assistant becoming, under the commandant, the general manager.

All officers now on duty at navy-yards and naval stations shall at once report, in writing, to the commandant for such duty as he may prescribe.

Until definite regulations governing the methods of carrying on work and the interrelation of officers have been promulgated by the department, the execution of this order devolves upon the commandant, who is empowered to arrange all the details provisionally.

On the 13th day of February, 1909, the commandants of navy-yards and naval stations shall forward to the Secretary of the Navy a report of what has been done in compliance with this order, specifically stating the names and occupations of every person, whether officer or em-

ployee, left under the direct orders of the inspectors of ordnance, equipment, machinery, and public works, respectively.

The consolidated manufacturing department shall, as soon as practicable, institute one pay roll for all navy-yard workmen under its supervision or that of the inspectors. There will be another roll for the civil-service employees, including foremen.

TRUMAN H. NEWBERRY, Secretary.

THE WHITE HOUSE, January 25, 1909.

Approved, and such changes in the regulations as are made necessary by this order are authorized.

THEODORE ROOSEVELT.

REPORT OF A BOARD ON THE ORGANIZATION OF THE NAVY DEPARTMENT,  
KNOWN AS THE SWIFT BOARD, CONVENED BY THE SECRETARY OF THE  
NAVY JULY 15, 1909—CHANGES RECOMMENDED IN ORGANIZATION.

UNITED STATES NAVY-YARD,  
Boston, Mass., October 11, 1909.

SIR: 1. The board appointed by the Navy Department's order of July 13, 1909, a copy of which is appended marked "P," has the honor to submit the following report:

2. The duties of the board, as laid down in the precept, were, briefly, to consider matters of organization and administration and to report if changes are needed to improve the efficiency and secure economy; this in relation both to the Navy Department and the navy-yards.

3. After a careful study of all available material relating to the subject, and after a practically uninterrupted session from August 2 to this date, the board recommends, as desirable for the improvement of existing conditions of the Navy Department and navy-yard organization and administration by executive action, the plan outlined in appendices marked "Q" and "R;" of these, Appendix Q contains a series of administrative steps to be taken, and Appendix R is a draft of an amendment to the Navy Regulations. Diagrams illustrating the organizations of the Navy Department and navy-yards, respectively, resulting from the adoption of these recommendations are appended marked "S" and "T."

4. The board finds many defects in existing organization both of the Navy Department and of navy-yards; and these defects have become emphasized with the growth of a modern navy, the expenditures of large appropriations, the advent of new industrial and business methods, the increased importance of strictly military features involved in the assemblage of fleets, the tactical and strategic questions arising in connection therewith, and the imperative necessity of methodical preparation for war. There is lack of thorough and independent inspection whereby the Secretary may inform himself as to economy and efficiency of administration, the standards and capabilities of the personnel, the adequacy and suitability of the equipment and of the material, and, in general, of the state of preparedness of both personnel and material for war. There is no council in which are represented the several elements of naval administration and with which the Secretary may discuss important matters of military policy and department business with the object of obtaining expert opinion from all points of view.

5. The recommendations of the board may be summarized as follows: (a) The authority and ultimate responsibility of the Secretary of the Navy remain unqualified. No feature of naval administration is separated from him, and no authority is conferred upon any officer except such as the Secretary may delegate.

(b) Four divisions are created under which the business of the Navy Department is conducted, except certain parts thereof of a financial and civil nature which are directly under the Secretary. These divisions are entitled, respectively, "Operations of the fleet," "Personnel," "Material," and "Inspections," and the scope of the subject-matter with which they deal is indicated by their titles.

(c) Four line officers of mature experience are detailed to serve as aids to the Secretary, and each performs the duty of an adviser for matters relating to one of the four divisions; jointly, these aids form the Secretary's council, holding frequent meetings as such with the Secretary at which are discussed all important matters of department business.

(d) The division of operations of the fleet deals with the operations of ships in commission and of all other elements of the naval force, and thus takes over one class of duties hitherto assigned to the Bureau of Navigation; it has also been given advisory duties in connection with broader matters of naval policy, including military features of ship design. The General Board maintains its present status, with slightly changed membership to accord with new conditions. By reason of the similarity of its advisory functions to those of the division of operations of the fleet, its association with that division will be a close one, though its relation to the Secretary is, as formerly, direct.

(e) The division of personnel deals with all matters relating to the manning of the fleet. It includes the Bureau of Navigation (now free from all duties relating to operations), the Bureau of Equipment, the Bureau of Medicine and Surgery, the Marine Corps, the Office of the Judge-Advocate-General, and the naval examining and retiring boards, and deals with naval militia matters before the department. It has within its cognizance the appointment, enlistment, assignment to duty, records, preparatory education, and discipline of the personnel. The Bureau of Equipment's duties comprise only the charge of the Naval Observatory and Nautical Almanac, the Hydrographic and Compass Offices, and the supply of navigation outfits.

(f) The division of material deals with equipment, supply, the technical features of construction, and public works. It includes the bureaus of Yards and Docks, Ordnance, Construction and Repair, Steam Engineering, and Supplies and Accounts. The duties hitherto performed by the Bureau of Equipment of such nature as to fall within this division have been divided between Steam Engineering, Construction and Repair, and Supplies and Accounts, those relating to electricity being assigned to the Bureau of Steam Engineering. The Bureau of Supplies and Accounts retains such of its former duties as relate to supplies, while those relating to accounts and payments are transferred to the office of accounts.

(g) The division of inspections deals with all duties covering inspections of personnel and material (except acceptance inspections of purchased or manufactured articles). Special inspecting officers and boards for the inspection of ships and shore stations are put under this division, with a view to obtaining and placing at the disposal of the Secretary a better knowledge of the personnel, material, and the efficiency of methods than has heretofore been available; and the relation of this division to the rest of the organization is such that criticisms are brought to the Secretary of the Navy direct instead of through officers who may themselves be the subject thereof.

(h) The office of accounts is created to deal with matters relating to accounts and payments heretofore under the Bureau of Supplies and Accounts. The officer in charge of this will be a member of the Pay Corps performing his duties directly under the Secretary of the Navy.

(d) The bureaus and other branches of the department are grouped in divisions, according to the nature of their duties, for purposes of better coordination and control by the Secretary; such coordination and control are exercised by him for each division with the advice and assistance of the aid for that division, the latter relieving him from detail by drafting and signing, by the Secretary's direction, such instructions as may be authorized. Changes are made in the assignment of bureau duties to accord with the other features of the plan.

(f) The board on construction is abolished. The new organization, in which the material bureaus are grouped together in a division, will afford a facility for the discussion of technical questions arising between bureaus which has not heretofore existed. Broader questions will generally involve considerations of naval policy and would be referred to the General Board.

(k) Navy-yard organization and economy are modified from the existing status by assigning a wider scope of authority to the commandant; by making two manufacturing departments dealing, respectively, with hull and machinery, thus following the usual practice of private shipyards; by assigning to the aid or executive (the captain of the yard) the duties contemplated by existing law; by giving heads of departments direct responsibility for the work assigned to them and authority commensurate therewith; by the introduction of an efficient system of accounts under a responsible officer separate from the manufacturing departments; and by other provisions for efficiency and economy.

Very respectfully,

- WM. SWIFT,  
Rear-Admiral, United States Navy, Senior Member.
- C. E. VREELAND,  
Captain, United States Navy, Member.
- S. A. STAUNTON,  
Captain, United States Navy, Member.
- F. F. FLETCHER,  
Captain, United States Navy, Member.
- ROY C. SMITH,  
Commander, United States Navy, Member.
- G. W. LOGAN,  
Commander, United States Navy, Member.
- L. H. CHANDLER,  
Lieutenant-Commander, United States Navy, Member.

J. M. FOYER,  
Commander, United States Navy, Retired, Recorder.  
The SECRETARY OF THE NAVY.

Secretary MEYER. The diagram of Navy Department duties shown above is what was decided on by me, and differs somewhat from the distribution recommended by the Swift Board. These were partly due to the decision of the Attorney-General, which stated that appropriations must be expended in the bureaus under which appropriated by Congress; and in some cases the changes were made because I did not agree entirely with the recommendations of the board.

To explain this fully, it should be stated that the Swift Board recommended that the four aids for advisory duties should form a council, which would meet frequently for the discussion of departmental policy. I omitted this council, preferring that the aids concern themselves with the specific duties for which each was detailed. I felt, further, that if I wanted at any time to discuss a matter with all the aids I could easily call them together.

The Swift Board recommended placing the Marine Corps in the Division of Personnel and the Bureau of Yards and Docks in the Division of Material, but I decided to place them under the Assistant Secretary.

The Swift Board also recommended establishing a separate office of accounts, which would supply funds to disbursing officers, make all payments, and keep all money accounts, including manufacturing and operating expense at navy-yards. This followed the almost universal practice in commercial life of separating payments and funds from contracts and supplies, but I could not accomplish this without great difficulty on account of the requirement that the appropriations must be expended under the bureau in which the appropriation was made by Congress.

The Swift Board also recommended that the office of accounts, departmental estimates, the solicitor, and the library and war records be in the office of the Secretary. I have placed these matters directly in the office of the Assistant Secretary.

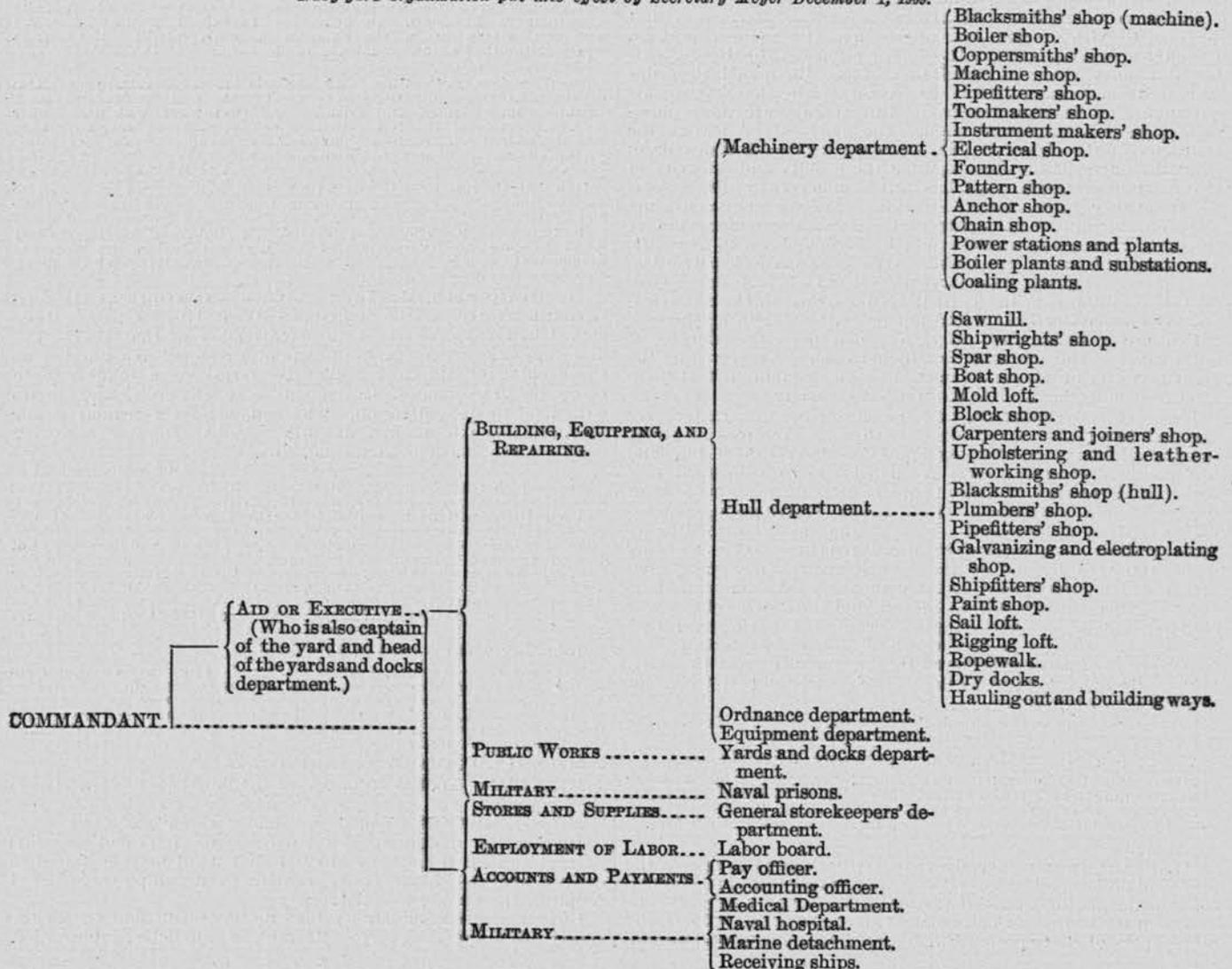
The Swift Board also recommended that the Bureau of Equipment be in the Division of Personnel, on the assumption that the Secretary could change the duties as recommended by the board. This change would have left the Bureau of Equipment only with navigational instruments, Hydrographic Office, and Naval Observatory. As the duties could not be changed merely by order of the Secretary, according to the Attorney-General's decision, I left the Bureau of Equipment in the Division of Material, where its present duties logically place it.

The Swift Board also recommended that the aid for material be a line officer. I changed the regulations so that the selection for aid for material need not be a line officer.

No other changes than the above from the Swift Board recommendations have been made.

THE MEYER PLAN.

Navy-yard organization put into effect by Secretary Meyer December 1, 1909.



Mr. FOSS. Mr. Chairman, I now yield one hour to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Chairman, availing myself of the latitude allowed under the rules of the House in general debate when the House is in Committee of the Whole House on the state of the Union, I desire at this time to address myself to the subject of "Muck-rakers of other days." On the 14th of April, 1906, upon the occasion of the laying of the corner stone of the new Office Building of the House of Representatives, President Roosevelt said:

In Pilgrim's Progress the man with the muck-rake is set forth as the example of him whose vision is fixed on carnal instead of on spiritual things. Yet he also typifies the man who, in this life, consistently refuses to see ought that is lofty and fixes his eyes with solemn intentness only on that which is vile and debasing. Now, it is very necessary that we should not flinch from seeing what is vile and debasing. There is filth on the floor, and it must be scraped up with a muck-rake; and there are times and places where this service is the most needed of all the services that can be performed. But the man who never does anything else, who never thinks or speaks or writes save of his feats with a muck-rake, speedily becomes, not a help to society, not an incitement to good, but one of the most potent forces for evil. \* \* \* The liar is no whit better than the thief, and if his mendacity takes the form of slander, he may be worse than most thieves. It puts a premium on knavery untruthfully to attack an honest man, or even with hysterical exaggeration to assail a bad man with untruth. An epidemic of criminal assault upon character does not good, but very great harm. The soul of every scoundrel is gladdened when ever an honest man is assailed, or even when a scoundrel is untruthfully assailed.

