

## WASHINGTON.

Mae O. Gray to be postmaster at Stevenson, Wash. Office became presidential January 1, 1914.

Anna P. Hanley to be postmaster at Enumclaw, Wash., in place of William F. Koenig. Incumbent's commission expires April 5, 1914.

Charles O. Jackson to be postmaster at Eatonville, Wash. Office became presidential January 1, 1914.

Charles H. Runkel to be postmaster at Arlington, Wash., in place of Charles H. Jones. Incumbent's commission expires March 17, 1914.

## WEST VIRGINIA.

Harvey Ewart to be postmaster at Hinton, W. Va., in place of Sira W. Willey. Incumbent's commission expired March 16, 1914.

J. K. Kerwood to be postmaster at Ripley, W. Va., in place of Henry W. Deem. Incumbent's commission expires April 13, 1914.

Buckner F. Scott to be postmaster at Terra Alta, W. Va., in place of William T. White, resigned.

Joseph F. Thompson to be postmaster at Martinsburg, W. Va., in place of E. C. Henshaw. Incumbent's commission expires April 28, 1914.

A. H. Wiedebusch to be postmaster at Wheeling, W. Va., in place of Robert Hazlett, resigned.

James W. Wilson to be postmaster at Barboursville, W. Va., in place of James Brady, resigned.

## WISCONSIN.

Lyle I. Daigneau to be postmaster at Boyceville, Wis. Office became presidential January 1, 1914.

## WYOMING.

C. W. Dow to be postmaster at Newcastle, Wyo., in place of Frank B. Fawcett. Incumbent's commission expired March 16, 1914.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate March 17, 1914.*

## POSTMASTERS.

## MICHIGAN.

Charles E. Adair, Utica.  
Edgar E. Bedell, Bellaire.  
George L. Belcher, Leslie.  
Samuel D. Bonner, Newaygo.  
Ernest J. Dubé, Houghton.  
Thomas G. Finucan, Charlevoix.  
Michael Hoban, St. Ignace.  
James L. Klett, Whitehall.  
Christopher Lowney, Laurium.  
Charles F. Parker, Middleville.  
Jacob C. Rough, Buchanan.  
John E. Shekell, Jackson.  
N. C. Sutherland, Romeo.

## VIRGINIA.

John S. White, Charlottesville.

## HOUSE OF REPRESENTATIVES.

TUESDAY, March 17, 1914.

The House met at 12 o'clock noon.

Rev. Dr. Joseph H. Crooker, of Boston, Mass., offered the following prayer:

Almighty God, our Father, infinitely fatherly, a Friend forever friendly, we honor and glorify Thy high and holy name, and we thank Thee for the blessings of life that come to us from day to day; we thank Thee for our country, its schools, and courts, and churches; we thank Thee for the American home, woman's kingdom and man's paradise; we invoke Thy blessing, we seek Thy grace, we crave Thy forgiveness, we would learn Thy truth, we would obey Thy law, we would establish Thy kingdom on earth, and now we give Thee praise from grateful hearts evermore. In the name of our common Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

## CLERK PRO TEMPORE.

The SPEAKER laid before the House the following communication from the Clerk of the House:

To the SPEAKER OF THE HOUSE:

Desiring to be absent from my office for a short period of time, I hereby designate the Chief Clerk, J. C. South, Esq., to sign all papers that may require my official signature, and to do all other acts under

the rules and practice of the House required to be done by the Clerk of the House.

Respectfully submitted.

SOUTH TRIMBLE,  
Clerk of the House.

MARCH 17, 1914.

## EXTENSION OF REMARKS.

Mr. SIMS. Mr. Speaker, I wish to ask unanimous consent to extend my remarks in the RECORD by publishing some letters I have pertaining to the proposition of the increase in the freight rates in the eastern district.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks by printing some letters on the subject of the increase in freight rates in the eastern division. Is there objection?

Mr. GORDON. Mr. Speaker, I object.

## PENSIONS.

Mr. HELVERING. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House to consider pension bills on the Private Calendar; and, pending that, I want to ask unanimous consent that H. R. 14234 be considered in the House as in Committee of the Whole House.

The SPEAKER. The gentleman from Kansas moves that the House resolve itself into the Committee of the Whole House for the purpose of considering pension bills on the Private Calendar; and, pending that, he asks unanimous consent that H. R. 14234 be considered in the House as in Committee of the Whole House. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, the gentleman understands, of course, that provides for no general debate.

Mr. HELVERING. I will say to the gentleman from Illinois I understand there is no desire for general debate on this bill.

The SPEAKER. May the Chair inquire of the gentleman if this is the only bill he has?

Mr. HELVERING. This is the only bill reported by the Committee on Invalid Pensions. There is one from the Pensions Committee to be taken up.

The SPEAKER. Is there objection that the bill H. R. 14234 be considered in the Committee of the Whole House? [After a pause.] The Chair hears no objection. The question now is on the House resolving itself into the Committee of the Whole House for the consideration of pension bills.

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

## EXTENSION OF REMARKS.

Mr. SMITH of Minnesota. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. SMITH of Minnesota. Mr. Speaker, I wish to ask unanimous consent to extend my remarks in the RECORD on the subject of hydroelectric power by printing a petition from the Minneapolis Civic and Commerce Association.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks on hydroelectric power. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the first bill.

## PENSIONS.

The Clerk read as follows:

A bill (H. R. 14234) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. HELVERING. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. The gentleman asks unanimous consent that the first reading of the bill be dispensed with. Is there objection. [After a pause.] The Chair hears none. Members will bear in mind that this bill is being read for amendment, section by section.

The Clerk read as follows:

The name of James Chambers, late of Company C, Forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

Mr. HELVERING. Mr. Speaker, I move, page 21, lines 21 to 24, to strike out the name of "James Chambers."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend by striking out, on page 21, lines 21, 22, 23, and 24.

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

The Clerk read as follows:

The name of William Eastlick, late of Company G, One hundredth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

Mr. HULINGS. Mr. Speaker, I offer an amendment, page 28, line 3, by striking out "forty" and inserting "fifty."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 28, line 3, by striking out "\$40" and inserting "\$50."

Mr. HULINGS. Mr. Speaker, I had brought this to the attention of the chairman of the Committee on Pensions, Gen. SHERWOOD, and he agreed with me that under the circumstances this was a mistake, and that he would offer this amendment to-day. Now, the circumstances are very peculiar in this case. This man has served about four years, as will be seen by the report on page 60 of the report of the committee, and \$40 will scarcely pay the physician's attendance, which he requires two or three times every day. The man is blind, totally helpless, has no revenues except the pension that he is now getting of \$15 per month, and I would like to bring that to the attention of the House and have this amendment made.

The SPEAKER pro tempore (Mr. DIFENDERFER). The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. HULINGS].

Mr. RUSSELL. Mr. Speaker, the gentleman from Ohio [Mr. SHERWOOD] is not present to-day. I know nothing about this arrangement between the gentleman from Pennsylvania [Mr. HULINGS] and the gentleman from Ohio. Of course, if Gen. SHERWOOD has agreed to offer this amendment himself as a member of the committee, I would not want to resist it, because I know that in all cases he, as chairman of the committee, tries to do that which he believes to be equitable and just to the soldiers of the country. This appears to be a very fair case, under our rules, for a \$50 allowance. Why it was allowed for \$40 I do not know. However, I do not feel disposed to support this motion, and I do not like under the circumstances to oppose it. I regret exceedingly that the gentleman from Ohio [Mr. SHERWOOD] is not here. I shall not support this amendment and do not like to oppose it, as I have said, under the circumstances.

Mr. GOULDEN. I would like to ask the gentleman from Missouri [Mr. RUSSELL] if he regards this as a case that should have been placed at \$50, why the committee put it at \$40?

Mr. RUSSELL. I have no personal recollection of it. The presumption would be with me that the examiner who wrote up and recommended this bill thought it was a \$40 case and therefore allowed that amount. And in all probability the attention of the committee was not specifically called to this bill and therefore the amount was not increased. Now, the gentleman from Pennsylvania [Mr. HULINGS], as I understand, did not appear before the committee, but says that he had a conversation with Gen. SHERWOOD, which I have no occasion to doubt, and that Gen. SHERWOOD said it ought to be a \$50 case, and that he himself would make a motion on the floor to increase it. Of course, I know nothing about that. I am told that the soldier is entirely blind and that he served four years. It would seem to be a good case for a \$50 pension.

Mr. GOULDEN. Has not the chairman of the committee informed you? Of course, I would take the word of my friend from Pennsylvania [Mr. HULINGS].

Mr. RUSSELL. Gen. SHERWOOD went home to bury his wife, and therefore is not here to-day.

Mr. LANGLEY. If I correctly understand the facts, there is no question but what it is a \$50 case under the rules of the committee.

Mr. RUSSELL. It would appear to be such. I imagine now that that it was reduced to \$40, because of this statement which I see in the report:

Claimant has real estate assessed at \$900.

Mr. KINKAID of Nebraska. Will the gentleman yield for just a statement?

Mr. RUSSELL. I will yield for a question.

Mr. KINKAID of Nebraska. Mr. Speaker, I was present when this bill was up for consideration, and it was agreed by the committee that an amendment should be offered by some one on the floor.

Mr. LANGLEY. I do not think this is the bill. I think the gentleman is mistaken about this being the case.

Mr. KINKAID of Nebraska. Perhaps I am mistaken about the case, Mr. Speaker.

Mr. RUSSELL. I think the gentleman from Nebraska is mistaken about the case. I understand from the gentleman from Pennsylvania [Mr. HULINGS] that he did not appear before the committee.

Mr. HULINGS. The facts about the case are pretty well stated in the report of the committee. But the committee, I think, did not fully consider that this man, who served four years, suffered from gunshot wounds, from rheumatism and heart disease, contracted in the service, and is now receiving a pension of \$15 a month, had become totally blind, and requires a constant attendant, and requires the attention of a physician two or three times every day in order that he may be catheterized. It is a very distressing case, and \$40 a month will barely pay his physician's charges.

Mr. RUSSELL. The report also states that this gentleman is almost blind. It does not show he is totally blind.

Mr. HULINGS. He is totally blind to the extent that while able to distinguish between night and day he requires somebody to be with him all the time. He can not see for any practical purposes.

Mr. RUSSELL. And then this report states that he has \$900 worth of property. It has been a rule of the committee to reduce the amount of pension where they have property.

Mr. HULINGS. He has a little bit of a place there, about \$900 worth, a lot and a little house in which he lives, but he has no revenue except his pension.

Mr. RUSSELL. Will the gentleman yield again?

Mr. HULINGS. I will.

Mr. RUSSELL. Let me ask the gentleman if he will consent to let this item be stricken out of this bill and present it to the committee again when Gen. SHERWOOD returns?

Mr. HULINGS. Is there a probability of another bill being introduced in time, in order to get action at this session?

Mr. RUSSELL. Two weeks from to-day there will be another bill.

Mr. HULINGS. Yes; I will do that.

Mr. SIMS. Recommit it, in other words.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that this paragraph of the bill be stricken out.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. RUSSELL] asks unanimous consent that this section in the bill be stricken out. Is there objection?

Mr. HULINGS. Mr. Speaker, with the understanding that the amount shall be reported in the next bill at \$50.

There was no objection.

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having resumed the chair, a message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On March 2, 1914:

H. R. 10258. An act authorizing the Secretary of the Interior to sell to the city of Lawton, Okla., a tract of land to be used for watershed and water-supply purposes.

On March 9, 1914:

H. R. 11338. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1915, and for other purposes;

H. R. 11331. An act to repeal an act regulating the construction of bridges across the Muskingum River in Ohio; and

H. R. 13365. An act to authorize the construction, maintenance, and operation of a bridge across the Tombigbee River near Old Cotton Gin Port, in Monroe County, Miss.

On March 11, 1914:

H. R. 13545. An act to extend the time for constructing a bridge across the Mississippi River at the town site of Sartell, Minn.

#### PENSIONS.

The committee resumed its session.

The SPEAKER pro tempore. The Clerk will read.

The Clerk read as follows:

The name of James D. Gloud, late of Company H, One hundred and eighty-eighth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

Mr. RUSSELL. Mr. Speaker, I move to amend line 19, on page 32, by striking out the word "Gloud" and inserting the word "Gload."

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Missouri.

The Clerk read as follows:

Amend, page 32, in line 19, by striking out the name "Gloud" and inserting the name "Gload."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The Clerk will read.

The Clerk resumed and concluded the reading of the bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

On motion of Mr. HELVERING, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The foregoing bill is a substitute for the following House bills, referred to the Committee on Invalid Pensions:

H. R. 958.	John H. Stone.
H. R. 1254.	Maria A. Ryburn.
H. R. 1317.	Moses King, jr.
H. R. 1630.	Lemuel H. Mahan.
H. R. 2045.	Edwin B. Force.
H. R. 2084.	William G. Irwin.
H. R. 2085.	James S. Armstrong.
H. R. 2292.	William F. Knissell.
H. R. 2341.	Thomas R. Irons.
H. R. 2716.	Mary E. Bousman.
H. R. 3029.	Susan Query.
H. R. 3037.	Daniel C. Boswell.
H. R. 3045.	James L. Spencer.
H. R. 3046.	Ellen M. Cutler.
H. R. 3236.	Robert C. Stanley.
H. R. 3245.	Charles W. Botkin.
H. R. 3248.	Francis M. Marsh.
H. R. 3254.	Jonathan Colyar.
H. R. 3484.	Mary A. Parker.
H. R. 3611.	Kate R. Harner.
H. R. 3821.	Jacob Smith.
H. R. 3959.	Henry R. Miller.
H. R. 4093.	Carrie A. Hollenbeck (now Knopple).
H. R. 4333.	Julia A. Smith.
H. R. 4590.	Hebron B. Miller.
H. R. 4599.	James M. Dilley.
H. R. 4840.	Michael Weber.
H. R. 4856.	Henry Smith.
H. R. 5254.	Thompson Decker.
H. R. 5288.	Theodore Strunk.
H. R. 5411.	Johanna Scully.
H. R. 5435.	James A. Fossit.
H. R. 5455.	William Poitz.
H. R. 6054.	Ferdinand Walser.
H. R. 6078.	John Bean.
H. R. 6121.	Alfred A. Trover.
H. R. 6246.	William Bales, alias William Shaffer.
H. R. 6249.	William Syers.
H. R. 6253.	Orin McCreedy.
H. R. 6274.	Charles H. Hines.
H. R. 6430.	Jennette A. Wickham.
H. R. 6547.	Christianne C. Mentzer.
H. R. 6844.	James B. Miller.
H. R. 6872.	Josiah Summers.
H. R. 6900.	Rebecca A. Libbey.
H. R. 6980.	John Barbeau.
H. R. 7143.	David S. Trent.
H. R. 7555.	Ford Cusey.
H. R. 7815.	Alfred Gordon.
H. R. 7844.	Edward Lichtenstein.
H. R. 7907.	Anna Windmeister.
H. R. 7930.	Jeremiah Laughlin.
H. R. 8091.	Jennie Saylor.
H. R. 8127.	Louisa M. Carothers.
H. R. 8328.	Elizabeth Mellady.
H. R. 8445.	Charles S. Swineford.
H. R. 8584.	Hattie Dannels.
H. R. 8629.	Charles Dailey.
H. R. 8682.	Jennie E. Miller.
H. R. 8705.	Maria J. Burnham.
H. R. 8721.	Joseph C. Bell.
H. R. 8774.	Mary U. Hull.
H. R. 8860.	Allen Rosebery.
H. R. 8916.	James Altken.
H. R. 9005.	Hiram H. Rudd.
H. R. 9085.	Solomon R. Beam.
H. R. 9152.	Delia R. Goss.
H. R. 9357.	Lenora Lathrop.
H. R. 9370.	Narcisse Menard.
H. R. 9400.	Frank M. Fry.
H. R. 9447.	John Livingston.
H. R. 9504.	Martha Jane B. Phil- lips.
H. R. 9611.	Edgar H. Sampson.
H. R. 9627.	Chester W. Lynds.
H. R. 9746.	John M. Dodd.
H. R. 9775.	Augustine M. Adams.
H. R. 9846.	Samuel Faust.
H. R. 9868.	Jane M. Brown.
H. R. 9939.	Carrie Sheldon.
H. R. 10042.	John S. Hall.
H. R. 10123.	Mary M. Evans.
H. R. 10184.	David C. Brown.
H. R. 10262.	Michael Cavanagh.
H. R. 10264.	John P. Bischoff.
H. R. 10288.	Geneva Beha.
H. R. 10389.	John W. Hendershott.
H. R. 10410.	Cecilia Cochran.
H. R. 10412.	Carolina Apfel.
H. R. 10450.	Leander Chapman.
H. R. 10603.	William M. King.
H. R. 10658.	Robert H. Fields.
H. R. 10661.	Pauline Kerr (incapa- ble).
H. R. 10689.	Sarah E. Freed.
H. R. 10692.	Henry Lemke.
H. R. 10699.	Levi M. Winchell.
H. R. 10701.	Isaac N. Baker.
H. R. 10705.	Joel H. Towner.
H. R. 10706.	David S. Peters.
H. R. 10716.	Seth Clark.
H. R. 10755.	Andrew Sutton.
H. R. 10803.	Allen S. Thatcher.
H. R. 10818.	Helen G. Davis.
H. R. 10819.	Theodore Walker.
H. R. 10882.	Jeremiah Holcomb.
H. R. 10896.	Edward Varley.
H. R. 10902.	Jay Cobb.
H. R. 11036.	Mary Hanson.
H. R. 11072.	William Spotts.
H. R. 11225.	Emanuel Sheese.
H. R. 11226.	William F. Bailey.
H. R. 11127.	Simeon Mick.
H. R. 11149.	Frederick H. Rix.
H. R. 11162.	Margaret Gallagher.
H. R. 11184.	Nancy Bates.
H. R. 11190.	Robert N. Scott.
H. R. 11360.	Nathan J. Kilby.
H. R. 11410.	Peter Risban.
H. R. 11453.	Adam R. Zimmerle.
H. R. 11454.	James Chambers.
H. R. 11567.	Daniel B. Huddle.
H. R. 11584.	Sinary Bohner.
H. R. 11587.	George S. Tilson.
H. R. 11655.	George S. Merritt.
H. R. 11710.	Julia A. Thornton.
H. R. 11776.	Georgiana W. Samp- son.
H. R. 11832.	Charles W. Peet.
H. R. 11835.	James E. Waters.
H. R. 11863.	Thomas Eversole.
H. R. 11924.	Clement Waldron.
H. R. 11958.	Samuel Reinhart.
H. R. 11990.	Charles H. Dart.
H. R. 12074.	Maria Antonia Marti- nez de Mink.
H. R. 12083.	William R. Zook.
H. R. 12135.	Axie Eads.
H. R. 12199.	Francis Reynolds.
H. R. 12162.	Allen T. Hodge.
H. R. 12202.	Samuel M. Wakley.
H. R. 12224.	Manuel H. Campbell.
H. R. 12262.	Mary A. Bond.
H. R. 12318.	Leo Blubaugh.
H. R. 12356.	Benjamin F. Overton.
H. R. 12374.	Peter N. Hardman.
H. R. 12459.	Frederick R. J. Wren.
H. R. 12554.	Isabella Cordia.
H. R. 12558.	Joseph F. Wheeler.
H. R. 12615.	Florence V. Roth.
H. R. 12680.	James Hickman.
H. R. 12685.	Elizabeth Beach.
H. R. 12713.	Lewis L. Bean.
H. R. 12763.	Nancy J. Steward.
H. R. 12775.	George W. Hutchison.
H. R. 12777.	William Eastlick.
H. R. 12825.	Dennis W. Palmer.
H. R. 12828.	Henry Bottger.
H. R. 12833.	Henry A. Walters.
H. R. 12835.	Theodore Metcalf.
H. R. 12861.	Robert F. McCurdy.
H. R. 12888.	John Phillips.
H. R. 12889.	Isaac Wyckoff.
H. R. 12893.	Frances M. Gooding.
H. R. 12939.	Anna M. Stroessinger.
H. R. 12957.	Jonathan Greely.
H. R. 12961.	Jane H. Crofut.
H. R. 12962.	Ellen L. Kneller.
H. R. 12971.	Herbert Wadsworth.
H. R. 13007.	Jerome B. Secrest.
H. R. 13008.	William Zegenfus.
H. R. 13022.	Webster Benner.
H. R. 13027.	Lyman Mosier.
H. R. 13030.	William F. Mosier.
H. R. 13057.	George Vandegrift.
H. R. 13100.	Albert Rine.
H. R. 13119.	Susan A. Smith.
H. R. 13140.	Letitia A. Turner.
H. R. 13146.	Henry C. Elliott.
H. R. 13149.	Caroline Kirman.
H. R. 13160.	Robert Myers.
H. R. 13165.	Joseph Bailey.
H. R. 13209.	John Right.
H. R. 13210.	Charlotte R. Thorn- ton.
H. R. 13215.	James D. Gloud.
H. R. 13255.	Wallace Barnes.
H. R. 13259.	Alexander Mattison.
H. R. 13261.	Ruben Riley.
H. R. 13283.	James R. Sage.
H. R. 13337.	Myron T. Spencer.
H. R. 13345.	Justus N. Stillman.
H. R. 13348.	Charles F. Goodwin.
H. R. 13353.	Julius R. Brace.
H. R. 13375.	Hubbard D. Carr.
H. R. 13376.	Thomas H. Hancock.
H. R. 13379.	Elizabeth J. Peckham.
H. R. 13385.	Smiley W. Hamilton.
H. R. 13393.	Henry T. Howell.
H. R. 13409.	Michael D. C. Staner.
H. R. 13424.	John Michel.
H. R. 13433.	Jane Cramer.
H. R. 13473.	Adeline Waskey.
H. R. 13480.	Elisha P. Graham.
H. R. 13506.	Alexander Powell.
H. R. 13586.	Josiah J. Waffle.
H. R. 13931.	William H. Knapp.
H. R. 13936.	Montgomery Patton.