After that vigorous protest against indiscriminate attacks upon public officials, so far as some of the newspapers and magazines were concerned, it was hoped that a more moderate tone—a tone rather of criticism than abuse—would mark the course of these periodicals. As a matter of fact, the attacks still continue—possibly a little more virulent, if anything. Fortunately, the large majority of the newspapers and magazines of this country do not attempt to diverge from the path of fair, decent criticism. And I firmly believe that every honest man in public life welcomes that kind of criticism.

But there is another class of newspapers and magazines that descend to vituperation and abuse upon the merest pretext. Possibly it is done to swell the subscription list, for it is a matter of history that the circulation of the Richmond Recorder increased enormously when its editor, Callender, began his onslaughts on Thomas Jefferson. But at any rate these publications all too frequently impugn the motives and malign the character of the object of their attacks; they even endeavor to point the finger of suspicion against the probity and integrity of that particular official that has fallen under their displeasure. So frequently have attacks of this character challenged my attention during the past year that I began to wonder whether the early Presidents, whose names have come down to us as the very embodiment of the highest type of American patriotism and official integrity, were also the subject of such fierce villification and abuse in the periodicals published in their particular day and generation. I had not proceeded far in my investigation ere I found that they, too, had been the victims of muck-rakers. But knowing how their memory is revered by the great majority of our countrymen, I became convinced that these attacks usually have little effect upon posterity.

They are soon forgotten, and the men whose characters are assailed invariably stand out as shining examples in their country's history—shining examples for the youth of the land to follow and emulate. I am reminded of a little incident that occurred in the city of Sacramento in 1895 during a session of the California legislature. Maj. Frank McLaughlin, a well-known citizen of our State, was at the capital attending to some matters pending before the legislature. One morning there appeared in one of the San Francisco newspapers an article which reflected somewhat upon the good name and character of an estimable citizen of Oakland, Cal., wherein it was charged that he was gathering a corruption fund in order that he might be able to go to the capitol and defeat certain bills that were then being considered by the committees of the legislature. Indignant at the attack, this citizen wired to Major McLaughlin, as follows:

Brand the article in this morning's paper false as hell! Such tactics will act as a boomerang. I am coming up this evening.

Whereupon Major McLaughlin promptly wired back:

I have looked all over Sacramento but I can not find a "false as hell" branding iron. I would like to help you propel the boomerang, but I do not know just in which direction to throw it. Keep trappé, old man! To-day's newspapers are lost in starting to-morrow's fires.

[Applause.]

Mr. Chairman, my investigation has led me to recognize the profound philosophy concealed in that last sentence. I soon found that during the first administration of President Washington he had been the subject of more or less attack in the pamphlets and newspapers of that epoch. But it was during his second admin-

istration that the muck-rakers of that era came out in the open and made him the target of bitter invective and vituperation such as has seldom been equaled in the annals of our country.

As every student of history will recall, after the outbreak of the French Revolution there arose two powerful factions in the United States. One of these, under the leadership of Thomas Jefferson and his followers, strongly espoused the cause of France, especially in her struggle against England and Spain. The other, under the leadership of President Washington, which desired to maintain a strict neutrality, was accused of being pro-English. At any rate, feeling ran high, and it was openly charged that the French party was trying to embroil this country in a war with Great Britain. Some of the debates in the House of Representatives grew exceedingly acrimonious, and on the occasion of Washington's birthday in 1793 the usual resolution to adjourn for half an hour in order that the Congress might pay its respects to the illustrious Chief Executive was, for the first time, opposed, although the motion ultimately carried.

Realizing the necessity for settling the differences that existed between this country and England through diplomatic channels, Washington appointed John Jay, then Chief Justice of the Supreme Court of the United States, to the position of minister plenipotentiary and envoy extraordinary to the court of St. James, and the Senate promptly confirmed the appointment. It was then that the muckrakers began to pour out all their vials of wrath upon the head of the Father of his Country. As a matter of fact, some of the scribblers of that era began to assail him by calling him the stepfather of his country. But here are a few samples of the vaporings of the writers of that period:

It has now become a question whether Congress is necessary or of any utility to the country. To cast a retrospective eye at the present session, it would appear as if the \$6 a day were more an object of calculation than the interests of the people; to take a view of the Executive conduct, it would seem as if he considered a legislative body a dead weight upon the Government and was resolved to obstruct its operations by diplomatic appointments. Perhaps it would correspond more with the wishes of the Executive and his satellites if Congress was to adjourn sine die and leave all to them.

The President, not content with annihilating the people, wished also to annihilate the obligations of a treaty—the price of our liberties. Faithless, unprincipled, and aristocratical moderatist, who would offer up the liberties of thy fellow-citizens on the altar of administration, and the sacred obligations of our country, though perhaps not thine, on the altar of treachery and dishonesty!

How long is this to be borne with? How long are we to submit to the exertions of a set of men among us who wish to prostrate us at the feet of Great Britain and barter away everything freemen hold dear? Is there not one propitious gale to kindle the embers of expiring liberty again to consume its conspirators? Disguised moderatists, forbear! Freemen are slow to anger, but when aroused moderation and forbearance may forsake them.

The treaty which Mr. Jay negotiated was known as the Jay-Grenville treaty, or the British treaty of 1794, it having been signed in London on the 19th of November of that year. The first copy was placed in the hands of President Washington on the evening of March 7, 1795. Its terms seem to have been made public surreptitiously about a week later, and forthwith its friends and its opponents commenced a regular tirade of abuse, the one against the other. Soon after the following notice was printed in Richmond, Va.:

RICHMOND, July 31.

Notice is hereby given that in case the treaty entered into by that damned archtraitor, John Jay, with the British tyrant should be ratified a petition will be presented to the next general assembly of Virginia, at their next session, praying that the said State may recede from the Union and be left under the government and protection of 100,000 free and independent Virginians.

P. S.—As it is the wish of the people of the said State to enter into a treaty of amity, commerce, and navigation with any other State or States of the present Union, who are averse to returning again under the galling yoke of Great Britain, the printers of the United States are requested to publish the above notification.

John Jay was assailed in this fashion:

Hear the voice of truth, hear and believe! John Jay, ah! the arch-traitor—seize him, drown him, hang him, burn him, flay him alive! Men of America, he betrayed you with a kiss! As soon as he set foot on the soil of England he kissed the Queen's hand. He kissed the Queen's hand, and with that kiss betrayed away the rights of man and the liberty of America.

Mr. SHERWOOD. What is that from?

Mr. KAHN. That is from one of the newspapers of that particular period.

Mr. SHERWOOD. You do not know which one it was?

Mr. KAHN. I do not. But I will say to my friend that this extract and all the others which I shall read may be found in certain histories, biographies, memoirs, and pamphlets which I found in the Congressional Library.

But when it became known that the President had signed the treaty, there was a perfect torrent of vindictive abuse that

flowed from the pens of the partisan journalists and pamphleteers of that day and generation. The Aurora, one of the most rabid of the newspapers of that period, declared:

The President has violated the Constitution. He has made a treaty with a nation that is the abhorrence of our people. He has treated our remonstrances with pointed contempt. Louis XVI, in the meridian of his splendor and his power, never dared to heap such insults upon his subjects. The answers to the respectful remonstrances of Boston and Philadelphia and New York sound like the omnipotent director of a seraglio. \* \* \* As he has been disrespectful to his people, let him no longer expect them to view him as a saint.

One writer, who signed himself "A Calm Observer," in publicly accusing Washington of being a thief for having drawn from the Treasury for his private use more than the salary annexed to his office, asked:

What will posterity say of the man who has done this thing? Will it not say that the mask of political hypocrisy has been worn by Caesar, by Cromwell, and by Washington alike?

Another, who styled himself "Pittachus," wrote:

Happily the public mind is rapidly changing. Hitherto the name of Washington has been fatal to the popularity of every man against whom it was directed. Now it is as harmless as John O'Nooke or Tam O'Stiles. To be an opposer of the President will soon be a passport to popular favor.

One who assumed the nom de plume of Valerius attacked him because—

he no longer indulges in the manly walk, nor rides the generous steed; he no longer continues such exercise. He receives visits and returns none. Are these Republican virtues? Do they command our esteem?—he sententiously demanded.

From this time on till his retirement from the Presidency the attacks became more and more vitriolic. In reviewing these tirades against our first President a writer of a little later period said that his antagonists—

threw aside all reserve \* \* \* and under the abused name of the liberty of the press assaulted his fame with a virulence not inferior to that with which they could have attacked the meanest defaulter. His military, his civil, his political, his private domestic character were all arraigned, and he was asserted to be destitute of merit, either as a man or as a soldier. \* \* \* Having once made the charge of peculation against Washington, the imposters stood their ground and undertook to support it by extracts said to be taken from the Treasury accounts. The Secretary of the Treasury testified that the appropriations made by the legislature had never been exceeded. Still the charge was repeated with an effrontery which passed with some for the firmness of conscious rectitude.

To endeavor to prove that the writer of those lines did not overstep the bounds of truth when he characterized the attacks on President Washington in such forceful language I will, as I proceed, quote a few extracts from the newspapers and pamphlets that were issued toward the closing days of his administration. The Aurora, of March 23, 1796, printed this:

If ever a nation was debauched by a man, the American Nation has been debauched by Washington. If ever a nation has been deceived by a man, the American Nation has been deceived by Washington. Let his conduct, then, be an example to future ages; let it serve to be a warning that no man may be an idol; let the history of the Federal Government instruct mankind that the mask of patriotism may be worn to conceal the foulest designs against the liberty of the people.

What will posterity say of the man who has done this thing? Will it not say that the mask of political hypocrisy has been worn by Caesar, by Cromwell, and by Washington alike?

It seems almost incredible that in the days of President Washington such language could have been printed in any newspaper in this fair land. [Applause.] But the President resented this kind of attack. How could he do otherwise? How could any man, who had at heart the love of his country that our first great President had, do otherwise? How could any man of his patriotic nature have remained silent under such abuse? And so he wrote a letter to his friend, Governor Lee, of Virginia, and I commend to this committee the language of that letter, for it will may be taken as an excellent model of remonstrance against the vile attacks that are being made upon public men in our own day. The President said:

That there are in this, as in all other countries, discontented characters I well know, as also that these characters are actuated by very different views. Some good, from the opinion that the measures of the General Government are impure; some bad and (if I might be allowed to use so harsh an expression) diabolical, inasmuch as they are not only meant to impede the measures of government generally, but more especially to destroy the confidence which it is necessary the people should place (until they have unequivocal proof of demerit) in their servants for in this light I consider myself whilst I am an occupant of office; and if they were to go further and call me their slave during this period, I would not dispute the point with them. But in what will this abuse terminate?

For the result, as it respects myself, I care not. I have a consolation within me of which no earthly efforts can deprive me, and that is, that neither ambition nor interested motives have influenced my conduct. The arrow of malevolence, however barbed and pointed, can never reach my most valuable part; though, whilst I am up as a mark, they will be continually aimed at me. The publications in Freneau's and Bache's papers are outrages on common decency, and they progress in that style, in proportion as their pieces are treated with contempt, and passed over in silence by those against whom they are directed. Their tendency, however, is too obvious to be mistaken by men of cool and

dispassionate minds, and in my opinion, ought to alarm them, because it is difficult to prescribe bounds to their effect.

Every American is proud of this city of Washington, with its superb Capitol, and its modest but architecturally beautiful White House. The construction of these buildings was authorized and commenced during the administration of President Washington. Hark, now, to this extract from one of the publications of that period:

Ninety-seven thousand dollars have gone into the President's house and as much more is wanted. Eighty thousand dollars spent upon the Capitol and the building scarcely above the foundation walls.

[Laughter.]

And this wastefulness is encouraged by a Government that can not raise money to pay the interest on the debts it is each year contracting.

Has not that a familiar ring to it? But who, to-day, begrudges a single dollar that was expended upon either building?

Some of the charges of theft were summed up in this fashion:

General Washington went to the Treasury—some future President may go to the bank—the one step will not be a jot worse than the other.

If truth or reason or the public debt had been at all consulted the House would have begun by asking the Executive why he took from the Treasury \$1,100,000 without their leave and in contempt of the Constitution.

The fact that Washington, as a general rule, treated these calumnies with disdainful silence was construed by his enemies as a confession of their truth. But that the attacks sank deep and embittered the life of our first Chief Executive is evidenced by this extract from a letter written to Thomas Jefferson:

To this I may add, and very truly, that until the last year or two I had no conception that parties would, or even could, go to the lengths I have been witness to; nor did I believe until lately it was within the bounds of probability—hardly within those of possibility—that while I was using my utmost exertions to establish a national character of our own, independent, as far as our obligations and justice would permit, of every nation of the earth, and wished, by steering a steady course, to preserve this country from the horrors of a desolating war, I should be accused of being the enemy of our Nation and subject to the influence of another, and to prove it that every act of my administration would be tortured and the grossest and most insidious misrepresentations of them be made by giving one side only of a subject, and that, too, in such exaggerated and indecent terms as could scarcely be applied to a Nero, to a notorious defaulter, or even to a common pickpocket.

In the letter to Governor Lee and also in the letter to Jefferson, of which the foregoing is but an extract, Washington referred to a notorious muck-raker of that day whose name was Benjamin Franklin Bache. He was a grandson of Benjamin Franklin, had political aspirations, but failed to receive a coveted appointment from the President. He forthwith became a sorehead, and in season as well as out of season this black-guard hurled his miserable abuse at the then Executive. As early as 1777 a cabal had been organized against General Washington when he was Commander in Chief of the Continental Army. In order to destroy his influence in that army and to poison the public mind a number of forged letters were cunningly devised, so as to arouse a suspicion of his fidelity to the American cause. They were intended to convey the impression that he was attached to the cause of England.