Mr. HELVERING. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record.

The SPEAKER. The gentleman from Kansas [Mr. HELVERING] asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. MURRAY of Oklahoma. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House—

The SPEAKER. That has already been done. The House resolves itself into Committee of the Whole House on the state of the Union, with the gentleman from Wisconsin [Mr. BURKE] in the chair.

Mr. MURRAY of Oklahoma. Pending that, I ask that an agreement for two hours' general debate on this bill, one hour to be controlled by the gentleman from Texas [Mr. DIES] and the other hour to be controlled by myself.

Mr. MANN rose.

The SPEAKER. For what purpose does the gentleman rise? Mr. MANN. The House has not voted to go into Committee of the Whole yet.

The SPEAKER. The gentleman is mistaken. The way that came about was that the gentleman from Kansas [Mr. HELVERING] moved to go into the Committee of the Whole for the purpose of discussing this pension bill, and he asked, pending that, that this particular bill be considered in the House as in Committee of the Whole.

Mr. MANN. But the motion was not put.

The SPEAKER. The Chair begs the gentleman's pardon. The motion was put. The Reporter has it in his notes. But it will take less time to put it again than to hunt up the record. And pending that motion, the gentleman from Oklahoma [Mr. MURRAY] asks to consider what?

Mr. MURRAY of Oklahoma. To agree upon a division of time, whereby general debate shall be for two hours, one hour to be controlled by myself and the other by the gentleman from Texas [Mr. DIES].

Mr. TRIBBLE. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Oklahoma a question.

Mr. MURRAY of Oklahoma. Very well.

Mr. TRIBBLE. Has the gentleman from Oklahoma charge of this bill?

Mr. MURRAY of Oklahoma. They authorized my name to be attached to the report.

Mr. TRIBBLE. I will ask the gentleman from Oklahoma if he has had his attention called to the bill introduced by myself for one Robert Wilson, who is paralyzed?

Mr. MURRAY of Oklahoma. No; I do not remember that I have had.

Mr. TRIBBLE. Does the gentleman recall the case where one of the officers in command of a company swore in these papers—

Mr. MURRAY of Oklahoma. No; I do not recall the case.

Mr. TRIBBLE. Maybe the gentleman will recall the case when I have asked him the question.

Mr. MURRAY of Oklahoma. I am sure I did not, Mr. Speaker, because the gentleman presented it to me privately a while ago.

Mr. TRIBBLE. Well, if the gentleman will allow me to ask him the question, he can answer it. One affidavit by one of his officers, by the name of Marcus B. Brewer, alleges that Robert Wilson was stricken with sunstroke at Chickamauga Park while in rank and was picked up and carried out of line. He testifies that he did have a sunstroke while in the service in line of duty. In this same case there are allegations of doctors who testify that this man is a paralytic and unable to do any work whatever, and they connect this paralysis with the sunstroke. Does the gentleman remember that case?

Mr. MURRAY of Oklahoma. No.

Mr. TRIBBLE. Has the committee considered this case?

Mr. MURRAY of Oklahoma. I do not really know.

Mr. TRIBBLE. Then I will say to the gentleman before I consent to any agreement I must have a promise from this committee to reconsider this case.

Mr. MURRAY of Oklahoma. I will say to the gentleman that the committee has considered the particular cases contained in this bill, but there are a number of other bills pending before the committee which constitute a good many more than are here. We have not had time yet to consider them. I will state to the gentleman that I have several bills myself before this committee, and not one has been reported to this House at this session. As soon as we get to the bills we will be able to do it. We have considered these bills that are embodied in the pending bill.

Now I will yield to the gentleman's question.

Mr. TRIBBLE. I will ask the gentleman if I did not write him a letter about two weeks ago, asking the committee to con-

sider this case? I now ask the gentleman if the committee did not refuse to consider it?

Mr. MURRAY of Oklahoma. I do not remember.

Mr. KEY of Ohio. Mr. Speaker, I want to state, for the benefit of the gentleman from Georgia [Mr. TRIBBLE], that that case was before the committee, and the committee saw fit to lay the case on the table.

Mr. TRIBBLE. Will you reconsider the action?

Mr. KEY of Ohio. The committee did consider it, and laid it on the table.

Mr. TRIBBLE. Will you give me a hearing on the case, and will you give my colleague from Georgia [Mr. BELL] a hearing?

Mr. MURRAY of Oklahoma. I think that would be fair.

Mr. KEY of Ohio. I think it would be necessary that the matter be taken up by a vote of the full committee. If the gentleman desires to appear before the committee he can appear before the subcommittee having that bill in charge.

Mr. TRIBBLE. Then with that understanding I will not object, Mr. Speaker, to further proceeding on the bill now before the House.

The SPEAKER. Does the gentleman from Oklahoma ask anything about the division of time in his request?

Mr. MURRAY of Oklahoma. Yes. One-half of the time to be controlled by myself and one-half to be controlled by the gentleman from Texas [Mr. DIES].

Mr. MANN. Mr. Speaker, may I ask is the debate intended to be confined to the bill?

Mr. DIES. I will say to the gentleman from Illinois that my part of it is to be confined to the bill.

Mr. MANN. To this bill?

Mr. DIES. To this bill.

Mr. MURRAY of Oklahoma. So far as I am concerned I do not care for any time at all.

Mr. MANN. We might want some time. I suppose in that event we could get it.

Mr. MURRAY of Oklahoma. Very well.

The SPEAKER. Pending the motion to go into the Committee of the Whole, the gentleman from Oklahoma [Mr. MURRAY] asks that the debate on House bill No. 14546 be limited to two hours; one half to be controlled by himself and the other half to be controlled by the gentleman from Texas [Mr. DIES]. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The question is on the motion to go into the Committee of the Whole House.

The motion was agreed to.

The SPEAKER. The gentleman from Wisconsin [Mr. BURKE] will take the chair.

The House accordingly resolved itself into Committee of the Whole House for the consideration of the bill H. R. 14546, with Mr. BURKE of Wisconsin in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of H. R. 14546, the title of which will be reported by the Clerk.

The Clerk read the title of the bill (H. R. 14546) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

Mr. MURRAY of Oklahoma. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. If there be no objection, the first formal reading of the bill will be dispensed with.

There was no objection.

The bill is a substitute for the following House bills referred to the Committee on Pensions:

H. R. 821. Clarence B. Brown.	H. R. 6627. Oscar E. Harper.
H. R. 917. Roy E. Knight.	H. R. 6943. Charles F. Pandorf.
H. R. 1255. Edward C. McDowell.	H. R. 6952. Hale F. Hamilton.
H. R. 1268. Hilda Furbom.	H. R. 7053. John D. Ashley.
H. R. 1295. Walter E. Harris.	H. R. 7830. Emma Fox.
H. R. 1304. Rosie Scott.	H. R. 7977. George Oatten.
H. R. 1437. Parmelia R. Parris.	H. R. 8435. William Miller.
H. R. 1544. Daniel A. Millard.	H. R. 8452. James H. Martin.
H. R. 1545. Charles Voos.	H. R. 8490. Gambo C. Villines.
H. R. 1601. James M. Pauley.	H. R. 8653. Marian E. Keyes.
H. R. 2007. James Turner.	H. R. 9064. Andrew J. Wallace.
H. R. 2511. Virginia M. Mills.	H. R. 9201. Peter H. Strumsky.
H. R. 2643. Louis K. Turner.	H. R. 9973. Samuel P. Shupe.
H. R. 2750. Stanley S. Stout.	H. R. 10169. Edward F. Smith.
H. R. 2813. Della A. Cooter.	H. R. 10173. George B. Weesner.
H. R. 3030. Mary A. Barber.	H. R. 10193. William H. Franks.
H. R. 3063. Charle L. Pennington.	H. R. 10357. John Hodges.
H. R. 3082. James H. Kampe.	H. R. 10952. Otho E. Gepler.
H. R. 3092. James H. George.	H. R. 11057. Addison B. Burroughs.
H. R. 3311. Martella M. George.	H. R. 11260. James C. Hudson.
H. R. 3315. James E. Hooks.	H. R. 11434. Wiley Gullett.
H. R. 4567. William Feavel.	H. R. 11639. Ernest W. Hilliard.
H. R. 4968. Daniel Lawlor.	H. R. 12964. Martha R. Allwein.
H. R. 5129. Edward C. Franklin.	H. R. 13328. Mary A. Dow.
H. R. 5175. Emma J. Crocker.	H. R. 13518. Catherean Mihalak.
H. R. 6549. Elizabeth A. Shull.	H. R. 13933. Pawil Wiczias.
H. R. 6593. Crowell Lisenby.	H. R. 13947. William E. Howell.

Mr. MURRAY of Oklahoma. Mr. Chairman, all I have to say about this bill is that we have considered these particular cases, and we have held pretty strictly to the line of the rules laid down for the guidance of the committee. Wherever we have found a case that in equity entitles the claimant to a pension we have tried to give it. We feel that the Pensions Committee in the House is similar to a court of equity, to supply the defects wherein the law is deficient. The department in many instances, because of the strictness of the statute, is unable to grant a pension and dismisses the application, when an examination shows that the applicant, by reason of destitute condition, in spite of inability to meet the cold letter of the law, is as much entitled to a pension as any person upon the roll. In all these cases, and especially the Spanish War cases, we have tried to ascertain the financial condition of the claimant and to grant pensions where, by reason of poverty, it was necessary to take care either of the soldier or his widow or children.

I reserve the balance of my time.

Mr. DIES. Mr. Chairman, I feel that the attention of the committee ought to be called to this legislation. If I did not believe that this bill was made up of a lot of cases that are wholly out of proportion not only to the law but to the pensions that are paid to soldiers of the Civil War, I would not take up the time of the committee to call their attention to the matter. I do not know but you can label any injustice under the sun a pension and so pass it through Congress. I am told by a gentleman who has been here many years longer than I have that you can pass any sort of an appropriation under heaven for anybody on earth if you will label it a pension.

If that is true, of course, it is not worth while to call your attention to the manifest injustice of this bill. It is not only an injustice to the taxpayers of this country, but it is an injustice to the old soldiers of the Civil War who are outclassed and outpaid by these younger men of the Spanish-American War. I warn you now that you are laying up trouble for yourselves by giving large pensions to healthy, able-bodied young men in this country who are going to walk along the same side of the street as the old, crippled, worn-out veterans of the Civil War; and those old veterans are going to take you to task, and they are going to ask you, "Why did you give this husky young fellow a greater pension than you gave to me? He is a young man who never smelled powder, and I am an old man tottering to my final fall, who went through one of the bloodiest wars in the annals of all history."

Moreover, this bill is the beginning of an old-age pension system in this country. I know many Members of Congress are in favor of old-age pensions, poverty pensions, if you please; indigent pensions. In a great many of its items this bill has nothing upon which to base a pension except the statement that the person needs it.

With this prefatory remark I want to call attention to certain specific cases. I want them to go into the Record. I want the people of this country to understand with what lavish hand we give from the Federal Treasury. When a case goes into the Record and is sent out into the country, very few people will see it this week. A few more will see it next week or week after next, because these bills come every two weeks, and if I live I purpose to call the attention of the committee to these legislative monstrosities every two weeks, as long as I am here; and at the conclusion of the consideration of this bill I am going to ask for a roll call. I probably will not get it, but I am going to ask for it in the House. I am going to ask for tellers in the committee, and I am going to ask for a roll call in the House, because I do believe that while there is no justification for a private pension bill in any case, even as to the Civil War, for we ought to have one law for all men alike, I do maintain that a system of private pensions every two weeks for the soldiers of the Regular Army and for the soldiers of the Spanish War ought to outrage the sense of justice of every Member of this body.

The first case to which I want to call attention is on page 5 of the report, in which case they propose to give the pensioner \$50 a month.

Mr. KEATING. What case is that?

Mr. DIES. That is H. R. 917.

When you give a young man who was in the Spanish-American War a pension for life you give him from ten to twenty times as much money value as you give to a soldier of the Civil War to whom you give the same pension. Why? Because the actuarial value of a \$10 pension to a soldier who is now 37 years old is from ten to twenty times the actuarial value of a pension to a soldier who is 70 years old. And in starting out now to take the soldiers of the Regular Army and the soldiers of the Spanish-American War and put them on the pension roll, is to do it with the knowledge before us that we are writing a debit

against the Government even more tremendous than that involved in special pension bills for the soldiers of the Civil War.

In this case the pensioner is to get \$50 a month as long as he lives. He is now a young man 37 years old.

The records of the War Department fail to show the soldier was ever in the hospital for medical treatment, but do show he was reported as sick in quarters upon several occasions for a day or so, the nature of the illness not being stated. \* \* \*

The soldier's rate of pension was increased to \$24 per month from June 18, 1906, under a special act of Congress approved that date. He still receives pension at said rate.

Here is a Spanish War veteran, 37 years old, who has already had the benefit of one private pension bill increasing his pension to \$24 a month, and here comes another to give him \$50 a month.

The next case is on page 6 of the report, and this man is not entitled to a pension.

The records of the War Department fail to show the soldier was treated during his service for any disability, and they also show no physical examination was made at the date of his discharge.

No evidence has ever been given in this claim, and no medical examination by a board of surgeons was ever had.

There is no claim here in the record that he is entitled to a pension. The only statement upon which a pension could be based is this:

And that he had an honorable service in the Confederate Army—

Did you get that?

Mr. KEATING. What case is that?

Mr. DIES. This is H. R. 1255.

Mr. KEATING. On what page of the report?

Mr. DIES. It is on page 6 of the report—

And that he had an honorable service in the Confederate Army, and afterwards in the United States Army during the War with Spain.

But in the War with Spain he shows nothing that would entitle him to a pension. He did not go through the form of a physical examination; he made no pretense of any disability. Therefore he is to be pensioned as a Confederate soldier, which is charitable, I admit. I know there were no braver soldiers in the world than the soldiers in the Confederate Army. Many believe that they are entitled to receive a pension. I myself never have believed that they ought to receive pensions at the hands of the Federal Government. It has always been my hope and belief that they will never apply to the Federal Government for a pension.

Mr. GOULDEN. Will the gentleman yield?

Mr. DIES. I will.

Mr. GOULDEN. How old is this pensioner?

Mr. DIES. Seventy-four years of age.

Mr. GOULDEN. Does my friend feel that at that age, with the man in his present condition, the fact that he has served his country as he thought right during the Civil War, and then in the Spanish War, that he ought not to receive a pension?

Mr. DIES. There are a great many Confederate soldiers who served as this man did, 74 years old. If you want to pension Confederate soldiers, why take one and give him a pension when there are a long line of them who served under Johnson, who served under Lee, who served under Beauregard, who are just as deserving as this man; why single him out to give him a pension?

Mr. GOULDEN. We are not pensioning him for his services in the Confederate Army.

Mr. DIES. He is not pensionable for his service in the Spanish War.

Mr. GOULDEN. The committee find him pensionable.

Mr. DIES. The committee says that the record shows that no physical examination was made at the date of discharge, and no evidence has ever been given in this claim, and no medical examination by a board of surgeons was ever had. There is no evidence at all upon which to base a pension for services during the Spanish War, and the only claim is that he is 74 years old and served in the Confederate Army.

Mr. GOULDEN. The gentleman from Texas evidently knows that at the close of the Spanish-American War, when they were mustered out, the men were asked if they were suffering from any wound or disability because of their service, and out of a spirit of patriotism and pride lots of men answered "no." I had a nephew who served in the Spanish-American War, very sick at the time, who answered this way.

Mr. DIES. I do not know why men when they were mustered out should make a false statement about it. If somebody asked him if he was sick, I do not see why he should not acknowledge it. If they asked him if he had lost a leg, I do not see why he should not admit it. If they asked him if he had malarial fever, I do not see why he could not say "yes" without reflecting upon his patriotism.

Mr. GOULDEN. They thought that in doing that it was not patriotic.

Mr. DIES. No; they knew in that day that they did not deserve a pension, and it is only after Congress allows it to be used for political purposes that they come and ask for pensions.

Now, the next case is on page 7 of the report.

Mr. KEY of Ohio. Will the gentleman yield?

Mr. DIES. For a question.

Mr. KEY of Ohio. I would like to ask the gentleman from Texas if he referred to the case of Roy E. Knight?

Mr. DIES. I want to call the attention of the committee to a number of cases and the facts under those cases.

Mr. KEY of Ohio. I wanted to call the gentleman's attention that he objected to the case of Roy E. Knight.

Mr. DIES. I am not objecting to anything; I am simply calling attention to these cases.

Mr. KEY of Ohio. Why did not the gentleman call attention to the fact that the man is almost totally blind?

Mr. DIES. Oh, I can not read all these reports in full. I call the committee's attention to the cases, and it is the Members' duty to read the report in full. The gentleman would not wait for me to read all these reports.

Mr. KEY of Ohio. But the gentleman picks out one particular point and does not go through the case. As I say, this soldier is almost totally blind.

Mr. DIES. I can not yield to the gentleman further. As I say, I can not read all of the reports in these cases or in any case. I give you the salient facts, and you can rely upon it that what I tell you about a case is true.

Now, the next case is, on page 7, the case of Hilda Furdum, of Kalmar, Kingdom of Sweden. The record shows that on February 17, 1902, the widow filed a claim relating the death of the soldier due to military service. This claim was rejected April 26, 1902, on the ground that the evidence on file does not establish the cause of the soldier's death or of its connection with the military service, and the claimant declares her inability to furnish additional evidence.

This is just another case where you are generous and tax the people of the United States for a pension unauthorized by law to some good woman who lives in the Kingdom of Sweden.

The next case is on page 11 of the report H. R. 1304. This is a beautiful case. This is the case of Rosie Scott, who is the widow of Robert Scott, who served in the United States Navy from April 6, 1872, to November 11, 1873, one year and 7 months. He drew from the Federal Government the sum of \$1,698 in pensions. He had been drawing pensions of some sort for 37 years for that service, and this bill provides to pension his widow.

You will find on page 13 H. R. 1437. In this case the pensioner drew two pensions for many years. Under the law one person can not draw two pensions. The Bureau of Pensions dropped one pension, because no person can lawfully draw two. Now the committee proposes to leave her drawing the pension as a mother and to give her \$30 per month as a widow. I call your attention to the fact that that which is a penitentiary offense under the pension laws of the country is written into the bill, and she is given two pensions for one person.

Mr. MURRAY of Oklahoma. Will the gentleman yield?

Mr. DIES. Yes.

Mr. MURRAY of Oklahoma. Is that the case of Parmelia R. Parris, of Hutchinson, Kans.?

Mr. DIES. Yes.

Mr. MURRAY of Oklahoma. She is a widow of a Mexican War veteran.

Mr. DIES. Yes. She is an old woman and had a son in the Civil War and a husband in the Mexican War. She drew two pensions for many years, and one of them was dropped. And you now go outside of the law to give her \$30 per month and give her two pensions, which the law does not countenance. I do not know of a case under the great Civil War where any person, whether a general or the humblest soldier, or his wife, has ever been allowed lawfully to draw two pensions or is now drawing two pensions.

Mr. LANGLEY. Mr. Chairman, will the gentleman yield?

Mr. DIES. For a question.

Mr. LANGLEY. Is the gentleman certain that his statement is correct, that this claimant is to draw two pensions?

Mr. DIES. I am taking the report of the committee.

Mr. LANGLEY. Does this pension not take the place of a previous pension?

Mr. DIES. No.

Mr. KEATING. Mr. Chairman, will the gentleman yield for a moment?

Mr. DIES. No. I want to answer the gentleman's question.

Mr. KEATING. I am anxious that the gentleman answer it correctly.

Mr. DIES. The gentleman can not help me to do that.

Mr. KEATING. It will enable the gentleman to answer it correctly if he will read the bill, because the bill says that she shall be granted a pension at the rate of \$30 a month in lieu of that she is now receiving, and when the gentleman says we grant her two pensions he is simply endeavoring to mislead the House.

Mr. DIES. I can not yield further. Here is the language of the committee. I will read it, and then we will see whether I am trying to mislead the House:

H. R. 1437. Parmelia R. Parris, Hutchinson, Kans., widow of Bennett Parris, deceased, who served during the War with Mexico in Company D, First Regiment United States Dragoons, from September 27, 1847, to August 12, 1848. (W. C. 807.)

The soldier died in 1866, and a pension was, on June 30, 1887, allowed to the petitioner as his widow from January 29, 1887, under the act of Congress approved that date, at \$8 per month.

The petitioner was the mother of James L. Parris, who enlisted January 26, 1864, in Company H, Seventh Regiment Illinois Volunteer Infantry, and was killed in battle October 5, 1864, and she was granted a pension of \$8 per month as his mother from the day following the soldier's death. She was receiving this pension when she applied for and was allowed a pension as the widow of her husband, who had served during the War with Mexico. She continued to draw the two pensions until 1896, and it was clearly shown she was innocent of any intent to defraud, and believed she was entitled to receive both pensions at one and the same time. She was given the right to elect which pension she wished to retain, and selected that as mother—they were the same rate, \$8—and recovery was made of all erroneous payments and pension as widow was terminated. Under the act of April 19, 1908, the rate was increased in each class to \$12, and she now receives pension as the mother at \$12 per month.

She could, if she so elected, surrender the pension she draws as a mother and be restored to the rolls as a pensioner at the same rate—\$12 per month—as widow of a Mexican War soldier.

I submit, Mr. Chairman—

Mr. KEATING. Finish the reading of the report.

Mr. DIES. Mr. Chairman, if the committee had not intelligence enough to say what they mean, then they ought not to be unfair enough to challenge my motives, to impugn my motives for following the language of the report.

Mr. KEATING. Will the gentleman yield?

Mr. DIES. For a question.

Mr. KEATING. For a suggestion.

Mr. DIES. I decline, Mr. Chairman, to yield for a suggestion.

Mr. KEATING. Then I will ask the gentleman a question.

I will ask the gentleman if he will read to the committee the concluding paragraphs of this report?

Mr. DIES. I will read that:

The pending bill treats with the Mexican War claim, and the case is prepared to be considered as if she were now pensioned as the widow of a Mexican War soldier.

With the bill the petitioner files an affidavit in which she states that she is very old—she is over 80 years of age—and very feeble and has no property and no income other than her pension of \$12 per month.

It is shown by competent testimony of several lay witnesses that the petitioner is the widow of the deceased Mexican War soldier, is very old and feeble, and possesses no property and has no income except her pension of \$12 per month.

From the evidence submitted, your committee believe that an increase from \$12 to \$30 per month is warranted in this case, and it is so recommended.

What case? As the wife of a Mexican soldier. It is stated specifically that they do not deal with her pension that she is receiving now under the Civil War, but they are dealing with the Mexican War, and under that she is entitled to draw both pensions, according to my construction.

Mr. KEATING. Mr. Chairman, will the gentleman yield for a question?

Mr. DIES. I decline to yield further.

Mr. KEATING. Will the gentleman read the bill?

Mr. DIES. I decline to yield further. The gentleman has said that I am trying to deceive the committee, and if that is the opinion he has of me he ought not to ask me to yield to him.

Mr. KEATING. When the gentleman gets through—

Mr. DIES. Yes; when I get through just eat me up. Gentlemen who are in the habit of eating up the Public Treasury and the funds from the taxpayers of the country ought not to have much trouble in eating me up. I think if they will just eat me up and quit eating up the tax money for illegitimate pensions it will be a good thing for the country. I think the people who pay the taxes in this country could dispense with me a good better than they could with their hard-earned cash.

The first thing a man learns when he comes to Congress is how to get a private pension bill through. He learns to loot the Treasury under a private pension bill long before he learns the fundamental rules of the House of Representatives.

Let us take up the next case, on page 16 of the report, the case of James Pauley, of Carbondale, Colo. He served in the Regular establishment, in Company M, Nineteenth Regiment Kansas Volunteer Cavalry, from October 29, 1868, to April 18, 1869, when he was honorably discharged. I read from the report:

The records of the War Department fail to show the soldier was ever reported as sick or received medical treatment for any cause.

September 22, 1891, he filed a claim for pension based on hernia (rupture) of both sides, which he alleged was incurred in the service and line of duty. After a most thorough special examination the claim was rejected June 22, 1898, on the ground of no record and the claimant's inability, even though aided by a special examination, to furnish evidence necessary to show that the double hernia was incurred in the service and line of duty. No appeal was taken.

Yet this Committee on Pensions winds up their statement as follows:

From the evidence submitted your committee is of the opinion that the disabilities from which the soldier now suffers were incurred in service, and they therefore respectfully recommend the allowance of pension at the rate of \$24 per month.

The next case to which I wish to invite the attention of the committee is on page 31 of the report (H. R. 4567), the case of William Feavel. This is the pension of a soldier from the Regular establishment who served his country a little while, was then paid all that the country agreed to pay him, and 30 years after his discharge he filed his first application for a pension, due no doubt to the fact that we no longer consider pension bills—we just pass them and give everyone what he asks for. We have a case here of a pension based upon service rendered more than 50 years ago by a man who never asked for a pension in his life.

Well, the very next case in page 33, H. R. 4968, Daniel Lawlor, Albany, N. Y. He served in the Regular Army, and for 40 years after he was paid off and duly discharged, he made no claim for a pension, no disability, not entitled to it under the law, and he comes now and is to receive a pension for having served in the Regular Army. Now, in that case to which I have just referred, where the man made no claim for a pension for 40 years, here is what the record shows:

The soldier, as shown by the records of the War Department, was 18 years of age at enlistment and a bartender by occupation. He was treated for a disease in October, 1866; for vulnus incis (incised wound), March 6 to April 5, 1867; for a disease in January and July, 1868; January, June, and December, 1869; and May and June, 1870; for "lacerated wound, alteration," July 18 and 19, 1870; and for disease in February, 1871. Nothing in the records, the War Department reports, specifically shows whether the disability treated March 6 to April 5, 1867, was incurred in line of duty.

No evidence was filed prior to the rejection of the claim, and no medical examination has been made.

And yet the committee reports:

From the evidence submitted your committee believe that the disabilities from which the soldier now suffers were incurred in service and line of duty, and recommend the allowance of pension at the rate of \$12 per month.

The next case is H. R. 5129, page 34. This is the case of a man who served in the War with Spain, and the records of the War Department fail to show that he was during the service ever reported as sick or received medical treatment for any cause. When discharged he claimed to be suffering from no disability, and the medical officer who then examined him certified he could find none existing. However, he claimed that he had been sick in the service, and here is what the testimony shows:

The military records show that he was on furlough from October 8, 1898, to November 6, 1898, and on November 7, 1898, was examined at Wilmington, Del., preliminary to muster out. He was then asked whether he had any reason to believe that he was suffering from the effects of any wound, injury, or disease, or had any disability or impairment of health, and answered "No." The surgeon who examined him certified that he found no disability.

The claimant, being confronted with his own signed statement that he was free from disability on November 7, 1898, had no explanation to offer except that he did not recall making such a statement. He acknowledged that the signature was genuine.

That is the testimony, and from the testimony the Pensions Committee think that he is entitled to receive a pension.

The next is H. R. 5175, page 37 of the report. This soldier served 3 months and 8 days. After he served that time in the Spanish-American War he got married. The report says:

The records of the Navy Department fail to show any sickness or treatment of the soldier during his service.

He never filed any claim for a pension. Now the widow is to be pensioned, and the committee says:

From the evidence submitted in this case, your committee is of the opinion that a pension of \$12 per month, with \$2 additional for each of the two minor children until they, respectively, reach the age of 16 years, is fully justified and so recommend.

On page 38 you will find the case where a man 54 years ago, or, rather, this is the application of a widow of a man who 54 years ago did something. Nobody seems to know what, because the evidence shows that he did not do anything in the service of the United States, but he did something in California for 4 months and 20 days. The State of California filed a claim against the Federal Government, and the Government, as usual and always, paid the claim and California paid the soldier for his 4 months and 20 days' work, or whatever it was. Now, remember, that has been 54 years ago. Thirteen years after he did this 4 months and 20 days' work he got married, and at

this late date his widow applies for a pension, and the committee says:

From the evidence submitted your committee believe that a pension of \$12 per month is fully warranted, and so recommends.

The next is the case of H. R. 6593, page 38. This good person comes from Georgia, served in the War with Spain, and he has filed a claim for a pension. The claim was rejected on the ground of no disability May 2, 1908, and again February 15, 1910, on the ground of no record, medical or other satisfactory evidence shown incurred in service or existent at discharge of the alleged injury. The report goes on to say:

Reopening has been several times denied.

The soldier, as shown by the War Department records, was 23½ years of age at enlistment. The records of physical examination at enlistment show:

"Chills and fever at 21 years of age. Gonorrhoea in 1898. One molar gone."

He was treated for causes other than the alleged injury of back—

I want to call attention to that "alleged injury to back"—

among which was preputial chancroids, multiple, not in line of duty, from January 26 to February 1, 1901. There is no record of treatment for injury of back, but he was treated October 25 to 28, 1901, for acute lumbago, both sides, cause unknown, in line of duty.

The claimant was examined by a board of surgeons at Macon, Ga., April 1, 1908. They reported his height as 5 feet 10½ inches, weight 160 pounds. The board said he was "well nourished. Heart and lungs negative. Urine negative. No evidence of injury to back except his word that he suffers pain there. He does regular work of farm hand daily. No evidence of specific disease."

And yet the committee say—

From the evidence submitted your committee believe that the disabilities from which the soldier now suffers were incurred in service and line of duty, and recommend the allowance of pension at the rate \$12 per month.

If not, why not? [Laughter.] Here is a young man doing regular farm work, lively and husky, who led a dissolute life probably and occasionally has the backache as a result from it, but he is doing regular farm work, though, drawing a stipend every month, and this committee finds that he ought to go down into the Public Treasury and take out an annuity of \$144 a year to be paid as long as this young man lives, contributed by the toiling millions of this country, an annuity to him, probably to aid him to buy a farm, I do not know.

On page 50—I will have to hurry along because I can only call attention to a few of these cases—here is a case, H. R. 7977, beginning page 49 of the report, and the report says:

The special examination disclosed the fact that the claimant had borne a pretty bad character prior to his enlistment, having been prosecuted for and convicted of larceny, but that since his discharge he has married and been a steady worker and kept out of trouble. He has always been a very thin man, and before and since service has gone by nickname "Skinny." It is not shown that he was ever ill prior to the service, and it is not shown that he has been sick to any very marked extent since his recovery from malarial fever, from which he was suffering very severely at the time of his discharge. In fact, he worked for some time prior to enlistment for two brothers—J. Fred and Chauncey Tyler—and has worked for them most of the time since his service, and these brothers both state that they can see no difference in his health since service from that he enjoyed prior thereto. He had lost practically no time from work after his recovery from malarial fever until 1909, when the special examination was had, and he turned in on an average about as much work since his service as he was accustomed to do prior thereto.

And yet—

From the evidence submitted your committee believe that the disabilities from which the soldier now suffers were incurred in service and line of duty and recommend the allowance of pension at the rate of \$12 per month.

Mr. QUIN. Will the gentleman yield?

Mr. DIES. I will.

Mr. QUIN. Does not the gentleman think he is doing good service in working the Government?

Mr. DIES. Yes; he is a young man; he is getting a larger pension now than the old soldiers of the Civil War got when they were his age. He will be getting it when he dies. He will be getting it for injuries in the service long before he gets old, but of course these records will be all wiped out and the fact that the claim is allowed here and made will be *prima facie* evidence that he is an old soldier, a veteran in the service of his country, and who had a broken back in the service. [Laughter.]

Over on page 51 is the bill H. R. 8435, the case of William Miller. He is now in the National Home at Milwaukee, and being taken care of in good shape, no doubt. He was discharged 32 years ago, but he was neglected. It never occurred to him until this bill was introduced to ask the Government to give him a pension, and to give you some little idea now of what we may expect in regard to it, the soldier was examined by a board of surgeons on June 1, 1910, and they report that he ought to have \$72 a month as a pension.

And then there is the case, on page 53, H. R. 8490, of Gambo C. Villines. He served a few years—from 1881 to 1886—in the Regular Army 28 years ago. He was paid off by his employer.

Of course we all know that the Regular soldiers have to do an awful lot of hard work, but after he got through for Uncle Sam as a Regular soldier he was paid off. Twenty-eight years had gone by, and he heard, Mr. Chairman, that everybody got a pension who asked for it, and he asked for one, and gets it in this bimonthly bill.

And then there is the case over here, on page 55, H. R. 8653, where the man's troubles, according to the records of the Navy Department, were debauch, excessive use of alcoholics, and venereal disease. That is a claim, however, for a pension for his widow. He was married three times, and there is no record to show the death of but one of his three wives, and this allowance is for \$12 per month, with an additional pension for each of the two minor children. We will have to pay three, or four, or five, or six pensions for this man who served his country principally in the canteen.

I am just skipping over these cases, but I will take the most glaring ones, although they are all glaring; they are all in violation of the general law; most of them unmeritorious, and none of them should be passed. This is a case, H. R. 11057, on page 71 of the report. This man is yet a young man. He is 37 years old. I want you to get this, members of the committee. He served a whole month and 18 days in the War with Spain, that bloody conflict. However, he never got into the bloody part of it. The records of the War Department fail to show that he ever reported as sick or ever received medical treatment while in the service. When discharged he claimed he was suffering from malaria. The medical officer by whom he was examined certified that no evidence of disability could be found to exist. Your committee says:

From the evidence submitted your committee believe that the disabilities from which the soldier now suffers were incurred in the service, and we respectfully recommend the allowance of the pension at the rate of \$12 a month.

On page 76, H. R. 12964, is the case of a lady who wants to be pensioned as a nurse. She was not in the war, but probably in the Philippine Islands. She is not entitled to be pensioned under the general law. If she had served with Grant in his campaign against Lee and had administered to the needs of the dying soldiers on the battle fields between here and Richmond, she would be entitled to \$12 a month, but not having been in that war or any war, your committee allows her \$50 a month. It is true the good woman has lost her eyesight, but when she was examined before entering the service the report of the examination, dated December 20, 1905, shows that her left eye had a convergent squint, cloudiness of vitreous humor, and so forth, and that she had practically no vision in the left eye. She was in that condition when she went to work, but the Government paid a fair wage—better than she could get outside of the Government. She nursed one year or two years, I forget which, and then she left the service. Now, you are going to give her an annuity of \$600 a year for life, just for a few months of service.

Now, Mr. Chairman, I have no prejudice against those who served in the Regular Army. I have no sort of prejudice against those who served in the War with Spain. It was not a war to be compared with the War between the States. I believe there were between 300 and 400 men killed in the Spanish War and probably between 1,000 and 2,000 wounded. I am not sure. The figures are very small, at any rate. I know that around El Caney and San Juan we lost between 200 and 300 men, and we had 1,100 or 1,200 wounded, and I believe that is about all the loss we sustained in the War with Spain.

I want to tell you that if you allow this thing to continue, long before the Civil War pension roll begins to decrease the 500,000 men entitled to consideration by this committee will have raised the pension expenditure hundreds of millions of dollars. You know that there are about 500,000 men who at some time or other are going to ask for a pension under these various demands, and their widows, their children, and the first, second, third, and fourth generations. They give it to a wife while she lives, and when the wife dies the mother inherits it. When the mother dies, there will be some child. There are always some children in the family of a pensioner. It would make a person disabled to know that by being disabled they could get a pension for being disabled. You are going to have disabled children and disabled members of the families of every soldier and sailor in the Regular Establishment and every soldier and sailor who was in the Spanish-American War. And you are going to ride this country down with pensions that are a thousand times worse than the old-age pensions. If you want to give old men and old women pensions without regard to service to this country, as an act of generosity, do not give one of them \$10 and another \$12 and

another \$20. If you want to give an old-age pension in this country, give a small pension, as they do in England, to the old men and old worn outs throughout the country. I am opposed to that, because I know when you put a premium on pauperism, when you open the public crib that paupers may come in and feed, and every man can look to the Treasury in his old age, you will breed more paupers and indigents in this country than all the saloons and all the wars and all the pestilences have bred for a hundred years.