In order to spread a belief in such an act of treachery, the conspirators circulated a story that these letters had been captured from Washington's mulatto boy near Fort Lee. They were shown to be rank forgeries at the time the story was first circulated, but this muckraker Bache now reprinted them as being absolutely genuine. I doubt whether we can find anywhere a more nefarious instance of bitter, vindictive partisanship. Other opponents of Washington reprinted the story, and it spread so rapidly and was repeated so persistently that at the very end of his administration, on the day of his retirement from the Presidency, Washington felt compelled to write a denial of the genuineness of the forged letters, and requested that this denial be placed among the archives of the Department of State, in order that future generations might not be deceived by the wicked designs of his enemies. It is but proper that I quote a portion of that statement at this time:

At the time when these letters first appeared it was notorious to the army immediately under my command, and particularly to the gentleman attached to my person, that my mulatto man, Billy, had never been one moment in the power of the enemy. It is also a fact that no part of my baggage or any of my attendants were captured during the whole course of the war. These well-known facts made it unnecessary during the war to call the public attention to the forgery by any express declaration of mine, and a firm reliance on my fellow-citizens, and the abundant proofs they gave me of their confidence in me, rendered it alike unnecessary to take any formal notice of the revival of the imposture during my civil administration. But as I can not know how soon a more serious event (referring, of course, to the probability of his early death) may succeed to that which will this day take place, I have thought it a duty that I owed to myself, to my country, and to truth, now to detail the circumstances above recited, and to add my solemn declaration that the letters herein described are a base forgery,

and that I never saw or heard of them till they appeared in print. The present letter I commit to your care and desire it may be deposited in the office of the Department of State as a testimony of the truth to the present generation and to posterity.

It almost passes belief that George Washington, the President of the United States, should have felt himself constrained to place among the public records of his country, in order that future muck-rakers might not revive the stories, this effective denial of the truth of assertions contained in the papers of his day and generation. [Applause.]

And, oh! what a pean of rejoicing arose from these muck-rakers when our first President relinquished the reins of government. Listen to this from the Aurora:

"Lord, now lettest Thou Thy servant depart in peace, for mine eyes have seen Thy salvation," was the plous ejaculation of a man who beheld a flood of happiness rushing in upon mankind. If ever there was a time which would justify the reiteration of that exclamation, the time is now arrived: *For the man who is the source of all the misfortunes of our country is this day reduced to a level with his fellow-citizens, and is no longer possessed of power to multiply evils upon the United States.* If ever there was a period for rejoicing this is the moment. Every heart in unison with the freedom and happiness of the people ought to beat high with exultation that the name of Washington from this day ceases to give a currency to political iniquity, and to legalize corruption. A new era is now opening upon us, a new era which promises much to the people; for public measures must now stand upon their own merits, and nefarious projects can no more be supported by a name. When a retrospection is taken of the Washington administration for eight years past, it is a subject of the greatest astonishment that a single individual should have canceled the principles of republicanism in an enlightened people, just emerged from the gulf of despotism, and should have carried his designs against the public liberty so far as to have put in jeopardy its very existence. Such, however, are the facts, and with these staring us in the face, this day ought to be a jubilee in the United States.

And this from the New York Daily Gazette:

Now should the people rejoice exceedingly and let their hearts be glad, for now is the source of all misfortune brought down to the level of his fellow-men. Now will political iniquity cease to be legalized by a name.

Here is still another ebullition:

After bringing the country to the very brink of ruin, Washington has fled from the gathering storm. Having run the ship between rocks and shoals he has abandoned the helm and left the vessel to her fate.

But the muck-rakers did not cease their attacks even after the retirement of the President and the inauguration of his successor. He had been accused of almost every imaginable offense, but on the 11th of March, 1797, he was actually accused of murder in a letter of the "Vox Populi" sort, which was published in the Aurora of that date. It is so vicious and so insidious that I am inclined to the belief that the writer, who signed himself "T. T. L.," must have been the progenitor of "A Citizen," "Justice," and the whole brood of literary hacks who seek to cover the vile emanations from their scurrilous pens with that kind of anonymity. Let me read it to you:

Mr. BACHE: I saw in your last number a letter signed "George Washington," solemnly denying the authenticity of certain private letters dated in 1776 and ascribed to him. For the honor of this country I sincerely rejoice that those letters were not genuine; but I must say that I think Mr. Washington blamable for not having earlier noticed the forgery. I own, for one, that his long silence produced in my mind disagreeable doubts—others have felt them—and I can not but think that as a servant of the public it was his duty immediately to have removed such doubts, since it was in his power to do it so readily. His personal pride should have been overcome for the sake of his public duty.

The necessity of public confidence being attached to officers in important stations, especially in a Government like ours, should have pointed out early to him the necessity, however disagreeable the task to his personal feelings, of stepping forward with a public denial of the unworthy sentiments attributed to him in those spurious letters. Since he prevailed upon himself to break the ice, there is another subject on which the public mind, I think, should receive some light. I have not known it lately to be a matter of public discussion, but it has been frequently brought forward in private conversations, and I never could find anyone capable of giving a satisfactory explanation, and probably from the old date of this transaction (1754) Mr. Washington may be the only person capable of giving an éclaircissement.

The accusation in question is no less than having, while commanding a party of American troops, fired on a flag of truce, killed the officer in the act of reading a summons under the sanction of such a flag, of having attempted to vindicate the act, and yet of having signed a capitulation in which the killing of that officer and his men was acknowledged as an act of assassination.

The charge is of too serious a nature, firing on a flag of truce is so unprecedented an act, even in savage warfare, and signing an acknowledgment of having been guilty of assassination so degrading to a man, and especially to a military man, that I feel confident there must have been some egregious misstatement in the account given of the business. I have imagined this also must be some forgery, or that Maj. George Washington, who was taken at Fort Mifflin in 1754, could not be the same person as George Washington, late President of the United States.

The transaction alluded to is recorded in a pamphlet published here in the year 1757, purporting to be the translation of a memorial containing a summary view of facts, with their authorities, in answer to the observations sent by the English ministry to the courts of Europe.

Mr. Washington can settle every doubt upon this subject by declaring whether this memorial was a forgery, whether the journal it contains, purporting to be his journal, and especially the capitulation, acknowledging the killing of Mr. Jumecville and his men to have been an act of assassination, were papers forged to answer the purposes of the French court or whether he is the Major Washington there alluded to.

T. T. L.

Of course the sole purpose of such slander was to embitter the declining years of Washington. Although the incident referred to had occurred some forty-three years earlier, Washington had kept a journal of the military expeditions to which he had been attached as a major of militia, and one paragraph of that journal will suffice to show how malicious was the attack on the ex-President. Washington had written:

They say they called to us as soon as they discovered us, which is an absolute falsehood, for I was then marching at the head of the company, going toward them, and can positively affirm that when they first saw us they ran to their arms without calling, as I must have heard them had they done so.

The journal gives a complete account of the entire affair, and the muck-raking newspapers did not long dwell upon the incident.

But perhaps the most bitter attack that was made upon Washington was that of Thomas Paine. He had been a staunch supporter of the Federal Constitution and of President Washington, and had frequently taken occasion to exalt them both, not only in speech, but also in writing. You will recall that he dedicated the first part of his Rights of Man to General Washington, and in that dedication addressed him thus:

Sir: I present you a small treatise in defense of those principles of freedom which your exemplary virtue has so eminently contributed to establish. That the Rights of Man may become as universal as your benevolence can wish, and that you may enjoy the happiness of seeing the New World regenerate the Old, is the prayer of  
Your most obliged, etc.,

T. PAINE.

In the second part of the Rights of Man he eulogized Washington as follows:

I presume that no man in his sober senses will compare the character of any of the kings of Europe with that of Washington.

As soon as nine States had concurred (and the rest followed in the order that their conventions were elected) the old fabric of the Federal Government was taken down and the new one erected, of which General Washington is President. In this place I can not help remarking that the character and services of this gentleman are sufficient to put all those men called kings to shame. While they are receiving from the sweat and labors of mankind a prodigality of pay, to which neither their abilities nor their services can entitle them, he is rendering every service in his power and refusing every pecuniary reward. He accepted no pay as commander in chief—he accepts none as President of the United States.

He wrote to the Abbe Raynall and extolled the wisdom, the greatness, and especially the military genius of Washington. During all these years he was a fulsome admirer of our first President. While in France he became a member of the National Assembly at the time of the French revolution, and was one of the committee that sentenced Louis XVI to be beheaded. Later on he quarreled with Robespierre, who promptly had him thrown into a dungeon. He frantically appealed to Washington to take him out of durance vile, and because the President did not move expeditiously enough to suit Mr. Paine in the matter—and it is but fair to state that the President felt that Paine was entirely responsible for his unfortunate predicament, and that having expatriated himself and become a citizen of France, this Government was not justified in interfering in his behalf—the erratic Thomas penned a villainous letter to the President, which, as a fair example of muck-rake literature, has few equals in the English language. I shall not dwell upon the parts in which he roundly denounced the Federal Constitution, that instrument that he had so richly extolled before, but I will read to you a few paragraphs from this miserable screed, which, of course, was given generous circulation by that portion of the press that still continued hostile to Washington and his friends:

When we speak of military character, something more is understood than constancy, and something more ought to be understood than the Fabian system of doing nothing. The nothing part can be done by anybody. Old Mrs. Thompson, the housekeeper of headquarters, who threatened to make the sun and the wind shine through Rivington, of New York, could have done it as well as Mr. Washington. Deborah would have been as good as Barak. The successful skirmishes at the close of one campaign, matters that would scarcely be noticed in a better state of things, make the brilliant exploits of General Washington's seven campaigns. No wonder we see so much pusillanimity in the President when we see so little enterprise in the General.

Elevated to the chair of the presidency, you assumed the merit of everything to yourself, and the natural ingratitude of your constitution began to appear. You commenced your presidential career by encouraging and swallowing the grossest adulation, and you traveled America from one end to the other to put yourself in the way of receiving it.

You have as many addresses in your chest as James II. Monopolies of every kind marked your administration almost in the moment of its commencement. The lands obtained in the Revolution were lavished upon partisans; the interest of the disbanded soldier was sold to the speculator; injustice was acted under the pretense of faith, and the chief of the army became the patron of the fraud.

And as to you, sir, treacherous in private friendship and a hypocrite in public life, the world will be puzzled to decide whether you are an apostate or an impostor; whether you have abandoned good principles or whether you ever had any.

But to my mind Paine's change of front is not unlike that of some of the muck-rake sheets of the present era. Have not we

all seen men high in public life extolled day after day and week after week in these muck-raking sheets or magazines, so long as they were willing to take the programme of the muck-raker? And have not we all seen these same muck-rakers bespatter the same men with their vile slanders, their infamous abuse, simply because the victims had the nerve and the courage to follow the paths of duty according to their own light and the dictates of their consciences? [Applause.]

There was another "muck-raker" of that period, to whom I will give but passing attention at present. I will tell you more about him a little later on. His name was Callender; and up to the time of Washington's death, this infamous wretch never lost an opportunity of vindictively attacking the former Chief Magistrate. He frequently accused the latter of walking through the Constitution, through the privileges of the legislature, and through the respective duties of his office.

Of Washington's military ability he wrote:

He was at the head of an army for seven years and a half and was several times beaten—his fame as a conqueror rests on the capture of 900 Hessians.

In a pamphlet entitled "The Prospect Before Us" he said of Washington and the now famous farewell address:

By his own account, Mr. Washington was twice a traitor—he first renounced the King of England, and thereafter the old confederation. His farewell paper contains a variety of mischievous sentiments.

[Laughter.]

These attacks embittered Washington's declining years; but they were soon forgotten, for when the great patriot's eyes were closed in everlasting sleep on December 14, 1799, the whole world was ready to acknowledge the truth of Lee's immortal tribute, "First in peace, first in war, first in the hearts of his countrymen." [Applause.] The muck-rakers who assailed him have gone to forgotten graves. Who notes or cares what vile slanders they published of him? His name will live, a beacon light in the world's history, and his fame will never die while the world shall endure. [Applause.]

During the administration of John Adams, the Federalist press and the Democratic press vied with each other in printing abuse of the adherents of the opposing political parties. The President was constantly assailed by the Democratic muck-rakers of that day. I shall not dwell at any length upon the articles that the delver into the contemporaneous newspaper literature of that period will bring to light, but I will content myself with quoting just a few excerpts from *The Prospect Before Us*, which was said to have been written and published by Callender while the latter was undergoing sentence in the Richmond (Va.) jail, having been convicted under the seditious laws that had been passed during the Adams administration.

He delighted to refer to President Adams as "a hoary traitor," and charged him with having "only completed the scene of ignominy which Mr. Washington had begun." Here is a fair sample of the mud with which he bespattered the then President of the United States:

In the summer of 1798 it was understood that Mr. Adams had remarked a resemblance of character between himself and the great and immortal Frederick of Prussia. This will not seem incredible when we call to mind what is positively true, that Mr. Adams, in a fit of passion, has twirled off his wig, and stamped upon it. I should, upon all common occasions, abhor the smallest reference to personalities like this. But it must be remembered, that our American Frederick has placed himself at the head of a whole battalion of the trumpeters of personal slander, and that an honest traveler may, with justice, knock down a footpad with the butt end of the robber's own pistol. It is not so well known, as it should be, that this federal gem, this apostle of the parsons of Connecticut, is not only a repulsive pedant, a gross hypocrite, and an unprincipled oppressor, but that he is, in private life, one of the most egregious fools upon the continent. When some future Clarendon shall illustrate and dignify the annals of the present age, he will assuredly express his surprise at the abrupt and absurd elevation of this despicable attorney. He will inquire by what species of madness, America submitted to accept, as her President, a person without abilities and without virtues; a being alike incapable of attracting either tenderness or esteem.

The historian will search for those occult causes that induced her to exalt an individual who has neither that innocence of sensibility which incites us to love nor that omnipotence of intellect which commands us to admire. He will ask why the United States degraded themselves to the choice of a wretch whose soul came blasted from the hand of nature, of a wretch that has neither the science of a magistrate, the politeness of a courtier, nor the courage of a man.

In his correspondence with England John was, to the degree, tame, pusillanimous, and contemptible, while toward France he was insolent, inconsistent, and quarrelsome to an extreme, which demonstrates a partial derangement of his pericranium.

But in order to give the President full justice we must recollect that the perfidy and imposture of his kidneys have a correspondent proportion to the crack in his upper story; that, as Dryden says, "every inch which is not fool is rogue;" that the now blasted tyrant of America, that ruffian who stigmatized the governor of Virginia as a minister recalled in disgrace, is supremely entitled not only to laughter but likewise to the curses of mankind.

Mr. Chairman, I am rather inclined to believe that our friends on the other side of the Chamber, our ancient enemy, the Democrats, are counting upon the present-day muck rakers to help

them sweep the country in the fall campaign. Indeed, I have seen quotations from several speeches of the distinguished leader of the minority upon this floor, wherein he confidently predicts the election of a Democratic House. But then the distinguished gentleman, my good friend from Missouri [Mr. CLARK], is rather given to the indulgence of that figure of speech known as hyperbole. I think he indulged in hyperbole when he stated in this House that "the greatest calamity that ever befel the human race since the fall of Adam was the second election of Grover Cleveland." [Laughter on the Republican side.] I do not think the country agreed with him then, and I do not think the country is taking him seriously now, when he predicts a Democratic House for the Sixty-second Congress. But I want to emphasize this fact, that the muck-rakers may make the people wobble a little now and then, but they generally wobble back again at election time when they shall have learned the truth through the public discussion of great public questions. That this is absolutely true is amply demonstrated in the life of that patron saint of democracy, Thomas Jefferson.

In the campaign of 1800 the Federalists charged that Jefferson—

had obtained his property by fraud and robbery; that in one instance he had defrauded and robbed a widow and fatherless children of an estate to which he was executor, of £10,000, by keeping the property and paying them money at the nominal rate when it was worth more than forty to one.

That this attack was earnestly resented is evidenced by a letter he wrote to a friend, in which he said:

I never was executor but in two instances, both of which having taken place about the beginning of the Revolution, which withdrew me immediately from all private pursuits; I never meddled in either executorship. In one of the cases only were there a widow and children. She was my sister. She retained and managed the estate in her own hands, and no part of it ever was in mine. In the other, I was a co-partner and only received, on a division, the equal portion allotted me. Again, my property is all patrimonial, except about seven or eight hundred pounds worth of lands, purchased by myself and paid for, not to widows and orphans, but to the very gentlemen from whom I purchased.

But he was so fearful of a newspaper controversy that he added:

I only pray that my letter may not go out of your hands, lest it should get into the newspapers, a bear-garden scene into which I have made it a point to enter on no provocation.

[Laughter.]

And there is not wanting other evidence that Jefferson was rather afraid of the muck-rakers of his day. He was a firm believer in freedom of speech, freedom of thought, and freedom of the press, but the viciousness of the newspaper attacks which were made upon him all through his administration so exasperated him that he actually advocated the appointment of government censors. In a letter to President Washington he wrote the following:

No government ought to be without censors, and where the press is free no one else ever will be.

[Laughter.]

On one occasion he remarked to a friend:

There is nothing true in the newspapers except the advertisements.

[Laughter.]

But I am inclined to think that many of those who have felt the sting of newspaper vituperation will not be willing even to subscribe to the doctrine that the advertisements are true. [Laughter.]

Nor were the journalists and the pamphleteers alone in this onslaught on the great Republican. A prominent Connecticut clergyman, in a campaign pamphlet, charges him with gross immorality and dishonesty. The Rev. John M. Mason, in a pamphlet which he called "The Voice of Warning to Christians," said:

I dread the election of Mr. Jefferson because I believe him to be a confirmed infidel. \* \* \* Christians! Lay these things together, compare them, examine them separately and collectively; ponder, pause, lay your hands upon your hearts, lift up your hearts to Heaven and pronounce on Mr. Jefferson's Christianity. You can not stifle your emotions nor forbear uttering your indignant sentence—infidel!

Parton, in his *Life of Jefferson*, is so indignant at the clergy of New England that he says they—

continued to revile the greatest Christian America had produced in terms surpassing in violence those which the clergy of Palestine applied to the founder of Christianity.

"He is an atheist," Dr. David Osgood, of Massachusetts, remarked, and "no better than the "race of demons" to whose service he had been devoted." [Laughter.]

Young Edward Payson, of Portland, signaled his entrance into public life by delivering a Fourth of July oration, in which he observed that Jefferson, Madison, Gallatin, and their colleagues were men of a character so vile that "the most malicious ingenuity can invent nothing worse than the truth."

Ah, my Democratic friends, have you read anything more severe in the muck-rake periodicals of to-day concerning our

own present Chief Executive, the distinguished occupant of the White House, William Howard Taft? I think not. [Applause on the Republican side.]

But the worst offender of all was the man Callender, of whom I have already spoken. He had been convicted of sedition during the latter part of President John Adams's administration, and had been sentenced to pay a fine of \$200 and to serve a term of imprisonment in the jail at Richmond, Va. It was while he was incarcerated there that he wrote the pamphlet, "The Prospect Before Us." When Jefferson became President he promptly remitted the fine and pardoned this muck-raker. Almost immediately thereafter Callender made a demand upon Jefferson for the appointment to the postmastership at Richmond. Jefferson, to his great credit, refused to make the appointment. And then, as in the case when Paine attacked Washington, this miserable creature dipped his quill into gall and wormwood and day after day served his readers with the vilest abuse of the first President elected by the Democratic party.

He became the editor of the Richmond Recorder, and "filled that paper with countless stories, partly his own and partly gossip gathered among overseers and scandal mongers. The sheet, hitherto a petty local publication, now found subscribers in the remotest sections of the country; for Callender's characteristic onslaught was of the most ignoble, but certainly of the most effective kind. He charged Jefferson with having been his friend and financial assistant and his confederate in the libels on Washington; but his chief topic was Jefferson's private life, and his many tales were scandalous and revolting to the last degree."

He charged Jefferson, among other things—

with having a family of negro children by a slave woman named Sally; with having been turned out of the house of a certain Major Walker for writing a secret love letter to his wife; and with having swindled his creditors by paying debts in worthless currency.

All these charges were welcomed by the Federalist press, reprinted even in the New York Evening Post [laughter], and scattered broadcast over New England.

It is stated that—

Every Federalist writer hastened to draw for his own use bucketful after bucketful from Callender's foul reservoir; and that the gossip about Jefferson's graceless debaucheries was sent into every household in the United States.

To be sure, such villainous abuse wears itself out in time; but, alas, too many people are prone to believe all that they read in the newspapers and the magazines, and until the readers become better informed the abuse has a malignant effect. And so these publications of the muck-raker Callender so poisoned the mind of William Cullen Bryant, then a mere lad of 14 years, that this youth published *The Embargo*; A Satire, a poem of 600 lines, against Mr. Jefferson, from which I quote the following:

Ye who rely on Jeffersonian skill,  
And say that fancy paints ideal ill,  
Go, on the wing of observation fly,  
Cast o'er the land a scrutinizing eye;  
States, counties, towns, remark with keen review,  
Let facts convince, and own the picture true!

When shall this land, some courteous angel say,  
Throw off a weak and erring ruler's sway?  
Rise, injured people, vindicate your cause,  
And prove your love of liberty and laws!  
Oh, wrest, sole refuge of a sinking land,  
The scepter from the slave's imbecile hand!  
Oh, ne'er consent obsequious to advance,  
The willing vassal of imperious France!  
Correct that suffrage you misused before,  
And lift your voice above a Congress roar;  
And thou, the scorn of every patriot's name,  
Thy country's ruin, and her councils shame!  
Poor servile thing! derision of the brave!  
Who erst from Tarlton fled to Carter's cave;  
Thou who, when menaced by perfidious Gaul,  
Didst prostrate to her whiskered minion fall;  
And when our cash, her empty bags supplied,  
Didst meanly strive the foul disgrace to hide,  
Go, wretch, resign the presidential chair,  
Disclose thy secret measures, foul or fair,  
Go, search with curious eyes for horned frogs,  
'Mid the wild wastes of Louisianian bogs,  
Or, where Ohio rolls his turbid stream,  
Dig for huge bones, thy glory and thy theme;  
Go scan, philosopher, thy charms,  
And sink supinely in her sable arms;  
But quit to abler hands the helm of State,  
Nor image ruin on they country's fate.

At a later period the great Irish poet, Tom Moore, visited the United States and heard all this slander rehearsed. He, too, believed it gospel truth, and in consequence he wrote the following stanza:

The patriot, fresh from freedom's councils come,  
Now pleased, retires to lash his slaves at home,  
Or woo, perhaps, some black Aspasia's charms,  
And dream of freedom in his bondmaid's arms.

And in order that the reader might not mistake the reference the poet adds a footnote to tell him that President Jefferson was the patriot intended to be described. [Laughter.] And just as the muck-rakers of the Washington administration uttered peans of joy upon his retirement, so the muck-rakers of the Jefferson administration shouted their hosannas upon the retirement from the Presidency of the writer of the immortal Declaration of Independence. Listen to this broadside:

At home, agriculture, manufactures, the fisheries, navigation, and commerce were encouraged and extended. The credit of the Nation was revived, its capital enlarged, and its revenues established, the public arsenals were replenished, a naval force created, and the American name upheld and revered throughout the world.

Such is the exact picture of our situation when Mr. Jefferson came into office. What is the state of the country now, as it passes out of his hands? Why this—this is Mr. Jefferson's work:

Our agriculture discouraged.  
Our fisheries abandoned.  
Our navigation forbidden.  
Our commerce at home restrained if not annihilated.  
Our commerce abroad cut off.  
Our navy sold, dismantled, or degraded to the service of cutters and gunboats.

The revenue extinguished.  
The course of justice interrupted.  
The military power exalted above the civil.

And by setting up a standard of political faith unknown to the Constitution the nation weakened by internal animosities and division at the moment when it is unnecessarily and improvidently exposed to war with Great Britain, France, and Spain.

So great a change accomplished in so short a time is unexampled in the history of weak and unfaithful administrations, and can have proceeded only from the want of that capacity, integrity, and prudence without which no government can long preserve the prosperity or the confidence of the country.

I dare say that when these lines were written they created impressions among the American people not unlike the impressions that the muck-raker of to-day is trying to create against men high in public station. [Applause.] But as we scan the life of Thomas Jefferson to-day, Republicans and Democrats, Populists and Socialists, regulars and insurgents, none recall the attacks that helped to embitter his life at the time that they were made, but we will never forget that he is the author of the Declaration of Independence, that he is the founder of the University of Virginia, and that it was due to his wisdom, foresight, and sagaciousness that the purchase of the extensive and fertile Louisiana territory was accomplished. [Applause.]

In the presidential election of 1824 none of the candidates had a clear majority in the electoral college, and the contest was decided in the House of Representatives by the election of John Quincy Adams. As soon as he had been inaugurated he selected his Cabinet and made Henry Clay his Secretary of State. Clay had also been a candidate, but his followers threw their strength to Adams and against Andrew Jackson, thereby insuring the defeat of "Old Hickory." Immediately the opposition newspapers declared that a corrupt deal had been entered into between Adams and Clay, and that in consideration of his assistance to the former the latter was made Secretary of State. There were denials and countercharges, criminations and recriminations in the papers, in pamphlets, and in the forum all through the administration of John Quincy Adams. There are a number of volumes of pamphlets in the Congressional Library that were published during the campaign of 1828, and their perusal at this late day causes one to marvel at their virulence and their vindictiveness.

In addition to much personal and political abuse, a vile charge was published against the President, and I quote from Volume VII of his Memoirs, in which he tells the muck-rake story in his own way:

30th. Mr. Everett called to make inquiries concerning an infamous calumny upon me contained in a note to an electioneering life of General Jackson, published by Isaac Hall, editor of a newspaper in New Hampshire. It is that, while in Russia, I attempted to make use of a beautiful girl to seduce the passions of the Emperor Alexander and sway him to political purposes. This is a new form of slander—one of the thousand malicious lies which outvenom all the worms of Nile, and are circulated in every part of the country in newspapers and pamphlets.

I told Mr. Everett the incident upon which this tale was raised; that when we went to Russia a very beautiful girl, a native of Boston, named Martha Godfrey, went with us as chambermaid to my wife and nurse to our son Charles, then a child 2 years old. Soon after our arrival at St. Petersburg, Martha wrote a letter, perhaps to her mother, relating stories that she had heard there of the Emperor's amours and gallantries. This letter, having been sent to the post-office, was, according to the custom there, opened, and sent as a curiosity to the Emperor, who was diverted with it and showed it to the Empress. They both felt a curiosity to see the girl who had written this letter, and some of the ladies of the court, who had visited Mrs. Adams, having seen Charles with his nurse, had spoken to the Empress of both in such manner as still further to excite her curiosity. The Empress then had a sister living with her, the Princess Amelia, of Baden. She expressed a wish to see Charles, and he was sent one morning to her apartment in the palace. Martha, his nurse, went with him, and while they were in the princess's apartment the Emperor and Empress both went there and passed perhaps ten minutes in talking with the child, and at the same time they had an opportunity of seeing the nurse, whose letter had afforded them some amusement. It is from this trivial incident that this base calumny has been trumped up. There

never was any other foundation for it. Martha Godfrey was a girl of irreproachable conduct. She returned to the United States with Mrs. Smith, married a very respectable musical-instrument maker in Boston, and died there within the last three or four years.

Later on in his Memoirs he again refers to this matter:

Mr. Clay had a note verbale from the Russian minister, Baron Krudener, complaining of the slander upon the memory of the Emperor Alexander in the pamphlet noticed by Mr. Everett, and inquiring if there were no means of obtaining reparation for it. I advised Mr. Clay to see the baron and say to him that there was no remedy against such libels in this country but contempt; but to observe that in this particular instance the calumny upon the Emperor Alexander was slight and evidently used only as inducements to the infamous imputations upon me and my wife.

But fortunately there came a day of reckoning for the muck-raker Hull. President Jackson nominated him for the position of Second Comptroller of the Treasury, but the Senate, by a vote of 33 to 15, every Senator being present, refused to ratify his nomination, and no secret was made of the fact that confirmation was refused by reason of his attacks on President and Mrs. Adams in his newspaper, the *New Hampshire Patriot*.

And oh, how the newspapers and pamphleteers grilled that other pride of Democracy, Andrew Jackson. [Laughter.] During this campaign of 1828 he was called a murderer, an adulterer, a traitor, an ignoramus, a fool, a crook back, a pretender, and so forth. Let me quote a few excerpts from the pens of the muck-rakers of the Jackson period. This is from the *Richmond Enquirer*:

We can not consent to lend a hand toward the election of such a man as General Jackson. He is too little of a statesman, too rash, too violent in his temper; his measures too much inclined to arbitrary government to obtain the humble support of the editors of this paper. We could deprecate his election as a cross upon our country.

And harken unto this blast from the *New York Evening Post*:

General Jackson, from the moment he was intrusted with command, has avowedly and systematically made his own will and pleasure the sole rule and guide of all his actions. He has suspended the executive, legislative, and judicial functions, with military sway. He has insulted in the Executive of the United States; spurned its authority, disregarded and transcended its orders. He has usurped the high prerogative of peace and war, intrusted by all nations to the sovereign power of the State, and by our own Constitution to Congress alone. He has broken the known law of nations, and promulgated a new code of his own, conceived in madness or folly, and written in blood. He has, in fine, violated all laws, human and divine.

[Laughter.]

During this bitter political contest a new form of periodical, known as campaign papers, was started. The most virulent were two, christened, respectively, "We, the People," and the "Anti-Jackson Expositor." The President's wife, and even his mother, became the subject of attacks.