About this bill I have nothing but the kindest feelings for the magnificent gentlemen who are in charge of it. They are on the Pensions Committee, and all are good men and just as patriotic as I am. They are a part of the system, and that system you and I and all others are responsible for, namely, the private-pension system of this country. While they are on that committee they are compelled to report these bills. They are no more to blame for it than the Speaker of the House, or Mr. UNDERWOOD, or you, or myself. And I only say to you that you and I and all others ought to put a stop to all these private pension bills, and if we can not stop them all along the line, let us stop them for everything except the Civil War. Put a stop to them. Give them all fair and equal justice under the law and let that be an end of it, because we are laying up trouble for our Government and laying up trouble for ourselves if we do otherwise.

I want to say to the committee that I shall want a roll call on this bill. I want a record made in this committee by tellers, or by roll call in the House, whichever body we happen to be in when the time comes when we can get it. I want to get a record of whether in respect to this almost bloodless war we are going to start out to do what we did with reference to the bloody Civil War; whether we are going to pension nurses at \$50 and whether we are going to give men large pensions who never saw actual service; whether we are going to pad this service with respect to the Regular Establishment. I want to give every man a chance to help me to get a roll call, and after we get it to help me vote against this bill.

Mr. Chairman, I have tried to state these cases fairly, but as some gentlemen think I have failed to do so, I insert the report of the Committee on Pensions, which speaks for itself.

[House Report No. 370, Sixty-third Congress, second session.]

PENSIONS AND INCREASE OF PENSIONS FOR CERTAIN SOLDIERS AND SAILORS OF THE REGULAR ARMY AND NAVY, ETC.

Mr. MURRAY of Oklahoma, from the Committee on Pensions, submitted the following report, to accompany H. R. 14546:

The Committee on Pensions, to whom was referred sundry bills granting pensions and increase of pensions for certain soldiers and sailors of the Regular Army and Navy, etc., submit the following report:

This bill is a substitute for the following House bills referred to said committee:

H. R. 821. Clarence B. Brown.	H. R. 6627. Oscar E. Harper.
H. R. 917. Roy E. Knight.	H. R. 6943. Charles F. Pandorf.
H. R. 1255. Edward C. McDowell.	H. R. 6952. Hale F. Hamilton.
H. R. 1268. Hilda Furbon.	H. R. 7053. John D. Ashley.
H. R. 1295. Walter E. Harris.	H. R. 7830. Emma Fox.
H. R. 1304. Rosie Scott.	H. R. 7977. George Oatten.
H. R. 1437. Parmelia R. Parris.	H. R. 8435. William Miller.
H. R. 1544. Daniel A. Millard.	H. R. 8452. James H. Martin.
H. R. 1545. Charles Voos.	H. R. 8490. Gambo C. Villines.
H. R. 1601. James M. Pauley.	H. R. 8653. Marian E. Keyes.
H. R. 2007. James Turner.	H. R. 9064. Andrew J. Wailace.
H. R. 2511. Virginia M. Mills.	H. R. 9201. Peter H. Strumsky.
H. R. 2643. Louis K. Turner.	H. R. 9973. Samuel P. Shupe.
H. R. 2750. Stanley S. Stout.	H. R. 10160. Edward F. Smith.
H. R. 2813. Della A. Cooter.	H. R. 10173. George B. Weesner.
H. R. 3030. Mary A. Barber.	H. R. 10193. William H. Franks.
H. R. 3063. Charlie L. Pennington.	H. R. 10357. John Hodges.
H. R. 3082. James H. Kampe.	H. R. 10952. Otho E. Gepler.
H. R. 3092. James H. George.	H. R. 11057. Addison B. Burroughs.
H. R. 3311. Martella M. George.	H. R. 11260. James C. Hudson.
H. R. 3315. James E. Hooks.	H. R. 11434. Wiley Gullett.
H. R. 4567. William Feavel.	H. R. 11639. Ernest W. Hilliard.
H. R. 4968. Daniel Lawlor.	H. R. 12964. Martha R. Allwein.
H. R. 5129. Edward C. Franklin.	H. R. 13328. Mary A. Dow.
H. R. 5175. Emma J. Crocker.	H. R. 13518. Catherean Mihalak.
H. R. 6549. Elizabeth A. Shull.	H. R. 13933. Pawil Wiczlas.
H. R. 6593. Crowell Lisenby.	H. R. 13947. William E. Howell.

The following are the facts ascertained by the committee concerning the case of each beneficiary in said bills and the conclusions of the committee as to the proper amount of pension or increase of pension which should be granted:

H. R. 821. Clarence B. Brown, of Macon, Ga., served as a private in Company B, Third Regiment Georgia Volunteer Infantry, during the War with Spain, from July 14, 1898, to April 23, 1899, when mustered out with the company; in Company I, Ninth Regiment United States Infantry, from July 8, 1899, to April 26, 1902, when transferred to Company B, Fifth Regiment United States Infantry, from which he was discharged July 25, 1902, by expiration of his term of enlistment. He also served from September 28, 1904, in the Twentieth Battery, Field Artillery, United States Army, to February 6, 1905, when transferred to Troop K, Eighth Regiment United States Cavalry, from which he was discharged September 27, 1907, a cook, upon expiration of his term of enlistment. (I. O. 1288901.)

He applied for pension August 2, 1902, alleging that in the Philippine Islands in March, 1900, while in Company I, Ninth Regiment United States Infantry, he contracted stomach and bowel trouble, diarrhea, and dysentery, alternating with constipation; that in February, 1902, in same company, he incurred injury to back and resulting lumbago, caused by horse falling on him; also, that on October

16, 1899, while a member of Company B, Third Regiment Georgia Volunteer Infantry, and in the Philippines, he incurred severe deafness of right ear, caused by concussion, and also varicose veins of right leg.

He filed another declaration for pension March 9, 1909, alleging that on or about the 1st or 15th of November, 1905, in the Philippine Islands (while in Troop K, Eighth Regiment United States Cavalry), he incurred a swollen instep, caused from varicose veins, and that he was twice operated on for such disability by a contract surgeon, Dr. George Clayton.

September 3, 1909, he filed another application, stating that about October 15 or November 15, 1906, while in Troop K, Eighth Regiment United States Cavalry, in the Philippines, he contracted a fibrous tumor; that he was also treated in 1906 for tuberculosis and has ever since been troubled with lung disease.

The first two claims were rejected May 24, 1909—for piles—on the ground that such disease existed before enlistment in Company B, Third Regiment Georgia Volunteer Infantry, as shown by the records of the War Department; for varicose veins of right leg and swollen right instep, affection of right foot and leg, alleged as result of operation for varicose veins of right leg, on the ground that varicose veins existed prior to enlistment in Company I, Ninth Regiment United States Infantry, as shown by the records of the War Department; for diarrhea, dysentery, disease of bowels, stomach, and rectum, exclusive of piles, and constipation, injury of back and alleged resulting lumbago, and deafness of right ear, on the ground that a ratable degree of disability had not been shown since date of application.

From that action appeal was taken, and under date of August 20, 1909, the Assistant Secretary of the Interior affirmed the rejection.

The claim filed September 3, 1909, was rejected January 25, 1911, because a ratable degree of disability had not been shown from date of application from disease of lungs or bronchial trouble. The claim for varicose veins, realleged as fibrous tumors, was not reopened.

The War Department records show the soldier 22 years of age at his first enlistment and that he then had "small external piles." There is no record of medical treatment during that service, but he is reported on the company muster-out roll as sick in hospital August 12 and 13, in quarters August 19 to 25, 1898. Upon examination preliminary to discharge from first service he said he then had no disability and was corroborated by his captain, James M. Kimbrough, jr., and a surgeon.

The record of physical examination at enlistment (second) in Company I, Ninth Regiment United States Infantry, July 8, 1899, shows "slight varicose veins, both legs, below knees."

During this service he was treated for malarial fever December 19 to 21, 1899; January 17 and 18, February 10 to 13, and March 4 and 5, 1900; for acute diarrhea, March 27 and May 31 to June 1, 1900; for acute external hemorrhoids, March 27 to 30, 1900, and November 23 to 27, 1901; for dental caries—teeth filled—June 2 to 5, 1900; for acute coryza (cold in head), January 18 to 28, 1901; for acute bronchitis, February 26 to March 5, 1901; for acute hepatitis, March 19 to 24, 1901; and for acute orchitis, right testicle, gonorrhoeal, April 19 to 30, 1901.

The record of physical examination at the third enlistment, September 28, 1904, showed:

"Varicosities both lower legs. Measles, mumps, whooping cough at 5 or 6 years of age. Dysentery at 25 years. Sore eyes at 10 years of age. Gonorrhoea, sore on penis, and circumcision at 24 years of age."

He was treated during this service as follows: For fibromato, etc. (fibrous tumor of lower left leg or ankle), cause undetermined, but attributed to local irritation from legging or ill-fitting shoe. Complication. Fibromato removed, skin sutured under cocaine anesthesia January 16, 1906; from January 10 to February 6, 1906, for varicose veins internal surface right leg. Complication, March 3 to May 28, 1906. May 1, 1906, suspected tuberculosis of lungs, under observation and treatment since January 10, 1906. Tertiary syphilis manifested by general glanular enlargement of lymphatic glands, not in line of duty; multiple fibromato, right ankle, June 8 to August 5, 1906; intestinal colic, acute, October 23 and 24, 1906, and gastritis, acute, April 20 to 26, 1907.

The claimant was examined by a board of surgeons at Macon, Ga., February 18, 1903. They reported height 5 feet 6 inches, weight 125 pounds; that he had no dysentery; hemorrhoids, rated six-eighths; no sign of injury of back; no evidence of pain in small of back; no disease of ear nor deafness; varicose veins of right leg of moderate degree, no ulceration, rated two-eighths; no edema, or heart signs, cyanosis, or any sign of dyspnea; no lung disease, chest measures 33-37; no kidney disease; does not seem robust and strong; he is evidently suffering from syphilis.

He was examined by another board at the same place December 7, 1910. They reported weight 129 pounds; general appearance healthy; heart negative (rapid); urine negative; lungs 35½, 35½, left side does not expand as well as right, percussion negative. Posterior bronchovesic breathing along lower border of scapula left side. Coughed constantly during examination. No sign of cavity; pile tumors protrude on bearing down; no tumor on foot; scar anterior right ankle from operation; varicose veins right leg and thigh; pharynx congested—no disease of larynx; nose normal; slight enlargement of glands of body; no other sign of syphilis. No evidence of vicious habits. Rate, ten-eighths for varicose veins of leg and thigh.

Clarence H. Kelly, of Company M, Eighth Cavalry, testified that he was in hospital with the claimant in the Philippines; that the latter had an operation performed on his foot at that time and was also being treated for his lungs, both contracted, so far as he knew, in the Army.

William Castlen and J. L. Swint testified, jointly, March 2, 1909, that the claimant was then "more or less disabled" for manual labor; that they had noticed his leg was badly swollen ever since he came out of the Army; and that they had seen his foot and considered it in very bad shape.

M. V. Means and M. P. Weston testified, December 8, 1910, that they had known the claimant for three years and had noticed that he suffers with a severe cough, which causes him great trouble, which, they believe, renders him unable to do any manual labor. Also that he suffers from a crippled foot.

S. H. Smith, M. D., testified, May 8, 1903, that the claimant was in a low state of health on August 4, 1902, and has improved but little since; that he treated him in September, 1902, for chronic cystitis; that he had also treated him for chronic bronchitis (when not stated); and that he is suffering with varicose veins of right ankle which disable him from walking at times, and with internal and external hemorrhoids, which bleed profusely at times; that he was called to see claimant March 30, 1903, and found him suffering with colic, caused by indigestion; that he has such spells ever four or five weeks, which disable him for a week or 10 days at a time; that he considers claimant one-half disabled.

In another affidavit, made February 12, 1909, this witness said he met the claimant about October 15, 1907; that he had varicose veins of right leg and three scars from operation, foot and leg tender; that he has treated him off and on ever since, and he has not been able for manual labor half the time.

In an affidavit executed November 9, 1910, he said he had been the claimant's physician about three years; that he finds him troubled with catarrhal condition of stomach and bowels, varicose veins of right leg from thigh to foot, and that he is not able to do enough manual labor to earn a living for himself and family.

June 5, 1909, this witness testified that the claimant was suffering with catarrhal condition of stomach and bowels in the spring of 1903 and has so suffered ever since; that he has had several attacks of acute indigestion in the last 18 months; that he is almost deaf in right ear and has a weak back.

In an affidavit accompanying the bill the petitioner states that he is partially disabled by injury of right foot, by swelling of foot, and lung trouble; that he owns no property of any kind, and that his income from all sources is \$300 a year.

Two lay witnesses state that he is in bad health and has been for two years, and has no means of support except from his daily labor, which is a very small amount owing to his physical condition.

The gentleman who introduced the bill states that the petitioner is in feeble health; has no means of support except his daily labor; is unable to engage in any steady or continuous employment, which facts he knows from acquaintance with the applicant and familiarity with his affairs.

Dr. James M. Gallargy testifies that he is examining officer for the United States Army at Macon, Ga., and on July 1, 1913, he examined the petitioner for entrance to the Army and rejected him because he is suffering from varicose veins.

Another affidavit has been filed by the soldier dated January 19, 1914, setting forth practically the same facts, circumstances, and conditions as outlined in his previous affidavit.

From the evidence submitted it is believed that a pension of \$17 per month is fully warranted, and it is so recommended.

H. R. 917. Roy E. Knight, of Aurora, Ill., served during the War with Spain, in Company I, Third Regiment Illinois Volunteer Infantry, from April 26, 1898, to January 18, 1899, when honorably discharged. He was 21 years of age at enlistment. (I. C. 1077301.)

The records of the War Department fail to show the soldier was ever in the hospital for medical treatment, but do show he was reported as sick in quarters upon several occasions for a day or so, the nature of the illness not being stated.

When discharged he claimed to be suffering from diarrhea and cramps, but the medical officers by whom he was then examined could find no evidence of any disability existing and so certified.

He filed a claim for pension December 8, 1905, based on malarial poisoning, dysentery, and resulting disease of the rectum. He also alleged nearly total blindness of the left eye and impaired vision of the right eye, and claimed it was a result of malaria and rectum trouble. This claim was allowed from date of filing at the rate of \$10 per month for malarial poisoning, dysentery, and resulting disease of the rectum, but blindness of the left eye and impaired vision of the right eye was not accepted as a result of said diseases.

The soldier's rate of pension was increased to \$24 per month from June 18, 1906, under a special act of Congress approved that date. He still receives pension at said rate.

On March 9, 1912, he filed a claim in the Bureau of Pensions in which he stated that he had lost the sight of both eyes and believed same was due to malaria and rectum disease for which he was formerly pensioned, and asked to be allowed a pension at the rate for total blindness (\$100 per month). This claim was approved for malarial poisoning and dysentery and resulting disease of the rectum at \$10 per month, but the Pension Bureau refused to accept total blindness as a result of said disease.

An appeal was taken, and in a decision of December 18, 1912, the Assistant Secretary of the Interior sustained the adverse action of the Bureau of Pensions. In this decision it is admitted that in a few rare instances there has been found cases where blindness followed, and was due to malarial infection.

Dr. Thomas A. Woodruff, a very prominent surgeon of Chicago, Ill., who is in charge of the ophthalmic department of St. Luke's and St. Anthony's Hospitals of that city, states in an affidavit executed November 23, 1911, that he has examined the soldier and finds total blindness of both eyes, and a history of malarial poisoning, and disease of the rectum following dysentery, and that in affiant's opinion the blindness of this soldier is due to the malarial poisoning, diarrhea, dysentery, and resulting rectum disease contracted in the service. This eminent specialist goes into detail in describing the several forms of glaucoma (blindness), and the specific type from which the soldier suffers, and gives several citations of high medical authorities showing that this type of glaucoma can and does result in blindness by atrophy of the optic nerves, from which he states the soldier suffers. He cites Kries, Relations of the Eye to General Disease, page 401; Datzmann, Wien, page 514; Vachi, page 634; Kastowsky, page 281; Webster Fox, textbook, page 419 and page 412.

With the bill is filed a letter from the Member who introduced same, who states that he has filed an affidavit of the soldier with the office of this committee, in which it is stated by the soldier that he is totally blind and possesses no property, and that he also filed affidavits of lay witnesses showing the soldier has no property, and of a doctor showing he is totally blind. Such affidavits can not be found in the committee rooms, but were doubtless filed, as alleged, although a careful search has been made for same. However, as this Member (Mr. Copley) states in a letter to the committee that the soldier is totally blind and possesses no property and no income except his pension of \$24 per month, and his wife is forced to work as a bookkeeper.

The medical testimony recently filed in the Bureau of Pensions, which has been heretofore cited, shows the soldier is totally blind, and in the opinion of the doctor the blindness is the result of malaria and rectum troubles.

From the evidence submitted in this case your committee is of the opinion that an increase from \$24 to \$50 per month is fully warranted, and it so recommends.

H. R. 1255. Edward C. McDowell, Hanford, Wash., served as a captain, acting quartermaster, United States Volunteers, during the War with Spain, from May 31, 1898, until honorably discharged June 30, 1901. Served in the United States and Cuba. (I. O. 1407524.)

He applied for pension December 30, 1912, alleging that in Cuba in June, 1899, he contracted disease of the kidneys; same became normal and gave no trouble for years, but now affects him again and paralysis of left arm has resulted therefrom. The claim was rejected on January

31, 1913, on the ground of claimant's manifest inability to connect the alleged disabilities with his military service as shown by his sworn statement. No appeal was taken and no effort was made to reopen the claim.

The records of the War Department fail to show the soldier was treated during his service for any disability, and they also show no physical examination was made at the date of his discharge.

No evidence has ever been given in this claim and no medical examination by a board of surgeons was ever had.

With the bill, your petitioner files an affidavit in which he states that he is 74 years of age; suffers from rheumatism in legs and arms and partial paralysis of left shoulder and arm; that he does not know that these disabilities had their origin in the military service; that he is unable to perform any manual labor and has no property except about \$50 worth of clothes and a trunk.

There is filed a certificate of the United States surgeon, of the transport vessel upon which the soldier served, in which it is set forth that the soldier was under this surgeon's professional care and treatment for several weeks during March, 1901, during service, suffering from gastric irritation and intestinal indigestion to an extent to sensibly impair his health and strength. The surgeon states that in his opinion these disabilities were due to the long service of the soldier upon transports and thus being exposed to contrasts of temperature met with between New York and the West Indies. Much of the soldier's service was rendered upon transports upon these waters.

Two witnesses testify that the soldier is 75 years of age, feeble and infirm in health, and unable to perform any manual labor, and is now without means; possesses no property of any kind; and that he had an honorable service in the Confederate Army, and afterwards in the United States Army during the War with Spain.

From the evidence submitted in this case it is believed that a pension of \$24 per month is fully warranted, and it is so recommended.

H. R. 1268. Hilda Furbom, city of Kalmar, Kingdom of Sweden, is the widow of Charles O. Furbom, deceased, who served during the War with Spain, in Company H, First Regiment Illinois Volunteer Infantry, from April 26, to November 17, 1898, when he was honorably discharged. Some of his service was rendered in Cuba. He was 25 years of age at enlistment. (W. O. 756843.)

The records of the War Department show the following treatment: "August 20 to 22, 1898, diagnosis not stated, but in line of duty; August 31 to September 5, 1898, malaria in line of duty."

When discharged he alleged he was suffering from malarial poisoning and the medical officer by whom he was examined certified he was then suffering from "temporary malarial weakness."

April 1, 1901, the soldier filed a claim for pension based upon malarial poisoning which he also claimed had resulted in disease of the lungs. This claim was allowed at \$6 per month from date of filing to January 13, 1902, the date of the soldier's death, for malarial poisoning. Disease of the lungs was rejected as it is not accepted by the Bureau of Pensions as a result of malarial poisoning. As the soldier had died prior to allowance of his claim payment of the pension was made to his widow.

February 17, 1902, the widow filed a claim alleging the death of the soldier was due to his military service. This claim was rejected April 26, 1902, on the ground "the evidence on file does not establish the cause of the soldier's death or of its connection with the military service, and the claimant declares her inability to furnish additional evidence."

The evidence in the claim of the widow clearly shows her to be the lawful widow of the soldier who died January 13, 1902. In her claim the widow contends the death of the soldier was due to the malarial poisoning that had been accepted as of service origin.

The evidence does not clearly and positively show what was the fatal disease from which the soldier died. There is record of treatment in the service for malaria, and when he was examined June 26, 1901, by a board of surgeons it found he was markedly emaciated and his general appearance was bad. He was then 28 years of age, 6 feet in height, and weighed only 120 pounds, and while there was some evidence of malarial poisoning the main disability the board found him suffering from was pulmonary tuberculosis, and they state as to this as follows:

"This claimant is so disabled from phthisis pulmonalis as to be incapacitated for the performance of any manual labor and is entitled to \$30 per month."

Dr. W. C. Ward, of Chicago, testifies that he treated the soldier in January, 1899, for "a functional disturbance of the heart," and in January, February, and March, 1901, for phthisis pulmonalis, and then advised him to go to Colorado, California, or New Mexico. Affiant further states that he has no sort of doubt phthisis pulmonalis caused his death.

Shortly after March, 1901, the soldier took up his residence in Texas and came under the medical treatment of Dr. W. M. Gallager, who testifies in April, 1902, that he treated the soldier in September and afterwards for malaria, stomatitis, and bronchitis, but did not see him for some time prior to the date of his death; that he was called to see him the day of his death, but arrived after he died. In a subsequent affidavit this witness states that in his opinion that "malarial poisoning was the true origin of his disease and death."

The widow appealed from the rejection of her claim, and in a decision of March 12, 1904, the Assistant Secretary of the Interior sustained the adverse action and held that all of the evidence pointed to pulmonary tuberculosis as the cause of the soldier's death, and that disease could not be accepted as a result of malarial poisoning. This decision will be found attached to the brief in the Pension Bureau file.

With the bill the petitioner files an affidavit stating the soldier was strong and well before service; that he contracted malarial poisoning in the service, which so weakened him that he fell a prey to pulmonary troubles from which he died, and she thus believes his death due to his service; that she is the lawful widow of the soldier and has no property or income except that derived from her own labor. This statement was made July 8, 1911.

Two lay witnesses on July 3, 1911, swear that the petitioner has not remarried since the death of the soldier, and is his lawful widow, and possesses no property or income except that which she earns by her own labor.

Another lay witness on April 8, 1913, swears to the same facts concerning lawful widowhood and possession of no property.

Dr. W. M. Gallager swears that he believes the soldier's death was due to tuberculosis with malarial complications.

From the evidence submitted, your committee believes that a pension of \$12 per month is fully warranted, and so recommends.

H. R. 1295. Walter E. Harris, of Damariscott Mills, Lincoln County, Me., served during the War with Spain from May 20, 1898, to October

5, 1898, as a landsman on the United States ships *Wabash*, *Frolic*, and *Franklin*. He was honorably discharged upon recommendation of a medical board survey by reason of physical disability. Chief part of service in waters about Porto Rico and Key West. He was 35 years of age at time of enlistment. (I. O. 44240.)

On December 6, 1898, the petitioner filed a claim for pension on account of gastric catarrh contracted between Porto Rico and Key West, Fla., in September, 1898.

The claim was rejected January 15, 1901, on the ground of no ratable disability since the date of filing.

Another claim was filed on December 14, 1910, and rejected April 18, 1912, on the same ground. Reopening was denied twice, June 10, 1912, and August 14, 1912, for the same cause.

The sailor served 58 days on the *Wabash* and was not reported sick at all. He served 54 days on the *Frolic* and was carried 11 days on the sick list. He was treated September 13, 1898, on the *Frolic* for "gastritis—acute—duty." Discharged September 14, 1898, to naval hospital New York (?). The hospital ticket states:

"Catarrhus gastricus acutus. There is good evidence that it was in line of duty, the man becoming debilitated while serving on this ship, and was complaining for several days prior to September 3, 1898, when he was placed on sick list, being unable to retain food on his stomach and unfit for duty. He has been very nervous for past two weeks and has been troubled by insomnia. Soups have been retained at times in stomach, but solid food has usually caused vomiting. For the past few nights man has had night sweats and chilly sensations. I have heard slightly prolonged and harsh breathing at right apex. Sputum has not been examined. Urine examined and found negative. Man at times seems to lose presence of mind and worries excessively. Case paper states: 'Catarrhus gastricus acutus. Origin, duty, incident to naval service. Stomach very irritable. Has slight cough. September 23, 1898, special duty, mild exercise. September 26, improving slowly. October 3, discharged to *Franklin* for discharge from service. Surveyed September 23, 1898.'

The medical survey of September 23, 1898, states:

"Unfit for service; defective teeth, permanent; recommended that he be discharged from service. Origin, not in line of duty."

The petitioner swears he was strong and well before enlistment; that he contracted disease of stomach during service while near Porto Rico in September, 1898, and has never recovered from the disease, and is unable to perform manual labor as result thereof.

The only testimony in the claims proper, other than that of the sailor, is that of Dr. A. M. Card, of Head Lide, Lincoln County, Me.

In affidavits executed November 2, 1899; August 16, 1900; January 25, 1901; March 28, 1902; and January 25, 1912, he sets forth, under oath, that he has known the sailor since about 1885; was his family physician; that he was strong, rugged, and well prior to enlistment; that he returned from the service suffering from gastric catarrh of stomach and bowels in a very bad condition; that he has treated him as family physician all this time, as he did prior to his enlistment, and he has steadily grown worse from said disease until he is now a physical wreck and unable to do any kind of manual labor, and in his opinion he will never be able to earn his living; that his physical condition is entirely due to gastric catarrh of stomach and bowels, which he contracted in the United States service.

In connection with the application for reopening of the claims affidavits of Dr. Card, executed on May 14, 1912, and James E. Mulligan and Ruel T. York executed July 25, 1912, were filed. Dr. Card states that he had that day examined the sailor and found him suffering from disease of stomach, the objective and subjective symptoms of which were as follows:

"Pain and stricture in stomach, fullness of stomach, most of the time, caused by gas, loss of appetite, great distress in taking food, vomiting and chills, loss of strength and flesh, the coughing up of daily quantities of his meals, daily attended by pain."

Mulligan and York state that they knew the sailor prior to his enlistment, at date of his discharge, and ever since; that since discharge he has suffered from stomach disease every month, all of the time, and is, in their opinion, disabled one-half from earning his living by manual labor.

The claimant was first examined by a board of surgeons November 22, 1899, at Bath, Me. The board reported:

"Body well nourished, skin normal, tongue not coated, red, and indented by teeth. Throat and lungs normal, as evidenced by a careful examination. Inspiration 25, expiration 33. Heart: Cardiac dullness, action weak, sounds normal. No areus, seniles, or edema. Gastric catarrh: We find marked tenderness over the stomach and excessive tympany on percussion over an increased area; equals six-eighths. Hepatic dullness, medium line 3; nipple line 3½; ancillary line 4. Splenic dullness from eighth to twelfth ribs, increased forward; equals two-eighths. Spleen tender on percussion and palpation. No other disabilities found. No vicious habits."

On February 21, 1912, he was again examined, this time by board of surgeons at Augusta, Me. They reported:

"Urine: Acid, yellow, clear, ten-twentieths, no sugar or albumen. No evidence of disease of urinary organs. Rate, 0/18.

"Heart: Apex beat fifth space nipple line. Area dullness, fourth to sixth ribs. Heart action weak, regular, hurried; there is a deferred murmur, heard with greatest intensity over tricuspid area, general cyanosis, no edema, extremities cold, dyspnea on exercise. Rate, twelve-eighths.

"Lungs: Muscles soft, fairly nourished, form erect, chest full, expansion 35-38. Rate, 0/18.

"Disease of stomach: Eyes yellow, skin sallow, tongue red, fissured, liver dullness fourth space to 2½ inches below free costal border and 2 inches left of medium line, tender. Spleen extends forward to anterior axillary line, sixth rib to crest of lillum and tender, abdomen tender, epigastrium full tender, rectum normal. Rate, twelve-eighths.

"This claimant gives a clear history of chills and fever since service; says he has them every two or three weeks, and has since being discharged from the Navy. No other disabilities. No vicious habits."

Filed with the bill is an affidavit of the petitioner in which he says he is wholly unable to perform any manual labor by reason of disease of stomach, malaria, and heart trouble, and has no income or means of support and owns no property of any kind, and is a charge upon charity of friends.

There is an affidavit of Dr. Card, executed February 18, 1913, in which he states that petitioner is suffering from inflammation of stomach and bowels, chronic; also has malarial poisoning and hernia of stomach; that he has treated him for those diseases since he returned from his naval service, and he has suffered constantly from same; that he is unable to perform any manual labor; that he knows the petitioner was a sound and well man prior to his enlistment.

Two lay witnesses, Ruel T. York and George A. Tomlinson, testify that they have known the petitioner for 30 years; lived close neighbors to him; that since his discharge from the Navy he has suffered from some kind of stomach trouble constantly, under care of a physician a large part of this time, and is not able to perform any sort of manual labor; that he is without means, and is partly supported by charity.

Two other lay witnesses, C. Joel Rankin and Fred W. Newcomb, upon the same date testified to the same facts, with the exception that they have only known petitioner for 15 years, or since his discharge from naval service.

From the evidence submitted it is believed that a pension of \$12 per month is fully warranted, and it is so recommended.

H. R. 1304. Rosie Scott, of Greene, Me., is the widow of Ribert Scott, who served in the United States Navy from April 6, 1872, to November 11, 1873, when discharged on medical survey. He served in the United States Navy, Regular Establishment, *Vermont* to April 17, 1872, on the *Portsmouth* to June 27, 1872, on the *Lancaster* to March, 1873, and on the *Vermont* to date of discharge. (W. O. 967264.)

The sailor was pensioned as a landsman, U. S. S. *Lancaster*, January 21, 1874, at the rate of \$3 per month from November 12, 1873, for the "effects of pleurisy."

On June 8, 1907, the name of disability was changed to disease of right lung, and the rate was increased to \$8 per month from May 6, 1906. The rate was subsequently increased to \$10 per month from December 15, 1909, and to \$12 per month from October 19, 1910.

The pensioner died May 25, 1911, of disease of heart.

The widow applied for pension June 21, 1911, alleging the sailor's death from disease contracted on the *Lancaster*, United States Navy. The claim was rejected June 8, 1912, on the ground that the sailor's death from disease of heart was not a result of disease of right lung, for which he was pensioned, nor accepted as having been otherwise due to his naval service which ended 37 years before. Reopening was denied in July, 1912.

The sailor's original claim for pension was filed November 15, 1873, and was based on "disease of heart and pulmonary consumption."

The naval records show by medical survey made November 3, 1873, that he was then wholly disabled by disease of heart and pulmonary consumption due to exposure to atmospheric changes and dampness of ship doing duty on the U. S. S. *Lancaster* in the South Atlantic Fleet prior to August, 1872.

A medical survey made March 14, 1873, showed him unfit for service by valvular disease of heart, of indefinite future duration, which originated in line of duty from exposure to constant dampness of ship and atmospheric changes; that he had an attack of pleuritis in line of duty and has had trouble with his heart since then. First admitted to sick list August 27, 1872.

He was treated April 28, 1873, for rude respiration all over chest, slight crackles at apex of the left, posteriorly, and over the lower part of left chest, posteriorly.

An official medical examination made in the pension claim December 1873, disclosed no evidence of consumption or heart disease. The board said:

"The movements of the chest are limited to 1½ inches, with evident dullness on percussion over right lung, the result of pleuritis. The body is poorly nourished. General health impaired.

"Disability, one-half."

He was next examined September 6, 1877. The surgeon said he found no indication of disease of heart, but found some dullness on percussion on the right side; general health good. Rate, \$3.

He was examined by a board September 24, 1877. They found no decided dullness over chest on percussion, but some heart trouble—action acceleration and some dyspnea on effort.

The next examination was made by a board on May 16, 1906. They reported:

"Age, 70 years; height, 5 feet 6 inches; weight, 160 pounds. Fairly well nourished.

"Lungs: Normal percussion resonance, no rales on pleuritis, friction sounds, though deep breathing excites a cough. Chest measures 33½, 35.

"Heart: Apex beat in fifth space and one-half inch to left of line of nipple. Area of dullness extends 2 inches to left of nipple. He is considerably cyanotic, which is increased by exertion; a good deal of dyspnea after slight exertion. Heart's action very feeble, no arteriosclerosis, heart dilated.

"Rating, effects of pleurisy, \$24."

He was examined by another board May 15, 1907. They reported six-eighths for effects of pleurisy, twelve-eighths for disease of heart.

Another board rated, October 19, 1910, seventeen-eighths for disease of right lung and ten-eighths for heart disease.

C. C. and Mary E. Stetson testified in April, 1912, that they had known the sailor since 1886; that he was affected by a shortness of breath and at times by a cough, which to them denoted heart and lung trouble.

The public death record shows death May 25, 1911, from valvular disease of heart; age 75 years 9 months and 13 days.

Dr. D. F. D. Russell testified that the sailor died May 25, 1911, of valvular disease of heart; that he dropped dead in church; that his right lung was diseased and he was weak and run down; that the duration of his last illness was from April 1910; that he had a severe cough, was short of breath, unable to walk a great deal, was very feeble, and would fall to the floor at times; that the remote or contributory cause of death was weakness following degeneration of lung and cardiac weakness.

In another affidavit this witness said the sailor had no valvular lesion, but a very weak heart and weak lungs.

In an affidavit filed with the bill the petitioner states that she is 68 years of age; that she owns no property and is supported by charity.

The petitioner in affidavit of January 6, 1913, again states that she has no means of support and is destitute. This is supported by affidavits of Everett L. Mower and O. E. Hanscom, recently filed.

In an affidavit executed January 19, 1914, the petitioner states that she is 69 years of age, and that all of the property possessed by her consists of household goods worth not more than \$50.

Dr. O. E. Hannan testifies January 22, 1914, that the petitioner suffers from valvular disease of the heart, Bright's disease in chronic form, is feeble, and requires the constant attendance of another person.

Two lay witnesses testify January 22, 1914, that the widow is old and feeble and helpless, and has no property and depends upon charity for a living.

From the evidence submitted your committee believe that a pension of \$12 per month is fully justified, and so recommend.

H. R. 1437. Parmelia R. Parris, Hutchinson, Kans., widow of Bennett Parris, deceased, who served during the War with Mexico in Company D, First Regiment United States Dragoons, from September 27, 1847, to August 12, 1848. (W. C. 807.)

The soldier died in 1866, and a pension was, on June 30, 1887, allowed to the petitioner as his widow from January 29, 1887, under the act of Congress approved that date, at \$8 per month.

The petitioner was the mother of James L. Parris, who enlisted January 26, 1864, in Company H, Seventh Regiment Illinois Volunteer Infantry, and was killed in battle October 5, 1864, and she was granted a pension of \$8 per month as his mother from the day following the soldier's death. She was receiving this pension when she applied for and was allowed a pension as the widow of her husband, who had served during the War with Mexico. She continued to draw the two pensions until 1896, and it was clearly shown she was innocent of any intent to defraud and believed she was entitled to receive both pensions at one and the same time. She was given the right to elect which pension she wished to retain and selected that as mother—they were the same rate, \$8—and recovery was made of all erroneous payments and pension as widow was terminated. Under the act of April 19, 1908, the rate was increased in each class to \$12, and she now receives pension as the mother at \$12 per month.

She could, if she so elected, surrender the pension she draws as a mother and be restored to the rolls as a pensioner at the same rate—\$12 per month—as widow of a Mexican War soldier. The pending bill treats with the Mexican War claim, and the case is prepared to be considered as if she were now pensioned as the widow of a Mexican War soldier.

With the bill the petitioner files an affidavit in which she states that she is very old—she is over 80 years of age—and very feeble and has no property and no income other than her pension of \$12 per month.

It is shown by competent testimony of several lay witnesses that the petitioner is the widow of the deceased Mexican War soldier, is very old and feeble, and possesses no property and has no income except her pension of \$12 per month.

From the evidence submitted your committee believe that an increase from \$12 to \$30 per month is warranted in this case, and it is so recommended.

H. R. 1544. Daniel A. Millard, of Gaylor Farm Sanitarium, Wallingford, Conn., served during the War with Spain in Company I, Sixth Regiment United States Cavalry, from June 18, 1898, to January 22, 1899, when honorably discharged. He was 23 years of age at enlistment. (L. O. 1398267.)

The records of the War Department show the following treatment: "July 14 to 19, 1898, abrasion of both knees; July 28 to 31, 1898, fever; August 2 to 27, 1898, typhoid fever; August 29 to October 12, 1898, typhoid fever, constipation, pains in limbs, and diarrhea. He was furloughed from October 12 to November 10, 1898, because of sickness. No additional record found."

He filed a claim for pension July 28, 1911, based on malarial poisoning and disease of stomach, which he claimed was the result of the malarial and typhoid fever which he suffered from in the service. This claim was rejected December 15, 1911, on the ground of no disability in a ratable degree from same since date of filing the claim. The claim was reopened September 17, 1912, and again rejected November 11, 1912, on the ground of no record, medical or other satisfactory evidence of origin in service, of the alleged disabilities and continuance of same from date of discharge until date of filing the claim. No appeal was taken.

James B. Randall testified, December 6, 1911, that he has known the soldier 17 years; that he returned from the service suffering from typhoid-malarial fever and in a terribly run-down condition, which continued until it resulted in some kind of stomach disease, which has so incapacitated him that the soldier has been unable to earn a living and has for some time been on the poor farm as a result.

John Harrington and Mrs. Myra Broodhead and Mrs. Kathryn Mitchell, all in 1911 and 1912, testified to substantially the same effect as does James B. Randall.

Dr. Daniel R. Lyman testified, July, 1912, that the soldier is suffering from an advanced case of tuberculosis of the lungs; that the soldier is now in a public institution and a hopeless invalid; that the soldier suffers from disease of the stomach. This affiant states that he believes the condition of the soldier is due to and the result of the severe typhoid-malarial fever from which he suffered during the service.

He was examined by a board of surgeons October 4, 1911, who report his age as 37 years, height 5 feet 7 inches, and weighing 117 pounds (skeleton). They found him suffering from disease of the lungs (tuberculosis), and rated same at six-eighths. They found he suffered from disease of the stomach, liver, and bowels and rectum, all treated as being due to disease of the stomach, and rated six-eighths. No other disabilities were found and no evidence of past or present vicious habits.

With the bill the petitioner files an affidavit stating he is wholly unable to perform any manual labor; that prior to his service he never had a sick day; during service he had a prolonged attack of typhoid-malarial fever and has never recovered; that stomach disease and tuberculosis have resulted; and that he is absolutely penniless, and he and his wife and children are supported by charity, he being an inmate of a public institution.

Two lay witnesses testify that the soldier is wholly unable to do any kind of work, is sick and feeble all the time, and an inmate of a public institution, and that he has no property, and he and his wife and five children are supported by charity.