In Philadelphia one John Binns issued a series of handbills, each bearing the outline of a coffin lid, upon which was printed an inscription, one of which I will quote to you:

This marble cell contains the moldering remains of the gallant David Hunt. He was the son of a soldier of the Revolution, a volunteer in the Creek war.

He faithfully served his country until his tour of duty had expired, when he left the camp and returned to the home of his brave parent, where, learning that his tour of duty had possibly not expired, he returned to camp and to his duty, the veteran father saying, "Go, my son; I am sure no harm can come to you; I, too, have been a soldier, and under Washington; a soldier returning to duty which he had left in error always found mercy." But the son nevermore saw the face of his venerable father. He was arrested, tried, and shot to death at four days' notice, by order of Gen. Andrew Jackson, on the 21st of February, 1815.

The militia of his native State erected this simple slab to his memory on the 4th of July, 1828.

Oh, my friends of the Democratic minority, I join with you in reprobating this product of the muck-rakers' pen on your idol and the idol of the American people during his lifetime. But did the assaults of the muck-rakers tarnish Andrew Jackson's fame? Not one jot. Nor will the onslaughts of the muck-rakers of the present tarnish the fair fame of those in high station to-day who are the targets for equally villainous abuse. [Applause.] So do not lay the flattering unction to your souls that because a few magazines and periodicals are at this time trying to fool the American people they will be successful. Long before the bleak November days shall have come the people will have seen the light of truth. That majority which you so confidently hope for will not materialize this year.

As the immortal Lincoln said:

You may fool some of the people some of the time; you may fool some of the people all of the time; but you can not fool all of the people all of the time.

[Applause on the Republican side.]

And the muck-raking allies of your Democratic newspapers are trying to fool all of the people all the time. [Applause on the Republican side.] The immortal Lincoln! What a world of emotion that name conjures up. No wonder all of his biographers speak of the sad expression of his countenance. Was ever mortal man so villified, so abused, so traduced, so defamed

as he was in his lifetime? He was ridiculed, reviled, and lampooned as no other man in our country's history. Gibes and jeers and sneers were his daily portion in the newspapers of this country, and even in some that were published abroad, during the whole civil war. "The baboon at the other end of the Avenue" and "That damned idiot in the White House" were some of the expletives applied to him by the muck-rakers of his day.

Mr. Lincoln was so outraged by the obloquies, so stung by the disparagements, his existence was rendered so unhappy, that his life became almost a burden to him. Lamon, his lifelong friend, says that one day he went to the President's office and found him lying on the sofa, greatly distressed. Jumping to his feet, he said:

You know, Lamon, better than any living man that from boyhood up my ambition was to be President; but look at me. I wish I had never been born! I had rather be dead than as President be thus abused in the house of my friends.

One delegate at Chicago declared that for less offenses than Mr. Lincoln had been guilty of the English people had chopped off the head of the first Charles. Another arose and asserted that—

Ever since that usurper, traitor, and tyrant has occupied the presidential chair the party has shouted "War to the knife, and the knife to the hilt!" Blood has flowed in torrents and yet the thirst of the old monster is not quenched. His cry is for more blood.

But why continue the recital of the calumnies, the insinuations, the half truths, and the downright lies that were printed in abuse of the great emancipator?

The muck-rakers who made his life miserable are nearly all rotting in forgotten graves. But the name of Lincoln will shine resplendent through all the ages. As long as the universe shall endure he will tower, giant-like, above the mere pygmies that hurled their scurrility at him, and the story of his life will prove an inspiration to millions of Americans in the generations yet to come. [Applause.]

Mr. Chairman, I could speak at great length of the abusive attacks that have appeared in the newspapers and the magazines of this country against Grant, and Garfield, and Cleveland, and McKinley, aye, and against Theodore Roosevelt. They had their detractors, their defamers. But their fame rests secure in the hearts of their countrymen. And while they all undoubtedly felt the injustice of the poignant shafts of abuse that were hurled against them by the muck-rakers of their respective periods, who to-day cares or even halfway remembers what was the nature or the character of the malicious onslaughts?

And so, my colleagues, we, too, can draw this moral from the lessons taught us by that fact: "To-day's newspapers are lost in starting to-morrow's fires." [Applause.]

Mr. PADGETT. I yield thirty minutes to the gentleman from Mississippi [Mr. SPIGHT].

Mr. SPIGHT. Mr. Chairman, a few days ago the gentleman from Ohio [Mr. HOLLINGSWORTH], under "leave to print," had inserted in the *RECORD* a belated speech which he vainly sought an opportunity to deliver during the last session of Congress. He then wanted to prevent the picture of Jefferson Davis from appearing upon the silver service about to be presented to a battle ship named in honor of the State of Mississippi. For reasons which reflect credit upon the Republican leadership of the House, he failed to give birth to this speech at that time, and it now comes as a child "born out of season," about a year after the period of conception. It would have been better had it been "stillborn." The silver service with the etching of Mr. Davis was accepted and has been on the *Mississippi* for nearly ten months, and no good reason can be seen for making this deliverance of the gentleman from Ohio at this untimely date. It was doubtless a burden to him to "carry" it longer, and it had to come, and I hope he feels relieved.

In view of the general good feeling which prevails between the two great sections of our country heretofore called the North and the South, all of which is now a united Republic, I would not ask the indulgence of the House to reply to the speech of the gentleman from Ohio but for the fact that in vindication of the truth of history some statements made by the gentleman ought to be refuted. In making this reply nothing is further from my purpose than to make any appeal to sectional prejudice or passion. I trust that I shall not be betrayed into uttering a word that can reasonably offend the sensibilities of any man who fought under a different flag from that which I followed for four bloody years. I do not intend to say anything to wound the feelings of anyone, in or out of Congress, who belongs to a generation which has grown up since the great civil war.

The gentleman from Ohio, almost in the beginning of his speech, says, "Only one man, Jefferson Davis, of all the confederacy spurned the Government's generous proffer to restore

forfeited citizenship." This carries with it, necessarily, a charge that a "generous Government" offered amnesty to Mr. Davis, and that he contemptuously rejected it. What is the truth of history? In the proclamation of President Andrew Johnson, dated May 29, 1865, less than two months after the surrender at Appomattox, about thirty days after the surrender of the army under Gen. Joseph E. Johnston at Greensboro, N. C., three days after the forces under command of Gen. E. Kirby Smith surrendered, and about twenty days after the capture of Mr. Davis, amnesty was denied to Mr. Davis and quite a number of other confederate officials. It is true that there was a later clause which provided that if any one of this class who were excepted should come in and pray for "pardon," it might be granted. I withhold nothing. I want the whole truth to be known. I am not speaking alone to the Members of this House, nor even to this generation, but I want the truth to be known for all time, and it therefore behooves me to deal fairly and accurately.

I do not intend to offer either an apology or a defense for Mr. Davis. He needs neither. It must not be forgotten that at the date of the issuance of this proclamation Mr. Davis was charged with complicity in the murder of President Lincoln, and a reward of \$100,000 was offered for his apprehension. Later he was charged with responsibility for the conduct of Captain Wirz in command of the military prison at Andersonville, Ga. In the latter case, although persistent efforts were made to induce Captain Wirz, then under sentence of death, by promises of leniency, to implicate Mr. Davis, not a word of evidence could be found against him. Equally futile was the effort to connect him, even remotely, with the assassination of Mr. Lincoln.

After his capture by General Wilson on the 10th day of May, 1865, Mr. Davis was confined in a dungeon at Fortress Monroe for a period of about two years. The brutality of his treatment there has never been equalled in all civilized history. The banishment of Napoleon to the island of St. Helena, after the disastrous battle of Waterloo, and the indignities heaped upon him, stamped a blot upon the English escutcheon which time can never wipe out. The wholly inexcusable and unnecessary act of riveting shackles upon the proud limbs of Mr. Davis is without a parallel. It is not strange that all connected with this outrage have, during all the succeeding years, been trying to shift the responsibility.

For a long time he was not even permitted to hear from his wife and children—the refinement of cruelty. Later, on the 26th day of March, 1868, he was indicted in the federal court at Richmond, Va., for treason. He repeatedly demanded a trial on this charge, but it was never accorded him. It would be trifling to say that this denial was based upon any feeling of sympathy for the distinguished prisoner. It was only because the law officers of the Government knew he could never be convicted. On the 11th day of February, 1869, on motion of attorneys for Mr. Davis, the sureties on his bond were discharged, but there has never been up to this time a formal order dismissing the case, as shown by the records of the court.

I do not mention these matters for the purpose of arousing any passion or in a spirit of controversy, but because the truth should be known and to disprove the charge that Mr. Davis "spurned" amnesty. If it had been possible for a man of his high sense of honor to forget his manhood and the convictions of a lifetime and prove recreant to the people who had trusted him, he might have bowed his head in shame and applied for a pardon. In doing this he must have necessarily admitted his guilt, because if he was not guilty there was no crime to be pardoned. This course was utterly impossible for Jefferson Davis. Leaving out of consideration his own sense of propriety, his recollection of personal indignities, his manhood, and duty to his friends and followers, there is not a decent man in all the world, no matter upon which side of the great conflict his sympathies were aligned, who would not have denounced him as a coward and a traitor to his own people.

This is not all. In 1879 an amendment of the pension laws was pending in the Senate of the United States to extend the benefits to soldiers of the war with Mexico. The effort was made to debar all veterans of that war who afterwards served in the confederate army or navy. Mr. Davis, anticipating that there might be trouble on his account, in the magnanimity of his great and loving heart, wrote a letter, which was published in the CONGRESSIONAL RECORD of that date, appealing to his friends not to allow any personal objections to him to stand in the way of justice to his comrades. Although he was one of the most distinguished American officers in that war, the result of which added so much to our domain, he would gladly be prescribed in order that the gallant men who gave so much of their young lives for the glory of the American flag might be provided for in the poverty of their old age.

Notwithstanding this voluntary offer of sacrifice, another amendment was proposed specifically exempting Mr. Davis from the provisions of the bill. This provoked one of the most animated debates of that session. Mr. Lamar, one of the most gifted of the great Senators of his generation or of any other, recognizing that Mr. Davis, the "man without a country," was somewhat like the fabled Prometheus, used the classic expression:

It was not an eagle, but a vulture, that preyed upon his vitals while he was chained to the rock.

It has been intimated that after the close of that dreadful conflict Mr. Davis continued to inculcate doctrines of disloyalty. Nothing is further from the truth. Like his great general, Robert E. Lee, when he surrendered his shining blade under the tree at Appomattox, he advised his followers through four long years of bloody strife to return to their homes and prove themselves as worthy and law-abiding citizens in times of peace as they had shown themselves heroic soldiers in war.

The very last paragraph in his great book, *The Rise and Fall of the Confederate Government*, must forever set at rest the question of the disloyalty of Mr. Davis. In this he said:

And now that it (secession) may not be again attempted, and that the Union may promote the general welfare, it is needful that the truth, the whole truth, should be known, so that crimination and recrimination may forever cease, and then, on the basis of fraternity and faithful regard for the rights of the States, there may be written on the arch of the Union "Esto perpetua."

Union, be thou perpetual; live forever. Daniel Webster never uttered a sublimer sentiment. Yet we are told that Mr. Davis died a traitor, and in some quarters he has been compared to Judas Iscariot and Benedict Arnold. As the ages roll by and the clouds of passion are dissipated the name and fame of Jefferson Davis grow brighter, and we of the South can afford to await the judgment of the impartial historian.

The gentleman from Ohio was not content to hurl his anathemas at Mr. Davis, but he indulges in gratuitous, unprovoked slander of all the people of the South in this unfounded statement:

Silently and insidiously, night and day, in the schools, churches, and other organizations for the control of public sentiment in the South, the leaven of distrust and discontent seems to be constantly working.

I believe it was Edmund Burke, the great Irish orator, who said he did not know how to draw an indictment against a whole people.

The gentleman from Ohio has gone far beyond the capacity of Burke and has indicted all the women and all the girls, all the men and all the boys, all the preachers and all their congregations in the South. Smarting under criticisms of newspapers, some in the South and some in the North, I can understand how, in his overwrought feelings, he imagined that everybody who did not agree with him was teaching disloyalty; but I advise him that, while it is easy to make a charge, there ought to be some sort of evidence to sustain it. This the gentleman from Ohio has not got, and he can never find it. I well remember that after the life of the sainted McKinley had been taken by a murderous anarchist, in these same schoolhouses and churches and in the temples of justice all over the Southland, the "voice of mourning" was heard and resolutions of sympathy for the sorely stricken wife were adopted. McKinley was a Republican and also from Ohio, but he was an apostle of the doctrine of "Peace on earth, good will toward men." He fought us valiantly during the great war, but he quit fighting when we laid down our arms. He spoke words of kindness and cheer, and we loved him. He illustrated the truth of what Sir Walter Scott makes one of his characters in *Old Mortality* say: "I never knew a real soldier who was not a true-hearted gentleman."

The gentleman from Ohio objects to the presence in Statuary Hall of the bronze statue of Robert E. Lee in the uniform of a confederate general. It is there by the action of the sovereign State of Virginia, by authority of an act of the Congress of the United States, which permits any State to place therein statues of two of her most distinguished citizens. Virginia selected George Washington and Robert E. Lee. Who will deny that they are "two of her most distinguished citizens?" The law does not provide a board of critics to determine whether any State has made a wise selection, but each State has final jurisdiction to settle this question within itself. The judgment of friends and foes alike is that, in point of purity of life and character and military genius, General Lee was the peer of any man of any age, and a fit companion for the Father of his Country.

During my twelve years of service in this House I have never said a word or cast a vote that was intended or could be construed as an effort to stir the ashes of the dead fires of civil-war issues. [Applause.] On the contrary, actuated by

what I feel are patriotic purposes, I have endeavored to cultivate a pacific sentiment between the North and the South without indulging in any time-serving or sycophantic policy.

I have been especially glad to cultivate friendly relations and good comradeship with the gallant old men in Congress who "wore the blue" in the trying days of the civil war. I think I can safely appeal to, at least, some of these grand old men for the truth of this statement. I am glad to feel that some of the best personal friends I have in this House are ex-federal soldiers in the great civil war who never disgraced their uniforms. For four years of unexampled hardships and suffering we fought under different flags, each striving for what he believed to be right. Together we wrote the brightest pages in the martial annals of the world. We have bequeathed to history the indisputable fact that Americans are the best soldiers on earth. [Applause.] Our heroic deeds are a common heritage of glory. I would not deny to you, my federal friends, one sprig of laurel in the crown of your successful warfare. I do not believe that in the magnanimity of your great hearts you would rob us of the smallest meed of praise for heroic efforts in defense of a "lost cause." When I have met you I have loved to say "I am glad we did not kill each other. Now, let us be friends." In the warm hand clasp and in the flash of dimming eyes I have read your answer. [Applause.] I shall not permit myself to be provoked into a discussion of the great questions upon which we divided in the fateful days from 1861 to 1865. No good can come of it, and I have no disposition to arouse antagonisms which it were better to allow to sleep. Let the impartial historian of the future be the arbiter to settle the burning issues for which we fought, each as God gave him to see the right. One thing we may all rejoice in, that to-day we are all citizens of the same great Republic. We are under one flag, we have a common destiny, and are equally proud of the fact that ours is the richest, freest, proudest, and most powerful nation on the face of the earth. As was demonstrated in the recent war with Spain, when the Stars and Stripes are in the forefront of battle there is no North, no South, no East, no West, but all are Americans, ready to defend with their lives the honor of the flag. In that war I saw my own son, with the blood of a confederate soldier in his veins, side by side with the son of a federal soldier under the flag of a common country, each ready to do, to dare, and to die in defense of its sacred folds. [Applause.]

When I remember that the gentleman from Ohio began his congressional career on the 4th of March of last year I can not escape the conviction that if he had been here longer and had had time to imbibe some of the spirit of his great captain, U. S. Grant, who said in his last moments, "Let us have peace," he might not have felt called upon to introduce this disturbing factor of a slumbering passion. It can not be that the people of his district in the great State of Ohio want him to reopen the wounds so happily healed. I would not be understood as raising a question as to the gentleman's motive, but I must be allowed to express a doubt as to the wisdom of his course.

The evident purpose of this resolution was either to assail the patriotism of Mississippians, or else to deny to them the right as citizens of a great member of the sisterhood of sovereign States to present a silver service to a battle ship named in their honor. If before this testimonial of our appreciation could be accepted it must be submitted to the inspection and approval of people like the author of this resolution, it is safe to say it would never have been done. Would the self-respect of any State in this Union submit to such a censorship? Mississippi is to-day as loyal to the Union and as free from any desire to see it disrupted as are any of her sisters. When the call to arms was heard in 1898 her best blood, the sons of confederate soldiers, responded promptly and chafed sorely because they were not given position in the forefront of battle. Loyal as they are, and ready to die for the honor of the flag, they are also a proud people and jealous of their manhood. I do not speak by authority, nor in any spirit of bravado, but I believe that the commission representing the citizenship of the State in this matter would have resented this imputation upon their loyalty, and that the people of Mississippi would rather have seen this costly testimonial sunk forever in the bottom of their mighty river than at such dictation to have a line stricken from it that was put there at the suggestion of loyal and loving hearts.

There is not in all of this an indication of the slightest desire to raise a sectional issue. That Mississippi is proud of her history and of her position as a sovereign State of the Union is not to be wondered at, and surely no right-thinking man will find fault with us for this.

In field and forum, in peace and in war, her position has been established. In the realm of oratory Prentiss and Lamar must ever remain shining examples. As soldiers, she points with pride to Davis and Walthall and dozens of others. In con-

structive statesmanship none excelled her George. In the science of jurisprudence her field is full. No greater preachers than her Lowrey, Galloway, and Waddell ever proclaimed the "unsearchable riches of the gospel." Her Anglo-Saxon blood is of the purest; her citizenship is of the best; her women of the fairest and sweetest, and her men of the bravest.

To-day we have what can be claimed by no other State in the Union, seven native sons of Mississippi in the Senate of the United States—MONEY and PERCY, from Mississippi; CLARKE, from Arkansas; NEWLANDS, from Nevada; GORE, from Oklahoma; CHAMBERLAIN, from Oregon; and BAILEY, from Texas. This is a record which has never been equaled.

If we are, in truth and in fact, coequal States, there should be no caviling as to individual dignity. We are members of a great sisterhood of States, each supreme in its sphere under the limitations of the Constitution, with the right to demand equal privileges and freedom from unjust encroachments. Love of country and pride in her institutions are to be cultivated as the greatest safeguards of the Republic and should be circumscribed by no sectional boundaries nor poisoned by any outburst of passion. [Applause.]

Mr. PADGETT. Mr. Chairman, I now yield to the gentleman from Ohio [Mr. SHERWOOD].

Mr. SHERWOOD. Mr. Chairman, I have been very much entertained by the great speeches delivered on this floor during the last twenty-four hours: First, the great speech of the gentleman from Missouri [Mr. BARTHOLDT] in favor of peace and international arbitration; second, the speech of the gentleman from Alabama [Mr. HOBSON], one of the most brilliant speeches I have listened to on that side of the question. In my ideals the speech of the gentleman from Missouri represents the true ethical movement of this age, and the speech of the gentleman from Alabama represents the military spirit of the sixteenth century.

I do not believe in the doctrine that great armies and great navies are necessary to preserve peace. I do not believe that peace in the canine tribe would be promoted if every man would breed and train a fighting bulldog. I do not believe the brutal pastime known as prize fighting would be stopped or even retarded if every city should establish a ring for training athletes in the boxing game.

I was for war myself at one time in my life. In the first battles from 1861 to 1865 I was imbued with the military spirit, but after I had been in forty battles I became an advocate of peace, and I have been a Quaker ever since, for forty-five years. I believe to-day that if one thing more than anything else is needed in this country it is that we should have more Quakers and fewer battle ships. Of course the Secretary of War, who represents the military spirit of the army, is in favor of a big army; and the Secretary of the Navy, who stands, with the eloquent gentleman from Alabama [Mr. HOBSON], for our naval control of the seas and oceans of the world, wants a larger and more formidable navy than any of the empires and kingdoms of either Europe or Asia. But why, and what for? We are at peace with all the world, with no threat of war anywhere around the world. In a time of profound peace it should be the policy of this Government, claiming to be a government dominated by the benign spirit of the only Christ, to make every possible effort to make that peace permanent and perpetual. Centuries have elapsed since the question of individual rights or protection has been settled by either the pistol or the dagger. Since civilization was born from the womb of the dead centuries of barbarism human rights—or individual rights—have been settled by courts interpreting laws made to protect those rights. Why should not nations do likewise? And if we are really a republic based upon the doctrines of equality, justice, and the Christian faith, why should not international courts, the joint product of Christian nations, settle all questions involving the rights of nations? Nations are only aggregations of the individual man. And why should not the foremost Christian nation lead in this great movement to stop the cruel and awful waste of war—stop the exhaustion of the earnings of the industrial and business classes, to equip idle armies and useless navies that produce nothing but despair and bankruptcy for the taxpayers? It is Victor Hugo who says:

The chief cause of war is to be found in the armaments of nations.

Of course all the officers of the army and navy desire a great military establishment, and I am sad to confess that, since our easy victory over Spain, the war spirit has become rampant and dangerous throughout the United States. And this spirit has dominated the legislation of Congress and the executive department of the Government. It has loosened the moral tone of society, created wicked waste and criminal extravagance in appropriations, and precipitated the most

disastrous money panic in the entire record of panics, on either continent.

All the great preachers and students of prevailing conditions concede that we have been on a moral toboggan slide for at least a decade. No military people were ever a moral people or a progressive people. In a great little pamphlet by that forceful advocate of civic righteousness, Ernest Crosby, I find adequate ideas fitting my convictions, from which I quote:

It can hardly be denied that naval men desire naval war. They would not be worth their salt if they did not. When the lawyer actually wishes for the abolition of litigation, when the physician prays honestly for the disappearance of patients, when any man longs for the lack of opportunity to practice his chosen profession or trade, then, perhaps, will the professional fighter yearn for peace. But the soldier, *quod* soldier, ought to wish for war. It is his only business.

And now let me remind the earnest and eloquent gentleman from Alabama [Mr. Hobson] and all others who have allowed the cruel war spirit to absorb the benign doctrines of the Prince of Peace, that the time is now due, and overdue, to stop the awful waste of the people's energies, and the constant lowering of the old patriotic ideals, and make a heroic effort to make this a nation devoted to the industrial arts, and the moral elevation of our citizenship.

President McKinley, who had been through one great war, hence had been sobered and made sensible—President McKinley, who hated war as a business because he knew what the ravages of war meant, both to the soldier at the front and to the citizen at home, was opposed to the war with Spain in 1898. He knew Spain as a power had been ruined by over three hundred years of militarism and imperialism, and was then standing at the grave of nations. President McKinley favored diplomacy to settle the Cuban question. So did his great Secretary of State, John Sherman. But President McKinley was overwhelmed by the jackassical jingoes of the period, and we were plunged into a costly and useless war that has already converted this Republic into a military autocracy—and the end is not yet. We are now burdened with vast island possessions in the tropical Orient that have already cost us over one thousand millions of dollars, and the lives of over twelve thousand young soldiers, with a pension list for the disabled victims already over twenty millions more—Islands absolutely useless for any purpose to the United States; islands that are both a burden and curse.

The eloquent gentleman from Alabama [Mr. Hobson] stated in his plea for more battle ships, that if we had had three more battle ships at the time of the war with Spain, there would have been no war. This statement has no substance outside the mere assertion of the distinguished gentleman. I feel invited to controvert this statement with the assertion that if we had had one less battle ship there would have been no war. And now I propose to prove it, not by a mere assertion, but by convincing record evidence. Had the battle ship *Maine* never entered the harbor of Habana there would have been no war. It was the wild excitement created throughout the country by the blowing up of the *Maine*, with its precious freight of human lives, that raised the war spirit to such a pitch of ferocity that President McKinley and the Congress were overwhelmed. It is now known that Gen. Fitzhugh Lee, then United States consul at Habana, notified the President not to send the *Maine*, or any other battle ship, to Habana during the chaotic and excited condition of affairs on the island. And the Hon. John Sherman, conceded to be the ablest man, and the ripest and most experienced statesman in the Cabinet, who was Secretary of State and in charge of the negotiations with the Spanish Minister Sagasta, said, in a public address at Mansfield, Ohio, that he could have negotiated a treaty with Minister Sagasta, by which Spain would have peacefully withdrawn her army from the island of Cuba without shedding a drop of the blood of an American soldier. Mr. Sherman said, in the same public address (the last he ever made), that the "insurrectionists" of Cuba had the Spanish army at bay and were already in possession of over two-thirds of the island before we declared war against Spain. Hence, when I state that this one battle ship (one too many) and the irrational and crazy war spirit of the jingoes were responsible for our war with Spain, the evidence, which is of the highest possible character, fully establishes the claim. This is evidence that can not be successfully disputed.

In *A Plea for Peace*, by Ernest Crosby, I find reference to a pact or treaty with England that is of tremendous import in the present debate:

Hidden away in the archives of the Department of State at Washington is a little document which has attracted but small attention; and yet its effect upon the welfare of two nations has been immense, while its purport is altogether unique. It is an "Arrangement" between the United States and Great Britain, bearing date April 28, 1817, and signed by Richard Rush, acting as Secretary of State on behalf of this country, and Charles Bagot, envoy extraordinary of His Britannic Majesty. The entire contents of this document could easily

be copied upon a half sheet of paper, and it reads in substance as follows:

"The naval force to be maintained upon the American Lakes by the Government of the United States and His Majesty shall henceforth be confined to the following vessels on each side, that is:

"On Lake Ontario, to one vessel not exceeding 100 tons burthen, and armed with one eighteen-pound cannon;

"On the upper Lakes, to two vessels (of the same burthen and armament);

"On the waters of Lake Champlain, to one vessel (of the same burthen and armament);

"All other armed vessels in these lakes shall be forthwith dismantled, and no other vessels of war shall be there built or armed."

I am representing a district on the southwest shore of Lake Erie, and my people know, by an experience running back over three-quarters of a century, of the inestimable value of this peace pact. The whole shore and border line, for over 2,000 miles, between the United States and Canada, is to-day unvexed and unmenaced by any hostile cannon or threatening forts, on either shore. By this humane agreement millions and millions of money that otherwise would have been spent on armies and navies is now used to promote the benign pursuits of peace, and no great battle ships, with idle guns and idle men, will ever be needed to protect the freighted transports of peace, amity, and prosperity on all the Great Lakes. What we demand now is that a part of the millions now recommended by the President for two great battle ships be devoted to the improvement of our rivers and harbors, to give a wholesome impetus to our rapidly growing commerce on these great inland seas. And let me remind the devotees of more battle ships on this floor that England is the only power across the Atlantic that ever provoked a war with the United States. In the brief skirmish with Spain we were the aggressors. England is the only power across the Atlantic that holds dominion on any of our border lines. Hence if we can disarm our forts and battle ships on all the Great Lakes without friction or danger for ninety-three years why should not we, as a Christian nation, lead a great movement for disarmament for all the world? In any event, what possible excuse can there be for increasing our naval armament when we are at peace with all the world, and when the entire Christian Church, and all the leaders and thinkers of any account in our ethical schools and universities are against standing armies and big navies? What possible excuse can be offered for the Congress of the United States to squander twenty millions more of our hard-earned tax money on useless engines of war when we are running behind over \$50,000,000 a year, notwithstanding the highest tariff taxes ever known? Already the whole industrial world is in a state of unrest and in almost universal protest against the prevailing criminal waste of the nation's resources.

Up to the time of our war with Spain we had always been fortunate in our leaders in wars and in our diplomacy following wars. In the two great epochs of our marvelous career—the close of the war of the Revolution and the close of the war for the unification of the States—our ideal heroes became ideal leaders in diplomacy.

France, at the period of the French revolution, was as ripe for free government as the colonies of America at the close of the Revolutionary war. She had a Rousseau for our Thomas Jefferson, a Necker for our Benjamin Franklin, and a Talleyrand for our Alexander Hamilton—but she had no George Washington; no leader of commanding force, loving liberty with stability better than power. And we know what became of France. The hero of our great war, General Grant, loved peace and stability better than power. He put aside ambition and indorsed with enthusiasm the Geneva court of arbitration, which averted a war with Great Britain.

Let us not forget that General Grant after Appomattox mustered out the greatest body of trained soldiers the modern world had ever seen. When we had over 1,500 miles of western border line peopled for hundreds of miles with hostile Indians, Grant reduced our great army down to the old standard of only 25,000 men. He put the South upon her honor, and we know she kept the faith. This faith was well and truly told in a poem written by a friend of mine twenty-five years after the battle of Shiloh. It was read at the dedication of a monument to Gen. Albert Sydney Johnson in New Orleans in 1887. I quote a single verse:

Aye, five and twenty years, and lo, the manhood of the South  
Has held its valor stanch and true as at the cannon's mouth;  
With patient heart and silent tongue has kept its true parole,  
And in the conquests born of peace has crowned its battle roll.