Dr. D. R. Lyman testifies that the soldier now suffers from tuberculosis and malaria and stomach trouble and is an inmate of a public institution on charity basis and is wholly unable to do any work.

From the evidence submitted your committee is of the opinion that the disabilities from which the soldier now suffers may be safely accepted as due to service, and they respectfully recommend the allowance of pension at the rate of \$24 per month.

H. R. 1545. Charles Voos, of the National Soldiers' Home, Tenn., served during the War with Spain in Company D, Third Regiment Connecticut Volunteer Infantry, from June 29, 1898, to March 20, 1899, when honorably discharged. He afterwards served from October 6, 1899, to July 1, 1901, in Company I, Forty-third Regiment United States Volunteer Infantry. He was 26 years of age at the date of the first enlistment. (L. O. 1375149.)

Service treatment:

"September 22 to October 3, 1898, malaria; November 29 to December 10, 1898, sprain of left ankle; October 25 and 26, 1899, and March 31, 1900, intercostal neuralgia. No additional record found."

When mustered out from each service he stated that he was suffering from no disability, and none was found to exist by the medical officers by whom he was examined upon these occasions.

He filed a claim for pension June 25, 1908, based on malarial poisoning (chills and fever). This claim was rejected April 23, 1910, on the ground of the claimant's inability to prove by medical or other satisfactory evidence that the disability existed at date of discharge and continually thereafter. No appeal was taken, but two efforts were made to have the claim reopened, and each was denied because evidence offered failed to warrant such action.

George Hennes and David Conner testify in 1910 that they were comrades of the soldier in the service, and know he, while in service, suffered from malaria and an attack of what they thought typhoid fever.

George F. Voos testifies in 1908 that he is a brother of the soldier and knows when the soldier came home from the service in the Philippines he was suffering from chills and fever and has since suffered from same constantly.

Dr. Frank Webb testifies in 1908 that the soldier has been under his professional care since 1902 until the date of the execution of the affidavit, suffering from a chronic form of malaria, which has weakened his heart, and he is unable to perform hard labor as a result thereof.

The soldier was examined by a board of surgeons August 19, 1908, who report that he is 36 years of age, 5 feet 7 1/2 inches in height, and weighing 139 pounds. They found him suffering from malarial poisoning, with usual results of disordered stomach, liver, and spleen; rate, eight-eighths. They could find no disease of the heart or any disability not covered by the rate for malarial poisoning.

In the efforts to have the claim reopened other testimony was filed, but it is cumulative in its character and adds nothing to the merits of the case.

With the bill the petitioner files an affidavit, in which he states that he is wholly unable to earn a living by manual labor and possesses no property. He further states that he contracted a cough in the service, which continued after discharge and finally developed into tuberculosis, from which he now suffers.

Several witnesses testify that the soldier had a cough after his return from the service, and that he later began to suffer from tuberculosis, from which he is now a sufferer.

It is shown by lay testimony that the soldier possesses no property.

Three physicians testify that the soldier is a sufferer from tuberculosis, malaria, and disease of the heart, and not able to perform any manual labor.

The surgeon of the soldier's home certifies, November 27, 1913, that the soldier suffers severely from pulmonary tuberculosis, varicose veins, hemorrhoids, kyphosis, and diarrhea, and is unable to perform any kind of labor.

From the evidence submitted your committee believe that the disabilities from which the soldier now suffers may be safely accepted as due to his service, and they respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 1601. James M. Pauley, of Carbondale, Colo., served in the Regular Establishment, in Company M, Nineteenth Regiment Kansas Volunteer Cavalry, from October 29, 1868, to April 18, 1869, when honorably discharged. (L. O. 942223.)

The records of the War Department fail to show the soldier was ever reported as sick or received medical treatment for any cause.

September 22, 1891, he filed a claim for pension based on hernia (rupture) of both sides, which he alleged was incurred in the service and line of duty. After a most thorough special examination the claim was rejected June 22, 1898, on the ground of no record and the claimant's inability, even though aided by a special examination, to furnish evidence necessary to show that the double hernia was incurred in the service and line of duty. No appeal was taken.

The claimant swears that he incurred double hernia as a result of loading heavy wood on a wagon, in line of duty.

James Hurst, who was second lieutenant of the soldier's company, testifies while in line of duty in 1868 or 1869 the soldier, in lifting heavy wood and loading it upon a wagon, was seriously injured in both groins—ruptured.

Charles M. Priddy, who was a comrade in arms, testifies that about December, 1868, the soldier incurred an injury in service and line of duty which resulted in a serious hernia, and affiant saw same at that time.

This same witness states that prior to enlistment of the soldier, affiant was his neighbor, and often employed him and knows that he was not then ruptured, but was able to and did perform hard labor.

W. H. Jack testifies to the fact that prior to his enlistment the soldier was a well and strong man and free from rupture; that when he came home after service he was ruptured severely and has been sick ever since.

N. W. Titus testifies that when the soldier came home from the service he was ruptured, and has been ever since.

The special examination, while exhaustive, adds very little to the claim. It shows that prior to enlistment the soldier was known as a strong and well man and no one knew of any rupture, and that after his return home from the service, or very shortly thereafter, it became generally known that he suffered from a severe rupture of both groins (double hernia), from which he has since continued to suffer. The soldier and all but one or two of the many witnesses seen by the special examiners are rated as people of good character and standing.

He was examined April 6, 1892, by a board of surgeons who found him to be suffering from double inguinal hernia, and rated the disability from same at fourteen-eighths. They also found him suffering from rheumatism and rated it at six-eighths.

Anyone familiar with the character of service rendered by the Nineteenth Regiment Kansas Volunteer Cavalry, and the purpose for which the organization was mustered into the service, will not be at all surprised at the lack of medical treatment recorded. This regiment was mustered in for the purpose of fighting Indians, and the short campaign in which they engaged (about six months) was filled with most grave and serious hardships in a severe winter, and filled with hard fighting, and it is not to be expected that much attention was paid to medical records in such a campaign as this regiment underwent.

With the bill the petitioner files an affidavit stating he is unable to perform manual labor because of double hernia, and possesses no property or income. He is now 65 years of age.

His allegations are fully sustained by the testimony of lay witnesses.

A physician testified December 14, 1913, that the soldier suffers from double inguinal hernia, and is unable, as a result of same, to perform any manual labor.

From the evidence submitted your committee is of the opinion that the disabilities from which the soldier now suffers were incurred in service, and they therefore respectfully recommend the allowance of pension at the rate of \$24 per month.

H. R. 2007. James Turner, of the State soldiers' home, Erie County, Ohio, served in the Regular Establishment in Company A, Fourteenth Regiment United States Infantry, from May 31, 1867, to May 31, 1870, when honorably discharged at the expiration of his term of enlistment. (Certificate 407068.)

The records of the War Department show the soldier was treated on three occasions during the service; for brief attacks of diarrhea once and constipation twice.

He is now pensioned at \$8 per month for gunshot wound of the right thigh and disease of the eyes. He was first pensioned at \$4 per month from July 18, 1888, for said disabilities. The rate was increased February 6, 1889, to \$6, and October 9, 1895, to \$8, which he now receives. He has filed many claims for increase of rate since 1895, all of which have been rejected, the last action of this character having been taken November 5, 1913, and is based on the ground that the present rate of \$8 is adequate to cover present disability from said gunshot wound and disease of the eyes.

Some medical testimony was filed in 1906 and prior to that time to the effect that the soldier's right leg is very stiff as a result of his gunshot wound, and that his sight is seriously affected by the disease of the eyes.

The board of surgeons that examined him January 30, 1907, is the last board to suggest a specific rate for each disability. They state that he is entitled to a rate of \$8 for gunshot wound of the right thigh and \$6 for disease of the eyes.

He was examined by two experts on eye diseases since, to wit, July 11, 1910, and October 15, 1913, and while in each case disease of the eyes is found to exist, and also gunshot wound of the right thigh, no specific rate is suggested for same. The last expert states simply that he would not suggest a change in rate. Whether he believed \$8 for disease of eyes alone was proper does not appear; as he is an oculist, that is doubtless his meaning; if so, then he makes no provision for additional disability due to gunshot wound, which a former board of surgeons rated at \$8.

With the bill the petitioner files an affidavit in which he states that he is wholly unable to perform any manual labor by reason of gunshot wound of the right thigh, disease of the eyes, and rheumatism, and resulting disease of the heart; that he is 72 years of age and possesses no property and has no income aside from the \$8 per month pension with which to support his wife.

Two lay witnesses testify the soldier is unable to earn a support by any labor for himself and wife and has no property.

A physician testifies, January 30, 1914, that the soldier is now suffering to such an extent from gunshot wound of the right thigh and disease of eyes and rheumatism, and disease of the heart, liver, and spleen as to be unable to perform any kind of labor.

From the evidence submitted it is believed by your committee that an increase from \$8 to \$20 per month is fully warranted in this case, and it is so recommended.

H. R. 2511. Virginia M. Mills, of Leavenworth, Kans., is the widow of Frank H. Mills, deceased, who served in the Regular Establishment, Twenty-fourth Regiment United States Infantry, from October 1, 1873, to July 4, 1892, when he was retired. He held the rank of second lieutenant from October 1, 1873, to August 20, 1878, and first lieutenant from that date until November 1, 1882, and regimental quartermaster from then until April 18, 1887, and captain until July 4, 1892, when retired. He died July 29, 1899. (W. C. 528638.)

The widow filed a claim for pension February 8, 1900, which was granted at \$17 per month from July 30, 1899, the day following the soldier's death from chronic rheumatism, which resulted in disease of the heart. This pension she now receives.

The records of the War Department show that the soldier contracted his fatal disease—chronic rheumatism—in 1880, at which time he held the rank of first lieutenant, and the general law fixes the rate of pension to which his widow is entitled at \$17 per month. These records show that after contracting chronic rheumatism in 1880 the soldier continued to constantly suffer therefrom until his death as a result thereof. He held the rank of captain for five years prior to his being retired. The pending bill proposes to increase the rate of his widow's pension.

With the bill the petitioner files an affidavit in which she states that her only support is her monthly pension of \$17, in addition to which all of the property she owns consists of \$321 in cash and a note for \$479; that she is unable to earn a support; and there is no one legally bound for her support.

The allegations of the widow as to being unable to earn a support and the amount of property she possesses and her income from all sources are sustained by the testimony of two lay witnesses.

From the evidence submitted, your committee believe that an increase from \$17 to \$25 per month is fully warranted, and so recommended.

H. R. 2643. Louis K. Turner, of Mauston, Juneau County, Wis., served during the War with Spain in Company D, Third Wisconsin Infantry, from June 22, 1898, to January 16, 1899, and unassigned Thirty-fourth United States Infantry and Company I, Thirty-ninth United States Infantry, from August 12, 1899, until February 15, 1901, when honorably discharged upon surgeon's certificate of disability. He was 42 years of age when he enlisted in 1898. Service was chiefly in the Philippine Islands. (I. C. 1079265.)

On February 25, 1901, he filed a claim for pension based upon right inguinal hernia, which was allowed at \$10 per month.

On May 18, 1911, he filed a claim based upon right inguinal hernia, diarrhea, malarial poisoning (chills and fever), alleging piles, disease of lungs, and tuberculosis as results.

On September 27, 1911, he was allowed a rate of \$14 for complete right inguinal hernia and piles, result of diarrhea.

That part of the claim based upon diarrhea and malarial poisoning was rejected on the ground of no ratable degree of disability from same since date of filing. That part alleging disease of lungs and tuberculosis as results was rejected because these disabilities are not accepted as results, and are not shown to have otherwise been due to or connected with the service.

The records of the War Department show treatment for diarrhea and malarial fever upon several occasions and for right inguinal hernia, all in line of duty. He was discharged on a surgeon's certificate of disability for inguinal hernia. These records show no treatment for any other disability.

It is shown by medical testimony that the soldier was suffering from diarrhea, malarial poisoning, and right inguinal hernia at discharge, and has suffered from same constantly since that date. Piles are shown to have resulted from the diarrhea during recent years.

He was examined June 26, 1901, by a board of surgeons at Mauston, Wis., who rated him ten-eighths for the right inguinal hernia and eight-eighths for the malarial poisoning. They found no other disability existing.

On July 5, 1911, he was examined by a board of surgeons at Baraboo, Wis., who rated ten-eighths for right inguinal hernia, 0/18 for diarrhea, six-eighths for piles, 0/18 for malarial poisoning, and eight-eighths for disease of heart. The board found some disease of lungs, but did not rate thereof.

With the bill the petitioner states in an affidavit that by reason of diarrhea, piles, hernia, malarial poisoning, and tuberculosis he is unable to perform any manual labor, and that he possesses no property.

One lay witness testifies that the soldier possesses no property of any kind, and is unable to perform any manual labor.

Two physicians testify that the petitioner is wholly unable to perform any manual labor; that he is suffering from tuberculosis, having had first hemorrhage in August, 1910, and the disease has rapidly progressed; that the soldier also has complete right inguinal hernia and a small hernia also upon left side.

From the evidence submitted your committee believe that an increase from \$10 to \$24 per month is fully warranted, and so recommended.

H. R. 2750. Stanley S. Stout, of Neva, Johnson County, Tenn., served during the War with Spain in Company C, Sixth Regiment United States Infantry, from July 1, 1898, to March 18, 1899, when honorably discharged. He was 21 years of age when he enlisted. Served some in Cuba. (I. O. 1254805.)

On September 25, 1900, he applied for pension, alleging as disabilities rheumatism and affection of the left side. This claim was rejected on July 12, 1901, on the ground of no ratable degree of disability since date of filing.

On August 13, 1902, he again filed a claim for pension, this time alleging gravel as the only disability. This claim was also rejected because no ratable degree of disability from gravel was found to exist.

On March 13, 1908, he again applied for a pension, alleging as disabilities rheumatism, jaundice, malaria, pleurisy, side, diarrhea, and gravel. This claim was rejected also as no ratable degree of disability was found to exist from any of the causes alleged.

He filed some testimony after the first rejection together with a request for reopening and reconsideration of the claim. This request was denied on February 24, 1909. He appealed the claim, and in a decision of April 30, 1909, the Secretary of the Interior sustained all of the adverse actions of the bureau. This decision is full, and sets forth all of the facts. It is attached to brief, and attention is invited to same by your examiner.

The records of the War Department show the following treatment: "August 18, 1898, to ——— (no diagnosis). Nothing additional found."

When mustered out the soldier claimed not to be suffering from any disability, and the officers by whom he was then examined certify that none existed.

The claimant has filed testimony of comrades and officers in which it is set forth that the soldier did suffer during September, 1898, in Cuba, from the several disabilities alleged, and the Bureau of Pensions in its several adverse actions in connection with the three claims did not question origin in service of any disability alleged.

Several physicians and several lay witnesses testify the soldier suffered from rheumatism, pain in left side, malarial poisoning, gravel, and diarrhea when he returned home from the service, and has suffered from same to more or less extent during the years since discharge until 1909.

The board of surgeons at Mountain City, Tenn., who examined the soldier, January 2, 1901, report as follows:

"We find no evidence of rheumatism or affection of left side. This claimant is, as far as we are able to ascertain, in sound physical condition and a proper subject for life insurance."

"This claimant's heart and lungs are in good shape." He was examined by a board of surgeons at Elizabethton, Tenn., February 8, 1906, who report a slight stricture which causes at times a stopping of the flow of urine and necessitates use of the catheter; that the stricture is due to prostatic causes about the membranes of the urethra—rate six-eighths. This board finds no evidence of any other disabilities—reports all vital organs normal and in good condition and the soldier in a well-nourished, strong, and healthy physical condition.

The board of surgeons at Mountain City, Tenn., again examined the soldier, May 6, 1908, and report that they find a little rheumatism of the shoulders, hips, and knees, for which they rate four-eighths, and some malarial poisoning rated at two-eighths. The board states that after careful search for evidence of jaundice, pleurisy, diarrhea, and gravel they are unable to find any existing.

All of the boards state there is no evidence of any venereal disease or vicious habits.

With the bill the petitioner files an affidavit stating that by reason of rheumatism and malaria he is unable to earn a living by manual labor; that all of the property owned by him consists of 10 acres of land in Johnson County, Tenn., which is worth about \$50.

Two comrades testify to the fact that the soldier was a well and strong man before enlistment, suffered during service from rheumatism, jaundice, and malaria, and has suffered ever since his discharge from said diseases.

Two lay witnesses testify that the soldier is without means of support, and all the property he owns consists of a few acres of land, worth about \$50, and that he has five small children and an invalid wife.

Two physicians testify that the soldier suffers constantly from rheumatism and pleurisy and pains in left side and malarial poisoning to such an extent as to render him unable to earn a support by manual labor, and that the soldier's wife is an invalid.

Stanley S. Stout, the soldier, testifies, January 10, 1914, that on or about four months after return from the service he was taken down, and sent for Dr. J. G. Butler, who stated he was suffering from rheumatism and malaria. The doctor now claims he has no such record and no recollection of it.

J. M. Stout testifies, January 10, 1914, that about four months after his return from the service the soldier suffered from an attack of something from which he was "bad off," and Dr. J. G. Butler treated him, but has forgotten this and has no record of it.

January 10, 1914, J. L. Stout testifies that the soldier was very sick about four months after his return from the service and was

treated by Dr. J. G. Butler, and affiant has often since heard soldier complain.

January 10, 1914, J. B. Kidd testifies that about four months after return from service the soldier was very sick and treated by Dr. J. G. Butler.

None of these witnesses state the nature of the soldier's illness or how long it continued, and the physician, it is said, has no record of it and fails to recall same at all.

From the evidence submitted your committee believe that the disabilities from which the soldier now suffers were incurred in service and line of duty, and recommend the allowance of pension at the rate of \$12 per month.

H. R. 2813. Della A. Cooter, of Greeneville, Tenn., served in the Regular Establishment, Sixty-ninth Company, United States Coast Artillery, from March 19, 1904, to March 18, 1907, when honorably discharged. He was 31 years 2 months of age at enlistment. (1. Ctf. 1147264.)

September 5, 1907, he filed a claim for pension, alleging sore eyes contracted in October, 1905, and rheumatism contracted in April, 1906, and piles, at Fort Monroe, Va. His claim for sore eyes was allowed June 8, 1908, at the rate of \$6 per month from the date of filing. That part of the claim based upon rheumatism and piles was held in abeyance pending special examination as to origin in service of these disabilities. After the special examination the claim was rejected as to rheumatism and piles, on the ground of no record, and the best obtainable evidence is not deemed sufficient to satisfactorily establish origin in the service and line of duty. Rheumatism was also rejected upon the further ground of no ratable degree of disability from same since date of filing the claim.

Upon three occasions—August 31, 1909; October 13, 1909; and December 7, 1909—the Bureau of Pensions declined to reopen the claim on the ground of insufficiency of the evidence offered to warrant such action. No appeal was ever taken.

The records of the War Department show the following treatment: "April 14 to 21, 1904, vaccinia in line of duty; January 20 to 30, 1907, eye strain, astigmatism, in line of duty. No additional record found."

Comrade L. R. Williamson testifies that the soldier suffered from piles during the service, and that affiant gave him some ointment for use upon the piles. This witness, who is rated "good," sustained his testimony when seen by a special examiner.

Comrades George W. Pool, George Morris, and N. S. Lowe testify that the soldier suffered during the service from piles, rheumatism, and sore eyes. Before a special examiner they sustain their former testimony fairly well. They are rated "good" as to two of them and "fair" as to the other.