There was a powerful and aggressive element in the North after Appomattox clamoring for a war with England. There was a continental clamor for our veteran army to invade and capture Canada. During the war confederate cruisers, built in English shipyards and armed in English arsenals, had driven

American commerce from the seas and oceans of the world. Had a Napoleon or a Frederick or a Roosevelt been in command at the close of hostilities we would have been plunged into a war with England. Morley says, in his *Life of Gladstone*:

The treaty of Washington and the Geneva arbitration stood out as the most notable victory in the nineteenth century of the noble art of preventive diplomacy, and the most signal exhibition of self-command in two of the three great powers of the Western World.

At Appomattox Grant stood on fame's topmost pinnacle, the foremost man of all the world, but in the treaty of Washington he was greater than at Appomattox.

And after the greatest soldier of the modern world had served two terms as President he started on his memorable tour around the world. While in Paris he was invited by a military cabal to visit the gilded tomb of the great Napoleon. He declined, saying he would visit the tomb of no great general who won his stars and his fame in wars of conquest. Grant, the soldier of democracy, would not pay tribute to the greatest soldier of modern Europe, because he stood for conquest and imperialistic rule.

Our easy victory over Spain has made the American people war mad, and we have now the most expensive military establishment of any of the empires of either Europe or Asia. The simple life of this Republic has been supplanted by the forms and criminal extravagance of a military autocracy.

To illustrate: Lately, on this floor, a measure came near the majority to make extravagant appropriations to house in gilded palaces our ministers and ambassadors in the leading European capitals. It was never intended, when our heroic forefathers set the young Republic on its experimental career, that our representatives abroad should ever attempt the vulgar display in rivalry with the representatives of the blood royal in Europe. Witness Benjamin Franklin at the court of Louis XVI of France, in simple black dress, with no gilded decorations and attempting no extravagant levees. Witness John Adams at the court of George III of England, dressed in the plain clothes of an American citizen. What is the principal business of these ambassadors extraordinary? Largely social functions; to entertain the select four hundred of our traveling multimillionaires, who spend a share of their easy millions hobnobbing with the earls and dukes and princes and carpet generals of Europe and Asia. The business for American citizens abroad is done by our consuls. To-day militarism, extravagance, vulgar display, courting in obsequious obeisances the society of titled nobility, all go together, hand in hand, making a total wreck of our much-professed devotion to democratic ideals.

One of the greatest of jurists and humanitarians has just passed away. I refer to Justice David J. Brewer, of the Supreme Court. His work, his mission for the cause of peace will make his name a sacred memory as long as the Republic shall live. Let me quote from an address delivered by Justice Brewer, in June, 1909, at Atlantic City, N. J.:

For untold centuries the battlefield settled all tribal or national disputes. Then, twenty centuries ago there came a change. The heavens above the plains of Bethlehem were filled with a white-robed choir, and the only song of the heavens ever heard by the children of men broke the stillness of night. Peace on earth was the angel song. In a manger in the little town of Bethlehem lay a new-born child. The increasing multitudes who have looked up to Jesus of Nazareth as their leader have taken his life and words as promise and prophecy, and faith in the coming of universal peace as the inspiration of humanity. If any one doubts it I am content to quote the words of General Sherman that "war is hell." The less of hell individuals and nations have the better. In order to bring about the condition of peace, a minimum of army and navy is the most effective way. There never was yet a nation that built up a maximum of army and navy that did not get into war, and the pretense current in certain circles that the best way to preserve peace is to build up an enormous navy shows an ignorance of the lessons of history and the conditions of genuine and enduring peace.

Not a single *Dreadnought*, not another battle ship, is the universal voice of every peace-loving, war-hating patriot who loves law and order and justice. The spectacular jingoes are saying we must always be prepared for war, and they seem to see a menace to peace in war-worn and war-tired Japan. This imaginary menace has literally been worked to death. No intelligent American citizen who understands the aims and mission of Japan has any fear of war. Even if Japan so desired, she would be utterly unable to conduct a war with the United States. She is barred by financial burdens. Japan has a population of a trifle over 50,000,000, and she has at the present time a national debt of \$1,125,000,000, which is \$21 per capita. The taxes in Japan to-day amount to almost 25 per cent of her entire income. No country around the world is so heavily burdened in proportion to population as Japan. A war with the United States would utterly ruin Japan, as the United States is the best market for her products. Her chief exports are tea and silks, and the United States takes practically all

her surplus tea and last year paid Japan \$35,000,000 for silk alone. The flower of the Japanese army was killed in the war with Russia, and the statesmen of Japan have been sobered and made sensible by war. The war with Russia cost Japan \$585,000,000 (not counting pensions) and the lives of 125,168 soldiers. Of course Japan has her jingoes as well as the United States, but the jingoes of Japan have neither place nor influence in the councils of the Mikado.

The cry of a war with Japan is the cry of those who thrive and profit by war because they make war's horrid implements. Ever since Commodore Perry went sailing into a harbor of Japan in 1854, holding out the olive branch of peace, Japan has been our friend and imitator. She gave the open hand to our missionaries of peace and good will and sent her young men to our colleges to learn the arts and ways of peace.

Dr. Toyokichi Iyenaga, of the department of sociology, University of Chicago, who was one of the early Japanese graduates of an American college and who is in close touch with Japan, voices, on all our university extension platforms, the messages of peace. Japan is a peaceful nation. She only learned the arts of war to hold back the aggressions of the invaders from the so-called Christian north. At the late semi-centennial missionary conference, in Tokyo, Japan, a resolution was passed deploring the ignorance of the United States, as shown in the sensational newspapers. The premier of Japan (a general in the Japanese army) in referring to the failure of negotiations with Russia, over the Manchurian aggression, said:

I am a soldier, but I hate war.

This is the spirit of Japan. Enlightened, peace loving, burdened with debt, looking to the United States as her mentor and ally, it should be the sublime mission of this Nation to lead her in a world movement for peace and arbitration by taking the initiative in disarmament.

It is scarcely worth while to waste words on the proposition that Japan is about to lift the "white man's burden" in the Philippine Islands and seize them for her own. These unfortunate islands have been within the easy grasp of Japan for over a hundred years. Spain only kept about 1,200 soldiers—a mere handful—on all these islands, while we have had as many as 65,000 soldiers at one time on duty there. The mission of Japan to-day is in Korea and the wide, virgin land of Manchuria. These are within the area of Japanese influence and control, and offer the best field of exploitation for Japanese trade and as a future home for her overcrowded population. Why should Japan care for the Philippine Islands when she enjoys reciprocal trade now, without expense to the Japanese exchequer? Why should Japan care to wrest the military control of those torrid islands—nature's asylum for degenerates—when the Government of the United States is squandering millions now policing the islands for the benefit of Japanese and Chinese trade? Of the total imports of cotton and cotton manufactures last year to the Philippines amounting to \$6,826,945, the United States, the greatest of cotton-growing countries, only sent the pitiful sum of \$866,098.

In all the oriental countries where the United States has found a lasting foothold it has been through the messengers of the Prince of Peace and not through the man of the gun and sword. Adoniram Judson, the American missionary, was the father of the educational movement in Burma and Farther India. It was Judson who was the pioneer of the American Oriental Society, of which Rev. Dr. William Hayes Ward, editor of the *Independent* and eminent oriental scholar, is now president, a society which has brought together the long-separated living languages of East Indian and Chinese civilizations. It was Peter Parker, the pioneer missionary to Canton, who brought to the attention of American scholars the vast storehouses of philosophy, history, and poetry comprised in the classics of walled-in China. And it was Parker and his associates and Parker's Chinese students who opened the doors in 1854 for Commodore Perry in Japan. No battle ship with its cruel messengers of death ever advanced any good cause, any humane mission, on any sea or on any shore around the world.

Peace is constructive, war is destructive. Peace is love, war is hate. Peace is quiet and repose, war is hell and uproar. Our mission is to make plain the paths of peace, and not build up more dogs of war to rend them.

In Germany it is Bebel, social philosopher and humanitarian, and not grim Kaiser Wilhelm, of the spiked helmet and the sword, who is leading the brave Germans in the march of social and civic conquests. For rugged determination to win lasting peace, through industrial opportunity and the power of the ballot, Germany leads the twentieth century battle line of peace. In the benign pursuits of industrial peace, not the mad raids of war, shall manhood rise to brotherhood and the

struggle for physical, moral, and spiritual development go forward.

In France the humane measures of Briand and his compeers are exerted to relieve the distress of the impoverished and to pension the aged, with such great leaders in the Chamber of Deputies as Benjamin D'Esternes de Constant, leader and life member of The Hague conference, to lead the way from warfare and its fearful waste. In Italy the influence of Lombroso, the greatest criminologist of any age, offers peace as the only solution of the ills, physical and moral, that have ruined Italy.

It was but yesterday that Prof. Edward A. Steiner, who fills the chair of applied Christianity in Grinnell College, Iowa, author, and authority on immigration, in a plea for the cordial welcome to our shores of the peace-loving immigrants fleeing from war-scourged Europe, said:

The kinship of humanity can do more for peace and good will than all the armies and navies of the world.

That same day Cardinal Gibbons, who has brought many years of the ripest study and broadest experience to the solution of industrial and social problems, in a masterly plea for universal peace through arbitration, concluded thus:

God grant that the day is not far off when the Prince of Peace, God, will reign over the cabinets of the nation, over the kings, presidents, and settle disputes not with standing armies, but by the international board of arbitration; not by the sword, but by the pen, for the pen is mightier than the sword.

The text of Cardinal Gibbons was found in the first words of Christ to His disciples, after the resurrection, "Peace be to you." To which we may add the choicest of the blessings delivered in the Sermon on the Mount, "Blessed are the peacemakers, for they shall be called the children of God."

On the question of national armament I take my stand with Thomas Jefferson, author of the Declaration of Independence, who said:

I am for relying for internal defense on our militia solely till actual invasion, and for such a naval force only as will protect our coast harbors from depredations, and not for a standing army in time of peace which may overcome the public sentiment; nor a navy which by its own expenses and the external wars in which it may implicate us will grind us with public burdens and sink us under them.

The greatest scientists and sociologists of the world to-day are men of peace. They trace the decadence of the race in congested centers to the evils growing out of war and its consequent drainage upon the resources of overburdened peoples. Wars are the propaganda of filth diseases, such as typhoid fever, tuberculosis, and other plagues that have devastated the earth, saying nothing of the loathsome blood maladies brought into communities by soldiers returning from countries where they have been inoculated by personal touch with the unclean victims of lowest forms of vice.

For ages the north districts of Great Britain have been breeding camps for the English army, taking into foreign fields the strongest and most virile men of the Kingdom. To eke out a livelihood the women drifted into the great cities to mate with weaklings in the disease-breeding factories, and bring into the world malformed, defective, and underfed children. This is the social menace facing England to-day, agitating church, state, and the military and naval service. Kler Hardie, leader in the British Parliament, who would withdraw the nation's energies from the field of war and bloodshed and turn them into the channels of sane citizenship, to protect and feed and rehabilitate the manhood of a now decadent land, is the popular leader in England to-day. Carlyle well says:

A standing army means waste, depression, and moral decay. No nation can improve its morals or grow in strength when its bravest and best sons are year by year devoured in the army.

This is the stand taken by the sanest statesmen and ripest scholarship of the age. I quote from the Boston Transcript, the ablest journal of New England, commending my "plea for peace" in the "Cradle of Liberty" on the one hundred and thirty-fourth anniversary of the evacuation of Boston by the army of George III, March 17, 1776. The Boston Transcript voices the ethical movement of the age:

#### VETERAN'S PLEA FOR PEACE.

The speech of General and Congressman ISAAC R. SHERWOOD, of Ohio, at the Evacuation Day banquet was a noteworthy feature of the celebration, as a protest against militarism uttered on the site of a famous achievement of men who became soldiers to preserve their rights as citizens. The distinction was nicely drawn by the speaker between the capability of an intelligent and patriotic people to develop high military qualities for a cause, and the militarism which in time of peace tries to keep alive a fighting temper that seeks enemies.

General SHERWOOD thinks that in consequence of our easy victory over Spain the minds of our young men are filled with fighting aspirations that make them easy subjects to the delusion that the United States needs and must at any cost provide itself with "great" armies and "great" fleets.

Premising that there is a difference between armaments which are sensible precautions and those which militarism demands, it may be said that General SHERWOOD is qualified to speak as an expert on the horrors of war. He is neither a "mollycoddle" nor a "lame duck." At 75 he can look back, not only on the civil war, but on the ethical revolt against slavery, which was gaining headway when he was a student at Antioch College under Horace Mann's presidency.

Abandoning his occupation as journalist, he enlisted as a private soldier in an Ohio regiment the day after President Lincoln issued his first call for troops. He came out of the war a brigadier-general and earned every promotion by conspicuous daring. With such a record General SHERWOOD can preach a warning against belligerent tendencies without the slightest fear that his motives will be impugned. None but a fool will call "craven" at a man who carries with him an infirmity resulting from a wound he received forty-five years ago.

The time is rapidly approaching, if it has not already come, when the people of the United States must choose which they will take for monitors, veterans who consider war as a painful last resort, or young officers who have drunk deep of the spring of militarism, whose source is in Europe. Already our military expenditures are restricting the activities of the Government in the fields of peaceful development.

We think little of a battle ship more or less in an appropriation bill, but the cost of two of the monsters of the \$18,000,000 type, now being discussed, would exceed by \$6,000,000 the total of the bond issue proposed for the completion of the great irrigation scheme in which the Government has embarked. The capital invested in a first-class battle ship is more than the permanent funds of several colleges of good repute, and would be sufficient to build and equip a chain of technical schools.

Mr. FOSS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee determined to rise; and Mr. BENNET of New York having taken the chair as Speaker pro tempore, Mr. MANN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the naval appropriation bill (H. R. 23311) and had come to no resolution thereon.

#### ENROLLED JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 83. Joint resolution authorizing the use of a United States Army transport for certain purposes.

#### ADJOURNMENT.

And then, on motion of Mr. Foss, the House (at 5 o'clock and 17 minutes p. m.) 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 Acting Secretary of the Treasury, submitting an estimate of appropriation for rent of buildings for the public service at Cleveland, Ohio (H. Doc. No. 819)—to the Committee on Appropriations 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 Provincetown Harbor, Massachusetts (H. Doc. No. 821)—to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

3. A letter from the Acting Secretary of the Treasury, transmitting a copy of a letter from the Director of the Bureau of Engraving and Printing submitting a recommendation of legislation to make certain changes in D street SW. (H. Doc. No. 820)—to the Committee on Appropriations and ordered to be printed.