Dr. F. C. Britton, in affidavits filed in November, 1907, and January, 1908, states he treated the soldier from early in the fall of 1907 for rheumatism, piles, and disease of the eyes.

Three witnesses testified before a special examiner that the soldier was a well and strong man, free from disease of any kind, before his service, but that when he returned home he appeared to be and claimed that he was suffering from rheumatism, piles, and sore eyes, and has suffered from same ever since.

When examined by a board of surgeons November 6, 1907, the soldier was found to be suffering from sore or diseased eyes, for which they rated six-thirtieths; rheumatism, rated four-eightieths; and piles, rated at six-eightieths.

No other disability was found to exist, and no evidence of any vicious habits.

With the bill the petitioner files an affidavit in which he states that he is unable to perform any manual labor because of disease of the eyes, rheumatism, and piles, and owns no property of any kind and has no income other than his pension.

Several lay witnesses testify that the soldier can not do more than one-fourth of a day's manual labor and possesses no property and has no income aside from his pension.

Two physicians testify that they have examined the soldier and find him suffering from rheumatism, piles, and disease of the eyes. One of these witnesses further states the disabilities are of a permanent nature and prevent the soldier from doing more than one-half a day's work by manual labor.

Since this report was prepared an affidavit has been filed, executed by Dr. G. S. Hays, eye, ear, nose, and throat specialist, who testifies that on February 3, 1914, he examined the soldier and found him suffering from conjunctivitis in each eye. He is also suffering from astigmatism of each eye; he wears A+100, ax 90, R. E.+100, ax 1.80, L. E., for constant wear. Ophthalmic examination reveals a very red retina with dark spots. Retinal vessels dilated. I am of the opinion that the condition of the retina is due to rheumatism.

Dr. F. C. Britton testifies February 3, 1914, that he that day examined the soldier and found him suffering from rheumatism of both shoulders and arms; the right arm is badly swollen at the elbow joint. He also has protruding piles, which are at times aggravated by constipation. He also has disease of eyes, and they are in bad condition and constantly grow worse. All of these disabilities are now chronic in character and incapacitate him for labor fully three-fourths.

From the evidence submitted in this case it is believed that an increase from \$6 to \$17 per month is fully warranted, and so recommend.

H. R. 3030. Mary A. Barber, Sapulpa, Okla., widow of Lafayette E. Barber, deceased, who served during the War with Spain in Company K, Thirty-third Regiment United States Volunteer Infantry, from August 15, 1899, to April 17, 1901, when honorably discharged. He was 25 years of age at date of his enlistment. (W. O. 938106.)

The records of the War Department show the following treatment: "February 9 to 11, 1900, malarial fever, also termed intermittent tertian fever, in line of duty. No additional record found."

The records show he was reported as sick in quarters April 30 to May 10, 1900, June 5 to 12, and 16 to 20, 1900. The nature of this illness not stated.

When mustered out he claimed to be suffering from catarrh of head, rheumatism, and loss of smell. The medical officer who examined him certified he could find no evidence of said disabilities.

The soldier filed a claim for pension April 29, 1903, based on malarial poisoning, catarrh, rheumatism, disease of stomach and bowels, and diarrhea alternating with constipation. This claim was rejected February 6, 1906, as to malarial poisoning, diarrhea, constipation, and disease of the stomach, on the ground of no ratable degree of disability therefrom since date of filing; and as to the other disabilities, on ground of no record, medical or other satisfactory evidence that the

same were contracted in service and line of duty and existed at date of discharge.

The widow filed a claim March 16, 1910, which was rejected on the ground that the soldier's death on December 6, 1909, from typhoid fever was in no way connected with or due to his military service.

In the widow's claim the only evidence filed was an affidavit of attending physician showing the soldier died of typhoid fever December 6, 1909, with a history of having been a chronic sufferer from indigestion and diarrhea.

No evidence was filed in soldier's claim. He was twice examined by board of surgeons—August 7, 1901, and February 1, 1905. In each instance the only disability found to exist was catarrh of head, and both boards rated this at \$6 per month. The first board stated the disability, in their opinion, was due to syphilitic causes; the second board did not agree in this view, and states that venereal disease has no connection with the catarrh. The evidence that soldier ever had syphilis consists of condition of his hair, nose, and penis, which the first board states looks as if he had had syphilis; and he said to them that he had had this disease.

With the bill the petitioner files an affidavit, in which she states that she is the widow of the deceased soldier; that she believes his death from typhoid fever was a result of the stomach and bowel trouble he contracted in military service, and from which he continued to suffer from date of his discharge until his death; that she has two small minor children and possesses no property or income.

Two lay witnesses testify the widow possesses no property and depends on her daily labor for support of herself and two small children.

A transcript of marriage record filed with the bill shows soldier and petitioner were duly married July 19, 1902.

Sherman S. Whiting and Mrs. Lizzie Buffington testify in affidavits filed with the bill that the soldier and the widow had never been married prior to their marriage to each other; that they lived continually together and were never divorced, and the widow has not remarried and has two minor children to support, and possesses no property.

Mrs. Cora A. Meecker and Mrs. Mollie L. Whiting testify in affidavits filed before the committee that the soldier left two minor children, born as follows: Bernice E. Barber, born October 19, 1905, and Basil E. H. Barber, born January 2, 1908. That the affiants have personal knowledge of the correct dates of birth of these two children, and that they are now living.

From the evidence submitted, your committee is of the opinion that a pension of \$12 per month and \$2 additional for each of the two minor children until they, respectively, reach the age of 16 years is fully warranted in this case, and so recommend.

H. R. 3063. Charlie L. Pennington, of Milledgeville, Ga., served in the Regular Establishment, in the Eighteenth Battery, United States Field Artillery, from January 8, 1902, to December 28, 1904, when honorably discharged. He was 25 years and 9 months of age at enlistment. (1. C. 1156097.)

The records of the War Department show the following treatment: "April 10 to 14, 1902, acute tonsillitis; February 14 to 25, 1903, subacute catarrh appendicitis; April 24 to 28, 1903, wound contused right patella, kicked by a mule during drill, April 24, 1903, accidental; August 4 to 9, 1903, dengue, acute; September 18 to 20, 1903, indigestion, intestinal, acute; November 13 to 22, 1903, fracture, simple, anterior portion right rib, accidentally thrown from a mule in the field October 26, 1903; November 27 and 28, 1903, diarrhea. All in line of duty. No additional record found."

He filed a claim for pension March 27, 1909, based upon injury and fracture of the eighth rib on the right side. This claim was allowed at \$6 per month, July 6, 1909, from date of filing, and he now receives a pension at that rate.

August 16, 1911, he again filed a claim for pension. This time basing it upon disease of the heart incurred in line of duty. This claim was rejected October 3, 1911, on the ground of no disability from disease of the heart in a ratable degree since date of filing the claim. He did not appeal, but did file some evidence in an effort to have the claim reopened, and such action was denied October 21, 1911, on the ground that the testimony offered did not warrant same.

The soldier had a rib or two broken in service, and is now receiving \$6 per month pension for same, which, in the opinion of the Bureau of Pensions, is as high a rate as the evidence justifies for the disability resulting from said injury. In several sworn statements he alleges that the disease of the heart from which he now suffers was incurred in line of duty in service from exposure. In support of this allegation, he furnished testimony of Dr. J. H. Trout, who, in an affidavit of October 10, 1911, states that he treated the soldier for heart disease on January 10, 1905—about a month after discharge from service—February 7 and July 19, 1905, and he was, by reason of the same, then incapacitated for manual labor. He also furnished an affidavit of Dr. T. B. Perry, executed October 19, 1911, in which he states that he treated the soldier in August, 1911, for mitral disease of the heart which appeared to be of a chronic or long-standing nature and incurable, and incapacitates him for the performance of manual labor. In addition to this medical testimony, one lay witness, in an affidavit executed September 19, 1911, states that the soldier was suffering from disease of the heart when he returned from the service in January, 1905, and has always since suffered from same, and is unable to perform manual labor by reason of the said disease.

The soldier was examined by boards of surgeons June 2, 1909; September 6, 1911; and November 1, 1911. The first board found him suffering only from the fracture of rib on the right side. They reported him as slight in build and very unhealthy in appearance, but they found no disease of the heart or any other disease save broken rib. The second board found about the same physical condition, except they report heart as very rapid in action, but no evidence of disease of the heart. They reported some slight trouble with the lungs—cough and spitting—and trouble in breathing. The last board states that the only disability they found which would warrant a rate of pension was that from injury—broken ninth and tenth rib of the right side—and suggested \$6 per month as a proper rate therefor. As to disease of the heart they state:

"Apex beat of heart visible in fifth interspace on nipple line. Impulse diffused over epigastrum area of dullness increased slightly downward and left to nipple line; second sound accentuated and sharp; no murmurs; pulse hard and rapid, irregular, and irritable; no intermission; no cyanosis or edema or dyspnea on exertion."

All of these boards report the soldier as anemic, being 5 feet 11 inches in height, and weighing from 128 to 135 pounds. He is only 37 years of age now. Each board certifies that there is no evidence of venereal disease past or present, and no vicious habits.

With the bill the petitioner files an affidavit in which he states that he is in part unable to earn a living by manual labor because of the disease of heart and fracture of the ribs, both incurred in his military service, and that he possesses no property of any kind.

Two lay witnesses testify that the soldier owns no property and is unable to earn a living by manual labor, and has a wife and minor child, both of whom are in feeble health.

Dr. T. M. Hall testifies November 8, 1913, that the soldier has an enlarged heart with serious valvular lesion, a deformity of the chest due to fracture of rib, and recurring dysentery. He also states that the soldier's wife is an invalid, suffering from pellagra, and a minor child is partially paralyzed from an injury received at its birth. He states the soldier is a very poor man, but a man of most excellent habits.

From the evidence submitted your committee is of the opinion that an increase from \$6 to \$24 per month is fully warranted in this case, and so recommend.

H. R. 3082, James H. Kampe, of Oconto, Oconto County, Wis., served during the War with Spain in First Battery United States Field Artillery, from April 26, 1898, to March 1, 1899, when he was honorably discharged at Tybee Island, Ga. He was 21 years of age at enlistment.

On March 26, 1904, he filed a claim (Inv. Cif., 1146333) for pension based upon disease of stomach and bowels, result of fever and measles contracted in May, 1898, at Tybee Island, Ga. He was examined by two boards of surgeons July 20, 1904, at Marionette, Wis., and April 1, 1908, at Green Bay, Wis. Both boards rated his disabilities disease of stomach and bowels at four-eighths. He was pensioned May 4, 1908, at \$6 per month for these disabilities.

On June 6, 1912, he applied for an increase of pension, alleging increased disability from disease of bowels and stomach. July 10, 1912, he was examined by a board of surgeons at Shawano, Wis., who reported that he was entitled to only six-eighths for the disability due to disease of bowels and stomach, and six-eighths for disability due to disease of heart. No evidence of vicious habits. This claim was rejected on August 15, 1912, as far as disease of bowels and stomach was concerned, on the ground of no increase of disability therefrom. Disease of heart has never been claimed for, and there is no evidence upon file to show same due to the service. No appeal taken, and no effort made to reopen the rejected claim.

"May 4 to 6, 1898, acute indigestion; May 9 to 13, 1898, acute diarrhea; August 21 to 31, 1898, measles; September 27 to 28, 1898, acute diarrhea; November 25 to 26, 1898, acute indigestion; January 28 to 29, 1899, acute diarrhea. Returned to duty."

All the foregoing in line of duty.

With the bill your petitioner files an affidavit, executed January 13, 1913, in which he alleges that he is wholly unable to earn a support by manual labor by reason of disease of bowels, stomach, and heart, due to malarial fever and measles, which he contracted during his service; that all of the property owned by him is not worth over \$200 and consists entirely of personal property.

Dr. C. W. Stoelting, in affidavit of January 8, 1913, states that he that day examined petitioner and found he suffered from a weak and dilated heart; that the condition of heart was first noticed by him on June 23, 1903, when he formerly examined soldier, and he thinks same due to exposure undergone by soldier during military service while convalescing from malarial fever, measles, and protracted siege of diarrhea; that he is also suffering from gastro-enteralgia, described by soldier as "cramps," which are the initial symptoms of a posterior spinal sclerosis, and at this date the deep patellar reflexes are greatly diminished; the coordination of muscle movements appear to be perfect, indicating the absence of Bomberg sign, and also the pupils respond very lively to light, showing absence of the Argyll-Robertson pupil. The affiant declares the petitioner, by reason of the foregoing disabilities, is wholly unable to earn a support by manual labor.

Two witnesses state the petitioner is without means of support and owns only a few household goods.

From the evidence submitted your committee believe that an increase from \$6 to \$12 per month is fully warranted in this case and so recommend.

H. R. 3092, James H. George, of Blairsville, Ind., served during the War with Spain in Company G, Forty-seventh Regiment United States Volunteer Infantry, from September 20, 1899, to July 2, 1901, when honorably discharged on surgeon's certificate of disability. He also served in Company D, Fifth Regiment Pennsylvania Volunteer Infantry, April 27, 1898, to November 7, 1898. He was 24 years of age at the first enlistment. (I. Cif. 1090388.)

The records of the War Department fail to show he was ever reported as sick or received any treatment during the first service. He was treated as follows during the second service:

"June 23 to 28, 1901, for mental observation, no fixed delusions, disconnected ideas and speech, no previous history in line of duty; June 26 to July 10, 1901, mania, acute with delusions of grandeur, in line of duty. Delusions violent, raves constantly day and night, and injures himself when not under restraint, in line of duty. Transferred to Government Hospital for the Insane, Washington, D. C., September 10, 1901. No additional record found."

He filed a claim for pension March 9, 1903, based on acute insanity which was allowed at \$17 per month from date of filing to terminate September 24, 1902, the disability—insanity—having ceased.

On October 7, 1904, he again filed a claim asking his name be restored to the roll for insanity from date of dropping, and also alleging chronic diarrhea as an additional disability which he had contracted in service. This claim was rejected February 12, 1906, on the ground of no ratable degree of disability shown from said causes since date of filing.

Another claim filed December 23, 1907, with the same allegations was rejected April 20, 1908, on the same medical grounds. And one more claim with same allegations, filed June 19, 1908, was rejected May 27, 1909, on the same medical grounds.

March 4, 1911, he again filed a claim; this time based on chronic diarrhea alone, which was rejected April 28, 1911, on the ground of no ratable degree of disability therefrom since date of filing the claim.

The evidence, of course, shows incurrence in service and existence at discharge of insanity. As to chronic diarrhea two comrades, James B. Lucksinger and Samuel S. Reager, testify, in 1904 that the soldier was well known to them prior to his enlistment, and they know he was a well and strong man, free from any disease; that he suffered during the service with diarrhea and was suffering from same at discharge and has continued to suffer therefrom since. They also testify to the sudden attack of insanity the soldier incurred in the service.

Robert G. Johnson, Samuel A. Crawford, George W. Crede, J. G. Baldrige, and A. T. Rutledge, lay witnesses, testify, in 1905 and 1906, to the fact that the soldier was a well man prior to service, but

when he came home after discharge he was insane and had to be confined for a long time in an asylum for the insane at Washington, D. C., and though now out of an asylum, in their opinion, is feeble in mind; they further testify he was suffering from diarrhea when he returned from the service and has continued since to suffer so from same as to render him unable to perform full manual labor or anything like full labor.

The claim was sent to the field for special examination, and sworn statements were obtained for the soldier, and 10 or 12 witnesses, all of whom were found to be people of good character and standing. The net result of this special examination shows that the soldier has lived all of his life in the same locality; that he was free from disease or disability prior to enlistment; that he returned home from final service suffering from acute mania and was sent to the insane asylum at Washington, D. C., where he remained until September 24, 1902, when discharged as "cured"; that he was regarded as more or less feeble-minded afterwards, and was so regarded when this investigation was held in 1904, and there was every indication of this mental condition being permanent; that the soldier had suffered more or less ever since his discharge and up to the time of the special examination from diarrhea of a chronic form and was prevented to a large extent by that and his mental condition from earning a living by manual labor.

The soldier was first examined by a board of surgeons July 1, 1903, who report him as 29 years of age, 5 feet 6 inches in height, and weighing 145 pounds. This board confined its examination to mental condition, concerning which they state:

"Claimant has a downcast, evasive expression of face. Has not returned to his usual occupation. Shows mental depression and has no desire for self-support. According to his own statement he has secluded himself from society and his former associates. When asked why he had done so, states that he does not know, except that he has no desire to be with former associates. Shows no evidence of delusions or hallucinations at this examination, but his condition is rather that of apathy. It is the opinion of this board that the claimant is suffering from chronic mania."

He was examined by other boards of surgeons November 23, 1904, May 16, 1906, and April 5, 1911. All of these boards found and reported the soldier's mental condition was weak, and most of them found chronic diarrhea actually existing at time of the examination, or evidence that the soldier does suffer from same from time to time. They rate from four-eighths to twelve-eighths for each of these disabilities, with the exception of the last board, which simply states conditions found as to said disabilities and is silent as to the proper rates therefor.

With the bill the petitioner files an affidavit in which he states he is wholly disabled by reason of diarrhea and mental trouble for performance of manual labor, and in possession of no property and no income.

Lay witnesses and the Member who introduced the bill state the soldier possesses no property and has no income and is regarded as feeble-minded and unable to earn a living by his own efforts.

Dr. A. T. Rutledge testifies, January 1, 1914, that the soldier is now and has been since discharge from the service physically unable to do any manual labor; that he suffers from pains in the head, and his mental condition is such that he can not concentrate his mind upon anything of any importance, becomes confused when he tries to do so; that he suffers now and has since discharge from diarrhea; that the only work he can do is light routine work about a pool room, and from his mental condition he is incapable of doing anything which requires any thought, except when told by others to do so and how to do it.

From the evidence submitted in this case it is believed that the disability from which the soldier now suffers (mental feebleness bordering upon imbecility) is due to the service, and a pension of \$24 per month is fully justified, and it is so recommended.

H. R. 3311, Martella M. George, of Vandervoort, Ark., is the widow of Wallace E. George, deceased, who served during the War with Spain in Company D, Twentieth Regiment Kansas Volunteer Infantry, from June 14, 1898, to August 28, 1899, when honorably discharged. He was 21 years of age at enlistment. (W. O. 922268.)

The records of the War Department show the following treatment:

"July 5 to 24, 1898, acute gonorrhoea; September 10 to 23, 1898, gonorrhoea; December 11 to 21, 1898, gonorrhoea; December 23, 1898, to March 5, 1899, phimosia gonorrhoeal, gonorrhoeal chancroidal adenitis, both glands, chancroids on penis and syphilis; May 10 to June 5, 1899, syphilitic rheumatism, shoulders, back, and legs; June 9 to August 2, 1899, secondary syphilis, mucous patches mouth and throat; August 2 to 28, 1899, syphilis, secondary, mucous patches in mouth and throat. None of these in line of duty. Discharged August 28, 1899, services no longer required."

September 14, 1899, the soldier filed a claim for pension, based on rheumatism, bronchitis, and disease of the heart and lungs, which he claimed were contracted in the service in July, 1898. This claim was rejected April 30, 1902, on the ground of no disability in a ratable degree from causes alleged, independent of the result of the venereal disease from which he suffered during the service.

The widow filed a claim June 19, 1900, alleging her husband's death, August 17, 1908, from typhoid fever was a result of disabilities incurred by him during his military service. This claim was rejected September 7, 1909, on the ground that the soldier's death from typhoid fever nine years after his discharge can not be accepted as a result of any disability shown to have existed in the service, nor is it believed to be susceptible of proof that said fatal disease was in any wise due to the soldier's military service.