#### 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. 14926) granting an increase of pension to Gilbert Peace—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 23472) granting an increase of pension to Helen P. Laird—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. SMITH of Michigan: A bill (H. R. 23585) to require the Chesapeake and Ohio Canal Company to build and maintain

bridges, etc., over the Chesapeake and Ohio Canal—to the Committee on the District of Columbia.

By Mr. ENGLEBRIGHT: A bill (H. R. 23586) providing that lands of the United States may be acquired by condemnation for public purposes in accordance with state and territorial laws—to the Committee on the Public Lands.

By Mr. PETERS (by request): A bill (H. R. 23587) to fix the sizes of baskets or other open containers for small fruits or berries—to the Committee on Agriculture.

By Mr. DODDS: A bill (H. R. 23588) to provide for the acquiring of a site for a public building at Big Rapids, Mich.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 23589) to provide for the acquiring of a site for a public building at Mount Pleasant, Mich.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 23590) to provide for the acquiring of a site for a public building at Boyne City, Mich.—to the Committee on Public Buildings and Grounds.

By Mr. HOBSON (by request): A bill (H. R. 23591) to construct two national auto highways—the first along or near to the thirty-fifth parallel of north latitude, from the Atlantic to the Pacific Ocean; the second along or near to the twenty-third meridian west from Washington, D. C., north to Canada, and south to Mexico—to the Committee on Ways and Means.

By Mr. RODDENBERY: A bill (H. R. 23592) to authorize the Secretary of Agriculture to cause to be made an investigation of the causes and a remedy for the disease of "red rot" and other diseases of the sugar-cane plant and to provide an appropriation therefor—to the Committee on Agriculture.

By Mr. ROBINSON: A bill (H. R. 23593) to repeal the several acts authorizing an internal tax on cotton, and relating to the same, and providing for the payment to the treasurers of the respective States wherein said tax was levied and collected the amounts so collected upon the creation by law in said States of a tribunal to adjudicate the claims of individuals for such taxes paid in said respective States—to the Committee on War Claims.

Also, a bill (H. R. 23594) appropriating \$3,000 for paving Walnut street and alley adjoining the federal building at Pine Bluff, Ark.—to the Committee on Public Buildings and Grounds.

By Mr. GREENE: A bill (H. R. 23595) to regulate radio-communication—to the Committee on the Merchant Marine and Fisheries.

By Mr. BURLESON: A bill (H. R. 23596) to amend the acts of June 27, 1902, and May 30, 1908, granting pensions to survivors of Texas Indian wars—to the Committee on Pensions.

By Mr. POU: A bill (H. R. 23597) to enlarge the United States building in the city of Raleigh, N. C.—to the Committee on Public Buildings and Grounds.

By Mr. WEEKS: A bill (H. R. 23633) to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers—to the Committee on Agriculture.

By Mr. SHERLEY: Resolution (H. Res. 508) providing for an additional rule to the House rules—to the Committee on Rules.

By Mr. HULL of Tennessee: Resolution (H. Res. 509) directing the Judiciary Committee to investigate and report whether the collection by the Federal Government of \$346,000,000 under the income-tax laws during and following the war was in violation of the supreme law of the land—to the Committee on Rules.

By Mr. MARTIN of South Dakota: Joint resolution (H. J. Res. 181) designating a commission to examine buildings now used by the Government in the District of Columbia—to the Committee on Public Buildings and Grounds.

#### 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. ALEXANDER of New York: A bill (H. R. 23598) granting a pension to Frances I. Townsend—to the Committee on Invalid Pensions.

By Mr. ANDREWS: A bill (H. R. 23599) granting an increase of pension to Otto Smith—to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 23600) granting an increase of pension to John Schilling—to the Committee on Invalid Pensions.

By Mr. BROUSSARD: A bill (H. R. 23601) granting an extension of Letters Patent No. 342577—to the Committee on Patents.

By Mr. BROWNLOW: A bill (H. R. 23602) granting an increase of pension to James E. Shehan—to the Committee on Invalid Pensions.

By Mr. BYRNS: A bill (H. R. 23603) for the relief of Hobson Methodist Church—to the Committee on War Claims.

Also, a bill (H. R. 23604) granting a pension to Susie E. Gore—to the Committee on Pensions.

By Mr. CALDERHEAD: A bill (H. R. 23605) granting an increase of pension to John W. Sechrist—to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 23606) granting an increase of pension to Elizabeth F. Watson—to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 23607) granting a pension to H. W. Judd—to the Committee on Pensions.

By Mr. CULLOP: A bill (H. R. 23608) granting an increase of pension to John W. Buck—to the Committee on Invalid Pensions.

By Mr. ELLIS: A bill (H. R. 23609) granting an increase of pension to Eleanor E. Garner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 23610) granting an increase of pension to Andrew J. Graves—to the Committee on Invalid Pensions.

By Mr. FAIRCHILD: A bill (H. R. 23611) granting an increase of pension to Ainer Munson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 23612) granting an increase of pension to Cyrus Hopkins—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 23613) granting an increase of pension to Delos Coburn—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 23614) granting an increase of pension to Edward Burdette—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 23615) granting an increase of pension to Edwin F. Hall—to the Committee on Invalid Pensions.

By Mr. GUERNSEY: A bill (H. R. 23616) granting an increase of pension to Thomas W. Strout—to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: A bill (H. R. 23617) granting an increase of pension to Robert F. Shugart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 23618) granting an increase of pension to Fred Eneker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 23619) granting a pension to Louis H. Ruehle—to the Committee on Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 23620) granting an increase of pension to John N. Pearman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 23621) granting an increase of pension to Benjamin M. Morris—to the Committee on Invalid Pensions.

By Mr. MORRISON: A bill (H. R. 23622) granting an increase of pension to Jacob Goodwine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 23623) granting an increase of pension to Joseph Crago—to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 23624) granting an increase of pension to Johnathan E. Bailey—to the Committee on Invalid Pensions.

By Mr. SHEFFIELD: A bill (H. R. 23625) granting an increase of pension to John S. Roberts—to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 23626) granting an increase of pension to Henry Dash—to the Committee on Invalid Pensions.

By Mr. SMITH of Texas: A bill (H. R. 23627) for the relief of Robert W. Dowe, C. W. Livingston, and Santiago Hinojosa—to the Committee on Claims.

By Mr. TAYLOR of Ohio: A bill (H. R. 23628) granting an increase of pension to David Wright—to the Committee on Invalid Pensions.

By Mr. THISTLEWOOD: A bill (H. R. 23629) granting an increase of pension to James W. Logan—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 23630) granting a pension to Julia A. Marks—to the Committee on Invalid Pensions.

By Mr. WASHBURN: A bill (H. R. 23631) granting an increase of pension to William F. Miller—to the Committee on Invalid Pensions.

By Mr. WILEY: A bill (H. R. 23632) for the relief of Edwin F. Stites—to the Committee on Military Affairs.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANSBERRY: Petition of Elm Grove Grange, No. 644, Patrons of Husbandry, of Bryan, Ohio, for a national health bureau—to the Committee on Expenditures in the Interior Department.

By Mr. BURLEIGH: Petition of Pomona Grange, No. 25, Patrons of Husbandry, of East Kennebec, Me., for a national health bureau—to the Committee on Expenditures in the Interior Department.

By Mr. BURLESON: Petition of citizens of Texas, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. BUTLER: Petitions of Brandywine Grange, No. 60, Patrons of Husbandry, of West Chester; Firemen's Auditorium Grange, No. 19, Patrons of Husbandry, of Kennett Square; and Goshen Grange, No. 121, Patrons of Husbandry, of West Chester, all in the State of Pennsylvania, for Senate bill 5842, governing traffic in oleomargarine—to the Committee on Interstate and Foreign Commerce.

By Mr. BYRNS: Paper to accompany bill for relief of Susie E. Gore—to the Committee on Pensions.

Also, paper to accompany bill for relief of Hobson Methodist Church—to the Committee on War Claims.

By Mr. CALDERHEAD: Petition of citizens of Manhattan, Kans., favoring legislation preventing the shipment of liquor from one State into another—to the Committee on Interstate and Foreign Commerce.

By Mr. CAIRY: Communication from California Women's Henev Club, protesting against the acquisition of Hetch Hetchy as a water supply for San Francisco—to the Committee on the Public Lands.

Also, petitions of regents and past regents, Royal Arcanum; Daniel Webster Council, No. 1472, Royal Arcanum; and Pere Marquette Council, No. 850, Knights of Columbus, all of Milwaukee, Wis., favoring House bill 17543—to the Committee on the Post-Office and Post-Roads.

By Mr. DALZELL: Petition of Wilkinsburg Council, No. 750, Royal Arcanum, for House bill 17543—to the Committee on the Post-Office and Post-Roads.

By Mr. DRAPER: Petition of Lansingburg Council, No. 1142, Royal Arcanum, favoring House bill 17543—to the Committee on the Post-Office and Post-Roads.

Also, petition of Audubon Society of New York, favoring House bill 10276, placing migratory birds under the care and jurisdiction of the Department of Agriculture—to the Committee on Agriculture.

By Mr. ESCH: Petition of the Hartford Auto Club, for legislation as per House bill 5176, providing for federal registration and identification of motor vehicles engaged in interstate travel—to the Committee on Interstate and Foreign Commerce.

By Mr. FITZGERALD: Petition of Audubon Society of New York State, favoring the Weeks bill to protect certain migratory birds (H. R. 10276)—to the Committee on Agriculture.

By Mr. FORNES: Petition of Audubon Society of New York City, for House bill 10276, the Weeks bill, for protection of birds—to the Committee on Agriculture.

By Mr. GARDNER of Massachusetts: Petition of Gloucester Council, No. 19, Royal Arcanum, for House bill 17543—to the Committee on the Post-Office and Post-Roads.

Also, petition of Branch No. 359, La Société des Artisans Canadiens Français, of Haverhill, Mass., favoring House bill 17509, and against increase in postage on second-class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. GILL of Maryland: Petition of Avalon Council, No. 724, Royal Arcanum, for House bill 17543—to the Committee on the Post-Office and Post-Roads.

By Mr. GRAHAM of Illinois: Petition of citizens of Hillsboro, Ill., for the passage of House bill 15441 and Senate bill 5578, eight-hour bills—to the Committee on Labor.

By Mr. GRAHAM of Pennsylvania: Paper to accompany bill for relief of J. E. Euwer—to the Committee on Claims.

By Mr. GUERNSEY: Petition of Francis Dighton Williams Chapter, Daughters of the American Revolution, of Bangor, Me., for retention of the Division of Information of the Bureau of Immigration and Naturalization in the Department of Commerce and Labor—to the Committee on Immigration and Naturalization.

By Mr. HAUGEN: Petition of citizens of Fredericksburg, Iowa, against any change in the present oleomargarine law—to the Committee on Agriculture.

By Mr. HANNA: Petitions of citizens of North Dakota, against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. HIGGINS: Petition of Shetucket Grange, No. 69, of Connecticut, for a national health bureau—to the Committee on Expenditures in the Interior Department.

Also, petition of Peynat Council, No. 442, Royal Arcanum, of Connecticut, favoring House bill 17543—to the Committee on the Post-Office and Post-Roads.

By Mr. KENNEDY of Iowa: Petition of volunteer Union officers of Washington, Iowa, for a volunteer officers' retired list—to the Committee on Military Affairs.

By Mr. KNAPP: Petition of Watertown Council, No. 157, Royal Arcanum, favoring House bill 17543—to the Committee on the Post-Office and Post-Roads.

By Mr. MCCREARY: Petition of select and common councils of Philadelphia, for legislation permitting taxation of the additional site of the mint—to the Committee on the Judiciary.

By Mr. NICHOLLS: Petition of Council No. 1133, Royal Arcanum, of Scranton, Pa., for House bill 17543—to the Committee on the Post-Office and Post-Roads.

By Mr. OLCOTT: Petition of Audubon Society of New York, for House bill 10276, the Weeks bill—to the Committee on Agriculture.

By Mr. OLDFIELD: Paper to accompany bill for relief of Oliver F. Chester—to the Committee on Invalid Pensions.

By Mr. PAYNE: Paper to accompany bill for relief of John W. Corning—to the Committee on Invalid Pensions.

By Mr. PETERS: Petition of 94 citizens of Boston, against increase of naval expenditures and for international arbitration—to the Committee on Naval Affairs.

By Mr. REEDER: Petition of Douglass Camp and Alfred C. Alford Camp, No. 15, Department of Kansas, United Spanish War Veterans, for Senate bill 4033, for relief of the Twentieth Kansas Regiment and other regiments—to the Committee on Military Affairs.

Also, petition of citizens of Kansas, for legislation to regulate shipment of intoxicants between States—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTS: Petition of Crescent Council, No. 71, Royal Arcanum, of Chelsea, Mass., for House bill 17543—to the Committee on the Post-Office and Post-Roads.

By Mr. SPERRY: Resolutions of Elm City Lodge, No. 234, Brotherhood of Locomotive Firemen and Engineers, favoring the bill relating to fraternal publications—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of United Spanish War Veterans of Connecticut, favoring the raising of the *Maine*—to the Committee on Naval Affairs.

By Mr. SIMMONS: Petition of Audubon Society of New York State, for House bill 10276, for protection of migratory birds—to the Committee on Agriculture.

By Mr. STEVENS of Minnesota: Petitions of St. Paul Council, No. 656, and Merriam Park Council, No. 896, Royal Arcanum, of St. Paul, Minn., and Ramsey Council, No. 1250, for House bill 17543—to the Committee on the Post-Office and Post-Roads.

Also, petition of Minnesota State Automobile Association, favoring passage of the federal registration bill, Olcott bill (H. R. 1066)—to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Petition of Audubon Society of New York State, for House bill 10276, for protection of migratory birds—to the Committee on Agriculture.

Also, petitions of John S. Wilcox and R. H. Stevens, for a volunteer officers' retired list as per Senate bill 4183 and House bill 18899—to the Committee on Military Affairs.

By Mr. SWASEY: Petition of West Paris (Me.) Grange, No. 298, for a national health bureau, the Weeks forest reserve bill, and parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. TAYLOR of Ohio: Petition of the Brenneman Baking Company and other citizens of Columbus, Ohio, against the publicity feature of the corporation-tax law and for its elimination—to the Committee on Ways and Means.

By Mr. VREELAND: Petition of citizens of East Randolph, N. Y., against the Olmsted bill, relative to the government of Porto Rico—to the Committee on Insular Affairs.

By Mr. WASHBURN: Petition of Phoenix Council, No. 353, Royal Arcanum, favoring House bill 17543—to the Committee on the Post-Office and Post-Roads.

Also, paper to accompany bill for relief of William F. Miller—to the Committee on Invalid Pensions.