In the widow's claim the only evidence filed consists of the testimony of a physician, who attended the soldier in his fatal illness and some time before, who states that the soldier suffered from constipation and chronic bronchitis prior to the attack of typhoid fever that proved fatal, and, in the opinion of this physician, the bronchitis contributed to the soldier's cause of death.

In the claim of the soldier the only evidence to base any action upon consists of the report of the board of surgeons, by whom the soldier was examined on January 29, 1902, who report him as 25 years of age, 5 feet 3 inches in height, and weighing 145 pounds. This board made a careful examination and reported that all of the vital organs were normal and no disability of any kind could be found to exist which would warrant a rate of pension, and no rate for any cause was suggested by the board.

As to venereal disease, the board reported that they found evidence of gonorrhoea in the past, but that if soldier had ever had syphilis a good recovery had been made, as no evidence thereof could be found to exist.

With the bill the petitioner files an affidavit in which she states that she believes her husband's death was due to his military service, that she is not strong, and that all of the property she owns consists of some land worth \$600, and from which there is an income of \$40 per annum.

Her statements are sustained by testimony of lay witnesses. A physician testifies that the widow is a feeble woman and now suffers from appendicitis.

The original marriage certificate showing the soldier and the petitioner were married May 30, 1900, was filed with the committee. A copy thereof was made by your examiner and kept with the case, and the original returned, as it was highly prized by the widow.

The petitioner in an affidavit executed February 28, 1914, states the minor children of herself and soldier were born on the following dates: Wallace M. George, born October 11, 1901. Howard L. George, born September 12, 1904. Frances S. George, born February 24, 1906. Wayne E. George, born September 10, 1908.

The notary before whom this paper was executed certifies over her seal that she personally knows the dates of birth as given are correct from long personal acquaintance with the widow and her deceased husband.

Howard O. George and F. M. Usher testify, March 4, 1914, that they know from personal knowledge that the soldier and the petitioner were married May 30, 1900; that neither had been married before; that they were never divorced and lived constantly together, and she has not again married since his death; that the soldier left surviving four minor children born upon the dates set forth in a sworn statement of the petitioner, the correctness of which is personally known to affiants.

From the evidence submitted your committee is of the opinion that a pension of \$12 per month and \$2 additional for each minor child until same reaches the age of 16 years is justified, and so recommends.

H. R. 3315. James E. Hooks, of Foreman, Ark., is pensioned under the general law at the rate of \$6 per month on account of disease of lungs incurred as a private in Company E, First Regiment Arkansas Volunteer Infantry, during the War with Spain. He enlisted May 16, and was mustered out with the company October 25, 1898.

The War Department records show that the soldier was treated for measles during service, and the testimony of a surgeon and others show that his hearing was impaired in service, and has been since discharge, but it is not shown that the hearing of both ears was impaired while the soldier was still in service. On the contrary, the pensioner himself states that it was a year or a year and a half after discharge before his left ear became affected. He claims impaired hearing of both ears as a result of the measles and pneumonia which the testimony shows he had during service.

The original claim was filed December 1, 1906, and allowed at \$6 per month from that date, for disease of lungs. That action was taken July 14, 1910, after special examination, and at the same time the claim for impaired hearing was rejected for right ear because a ratable degree of disability was not shown and for left ear because not shown to have existed during service.

A claim for increase filed November 19, 1910, was rejected March 31, 1911, on the ground that a higher rate than \$6 for disease of lungs was not warranted by the evidence, and impaired hearing of both ears was not shown due to service.

The pensioner was last examined before his pension was allowed by a board of surgeons at Texarkana, Ark., June 13, 1910. The board said they found no objective evidence of disease of lungs, but found—"chronic catarrhal condition of large bronchides, larynx, and pharynx, bronchial rales, looseness, cough, and hypertrophy of tonsils. Rating, 12/18."

Under the claim for increase he was examined at the same place January 28, 1911, by an expert, who said:

"An examination of his ears shows a slight thickening of drum membrane. Eustachian tubes are pervious. The nose and nasopharynx are normal. With a tuning fork this man denies hearing it either by bone conduction or when held away from right ear. In his left ear he says he hears slightly by bone conduction and when held away from ear. He is a shrewd malingeringer, for he sat in my reception room and talked with a gentleman in ordinary conversation for half an hour when he thought I was not watching him. This I know, as I passed through the room frequently and heard parts of the conversation.

"His nose, nasopharynx, ears, and lungs are normal in other respects, save as noted above.

"He has a slight deafness in left ear; hears ordinary conversation at 5 feet.

"He also has slight deafness in right ear; he hears loud conversation at 3½ feet. He does not claim total deafness in either ear."

The degree of disability found from the evidence by the medical officers of the Pension Bureau entitled the pensioner to a rating of 2/18, or \$2, under the official schedule of ratings, but under the act of March 2, 1895, the minimum rate allowed under the law is \$6, so that rate was continued.

In an affidavit filed with the bill the petitioner states that he has practically no property, has a wife and two children to support, which he has much difficulty in doing, and that he is greatly debilitated and seriously afflicted by infirmities contracted as a soldier.

J. S. Ham, M. D., states that the petitioner is now seriously afflicted with ear affection—deafness—is a deserving and worthy citizen, and in view of his infirmities and financial condition is greatly in need of a pension.

Two other witnesses state that he is very deaf and "afflicted with physical infirmities" and is in very meager circumstances.

Sixty-nine persons have signed a petition setting forth that the pensioner is afflicted as a result of sickness contracted in service and that his present pension is wholly inadequate to require him for such condition.

In affidavits executed December 5, 1913, T. B. Arnett, Frank Horner, and J. O. Linesay state that the soldier returned from service suffering from deafness and has constantly since suffered therefrom, and that now his lungs are affected, and he is much of the time unable to perform any manual labor as a result of these disabilities. They further state that the soldier is now and has always been a man of good, upright character with no vicious habits.

From the evidence submitted your committee believe that an increase from \$6 to \$12 per month is fully warranted and so recommend.

H. R. 4567. William Feavel, 311 East Foster Street, Ludington, Mich., served in the Regular Establishment, in Company E, Fourth Regiment United States Infantry, from September 28, 1866, to September 28, 1869, when honorably discharged at the expiration of his term of enlistment. He was 21 years of age at enlistment. (I. O. 1235693.)

The records of the War Department show the following treatment: "February 1 to March 1, 1867, rheumatism; February 2 and 3, 1868, otitis. No additional record found."

November 24, 1899, he filed a claim for pension based on malarial poisoning and rheumatism and resulting disease of the heart. That part of the claim based on rheumatism and resulting disease of the heart was rejected on the ground of the claimant's inability to furnish

satisfactory evidence to show continuance of same from date of discharge until the date of filing the claim. That part based on malarial poisoning was rejected on the ground of no disability therefrom since date of filing the claim.

He again filed a claim September 12, 1910, based on the same alleged disabilities. The former rejection as to rheumatism and disease of heart was adhered to and malarial poisoning was this time rejected on the ground of no record or satisfactory evidence showing origin of same in the service. No appeal was taken.

One comrade, James Armstrong, testifies that the soldier suffered severely during the service from rheumatism.

Abram Kilburn testifies that he knows the soldier suffered in 1873 from rheumatism.

William R. Gore testifies the soldier suffered from rheumatism in 1875.

Willard Cates testifies the soldier suffered from rheumatism in 1878 and 1879.

Mrs. D. C. Cates testified that she knows the soldier suffered from rheumatism in the years 1879, 1880, 1899, and 1902, when she saw and knew him well.

Albert Bartlett testifies that he knew the soldier from 1878 to 1888, and during that period knows he suffered from rheumatism.

Jessie M. Ward testifies that affiant knows the soldier has suffered from rheumatism from 1888 to 1906 and also from disease of the heart.

Dr. E. N. Dundass testifies, in 1906, that he knows the soldier has suffered since 1893 from articular rheumatism and resulting heart disease.

Dr. Louis Pelletin testifies, in 1906, that he knows the soldier has suffered since 1901 from articular rheumatism and is totally disabled for any kind of work by same.

He was examined by a board of surgeons October 18, 1905, who report that he is 60 years of age, 5 feet 6 inches in height, and weighs 145 pounds. They found all joints tender and enlarged by rheumatism and the soldier stiffened thereby—rate, twelve-eighteenths. They found a severe derangement of the functions of the heart due to rheumatism—rate, seventeen-eighteenths. They found no evidence of any malarial poisoning or results of any other disability except the rheumatism and resulting disease of the heart.

With the bill the petitioner has filed an affidavit in which he states that he is 68 years of age and is wholly disabled by rheumatism and disease of the heart and possesses no property and has no income.

His allegations are sustained by testimony of lay witnesses.

Two physicians testify that the soldier is so crippled by articular rheumatism and resulting disease of the heart as to not only be rendered unable to perform any kind of work but to actually require the aid and attendance of another person in the ordinary daily affairs of life.

From the evidence submitted your committee believe that the disabilities from which the soldier now suffers may be safely accepted as due to service and recommend the allowance of pension at the rate of \$12 per month.

H. R. 4968. Daniel Lawlor, of Albany, N. Y., served as a private, corporal, and sergeant in Troop C, Eighth Regiment United States Cavalry, Regular Establishment, from September 15, 1866, to September 15, 1871, when discharged upon the expiration of his term of enlistment, a first sergeant. (I. O. 1397182.)

He applied for pension May 23, 1911, alleging that while— "in line of duty at Fort Vancouver, Wash., on or about the 1st day of February, 1867, he, from stab wound on right side over the lung, another stab wound close to left groin—that the aforementioned wound near the left groin being the cause of varicose veins in the left leg; that he also is suffering with double hernia."

In subsequent affidavits he stated that he was going from the fort toward the town of Vancouver under verbal instructions from his captain to ascertain whether any of the troop were in town without authority, and that while questioning a member of the troop he was attacked without warning by Pvt. Kennedy, of another regiment, the alleged wounds being the result.

The claim was rejected October 11, 1911, for stab wound over right lung and left groin, causing varicose veins of left leg, on the ground that the claimant was apparently unable to furnish satisfactory evidence showing that the wounds were incurred in line of duty; for double hernia, because of no record, medical or other satisfactory evidence, showing incurrence in service and line of duty.

The soldier, as shown by the records of the War Department, was 18 years of age at enlistment and a bartender by occupation. He was treated for a disease in October, 1866; for vulnus incis (incised wound), March 6 to April 5, 1867; for a disease in January and July, 1868; January, June, and December, 1869; and May and June, 1870; for "lacerated wound, alteration," July 18 and 19, 1870; and for disease in February, 1871. Nothing in the records, the War Department reports, specifically shows whether the disability treated March 6 to April 5, 1867, was incurred in line of duty.

No evidence was filed prior to the rejection of the claim, and no medical examination has been made.

Reopening has twice been denied since the evidence hereinafter noted was filed.

Henry Firth, private and wagoner of the claimant's troop, testified December 12, 1911, that—

"I am thoroughly familiar with and recall the circumstances leading up to the time of he, Daniel Lawlor, receiving the wounds for which he claimed pension. That it was myself who received orders from the captain of my company to summon the aforesaid Daniel Lawlor to appear before him, and remember the soldier aforesaid, Daniel Lawlor, got instructions from the captain of his company to proceed to the town of Vancouver and to see if there was any members of his company in town who had not received the necessary permission from the proper authorities. That while in the act of performing his duty he was attacked by one of the soldiers, who at that time belonged to another regiment, and who at that time was on detached duty."

That affidavit was executed in Branch County, Mich.

John Brinson, private of the claimant's troop, made a similar affidavit December 30, 1911, executed in Hill County, Tex.

These affidavits are in the same handwriting, except as to the signatures and jurats, and in the same handwriting as affidavits executed by the claimant.

In a sworn statement filed with the bill the petitioner states that he is wholly disabled for manual labor by reason of stab wound on right side over the lung, and stab wound on left leg near the groin, double hernia, and rheumatism; that he owns no property, and that his annual income is \$96, "as outdoor relieve from National Home."

Reliable evidence shows that he has received assistance from the department of charities, city of Albany, N. Y., during the past three years.

Dr. W. J. Wansboro testifies that he has known the petitioner for three years, and on examination found an atrophy of left thigh, scar about the size of a silver half dollar on anterior surface right thigh about 4 inches below Poupart's ligament, and another scar size of silver quarter about 3 inches below the first one described, the veins of left leg much enlarged, and the varicose condition is secondary to injuries which caused the scars; right thigh measures 19½ inches between extremities of femur, the left 18 inches; a scar 1½ by ½ inches along posterior axillary line at eighth rib; a double hernia, the scars resulting from radical operation of which are visible; chronic sciatica left side, causing atrophy and permanent deformity, causing impairment of left lower leg, which will probably grow worse; that he is not able to do any work nor to dress himself without help; disability complete.

From the evidence submitted your committee believe that the disabilities from which the soldier now suffers were incurred in service and line of duty, and recommend the allowance of pension at the rate of \$12 per month.

H. R. 5129. Edward C. Franklin, of 335 London Street, Buffalo, N. Y., served during the War with Spain in Company L, First Regiment Delaware Volunteer Infantry, from May 16, 1898, to November 16, 1898, when he was honorably discharged. He was 32 years of age at enlistment. (I. O. 1386066.)

The records of the War Department fail to show he was during the service ever reported as sick or received medical treatment for any cause.

When discharged he claimed to be suffering from no disability and the medical officer who then examined him certified he could find none existing.

September 23, 1900, he filed a claim based on disease of the heart, stomach, and liver, which he claimed were results of typhoid fever he suffered from in the service. This claim was rejected December 10, 1910, on the ground of no record, medical or other satisfactory evidence, that the soldier suffered and was treated for typhoid fever or any of the alleged results in the service or that they existed at discharge and continually thereafter.

Considerable testimony was filed in the case to show the soldier did suffer from typhoid fever in service and from alleged results thereafter, and a thorough special examination was held for the purpose of ascertaining the true merits of the claim. A medical examination by a board of surgeons, November 3, 1909, shows the soldier was at that time suffering from disease of the heart, for which a rate of twelve-eighteenths was given, and from disease of the stomach and liver, rated at four-eighteenths. No other disabilities were found to exist.

After rejection of the claim the soldier appealed, and in a decision of February 25, 1911, the Assistant Secretary of the Interior sustained the adverse action, and in doing so stated as follows:

"The claimant's statement is that while at Camp Meade, Pa., shortly before the regiment was ordered to Wilmington, Del., he began to have severe headache, with loss of appetite and disorder of the stomach and bowels; that after reaching Wilmington, where the regiment was furloughed for 30 days, he went to the house of friends, Mr. and Mrs. William Carter, and on arriving there was so sick that he was compelled to go to bed; that his wife, then at his home at Middletown, Del., and a physician were sent for, the physician being Dr. Jakes, the surgeon of his regiment; that Dr. Jakes diagnosed the case as typhoid fever and treated him for about three weeks and at the end of which time he was convalescent; that he then went to his home at Middletown, where he was treated for some time by his family physician, Dr. Charles A. Ritchie; that while he was attended by Dr. Jakes he had stomach trouble (vomiting and pain), and brown spots appeared on his body and limbs, which the doctor said were due to affection of the liver; that Dr. Jakes also told him, after an examination, that his heart was slightly affected; and that these organs—the heart, stomach, and liver—have never recovered their normal condition. When mustered out he says he was so weak that he could not walk any distance.

"The military records show that he was on furlough from October 8, 1898, to November 6, 1898, and on November 7, 1898, was examined at Wilmington, Del., preliminary to muster out. He was then asked whether he had any reason to believe that he was suffering from the effects of any wound, injury, or disease, or had any disability or impairment of health, and answered "No." The surgeon who examined him certified that he found no disability.

"The claimant, being confronted with his own signed statement that he was free from disability on November 7, 1898, had no explanation to offer except that he did not recall making such a statement. He acknowledged that the signature was genuine.

"Dr. Jakes is dead. The case, so far as service origin of the alleged disease is concerned, rests mainly upon the testimony of Florence M. and William Carter and Dr. Ritchie, the only other material witness being the claimant's wife.

"The Carters made a joint affidavit on November 9, 1910, to the effect that they were well and personally acquainted with the claimant, he and his wife having boarded with them for about a year from some time in February, 1893; that about the middle of October, 1898, the claimant came to their house sick and the next day was compelled to take to his bed, and Dr. Jakes was called in and pronounced his case typhoid fever; that he remained there about a month and then returned to his regiment to be mustered out; and that during the last two weeks of his sickness he suffered from difficulty in breathing and weak heart action and was very yellow, his stomach and liver being affected.

"On special examination, Mrs. Carter, who had taken the precaution to retain a copy of her former affidavit and referred to it to refresh her memory before beginning her testimony, could not add anything to what was therein stated and, in fact, appeared to have very little independent recollection of the claimant's illness. Being asked whether he had rheumatism, liver or bowel trouble, heart disease, or indigestion she stated:

"I know he was complaining, and it seems it may have been some one or all of these troubles he had, but I myself was sick all of this time and had little time to think of the ailments of others."

"Her husband, William Carter, who stated that he had been advised by his wife to look over the copy of their affidavit but had been too busy to do so, could not recall the nature of the claimant's alleged sickness at his house, nor how long he was sick, nor anything about it, even when questioned specifically in regard to typhoid fever, heart disease, liver disease, etc., but after hearing his affidavit read, stated that he was willing to 'stick by' it, as he consulted with his wife at the time of making it.

"Dr. Charles A. Ritchie testified, by affidavit dated December 8, 1909, that he treated the claimant from November 7, 1898, to November 23, 1898, for disease of the heart, liver, and stomach, resulting from typhoid fever, from which he was then just recovering. On special examination he testified that the only treatment shown by his records was on November 11, 1898, when he gave him some tablets to act on his bowels and liver. Claimant told him that he had had typhoid fever in the service, but witness could not recall that he exhibited any marked symptoms of a recent attack of typhoid fever, and his impression at the time was that it was malarial.

"I can not recall," said witness, "anything definite about his symptoms in detail further than I have stated; that is, he had some temperature, and I gave him remedies for his liver and bowels, as I would in an ordinary malarial or bilious attack." \* \* \* As to the condition of his heart, liver, or digestion while under my care I do not recall."

"The evidence is clearly insufficient to show that the claimant had typhoid fever while in the service, or that he was afflicted with disease of the heart, liver, or stomach at the time of his discharge. It is incredible that a man just out of bed after an attack of typhoid fever and scarcely able to walk should have declared that he had no disability or impairment of health from any cause, and that a surgeon should have so reported after physical examination.

"The special examiner took the testimony of several of his comrades who had not previously testified. None of them could recall that he was sick or ailing in any way while at Camp Meade, or at the time of muster out, and had no recollection of ever hearing that he had typhoid fever while on furlough. They remembered seeing him occasionally after discharge, but could not recall that he appeared to be otherwise than in good health or that he made any complaint.

"John W. Dickerson, a resident of Middletown, Del., testified:

"I became acquainted with him about a year before the War with Spain. \* \* \* After his muster out he returned here; remained only a few weeks, then left, and I have had no personal knowledge of him since. While he was here he lived just across the street from me; often came to my house and sat and talked with me. His health was good while he was here, both before and after his service while I knew him. Yes; I remember his being here after his discharge from the Army, for in November, 1898, we went partridge hunting. This was after the 15th of the month, when the hunting season begins. No; I do not remember that after his discharge I heard he had been sick in service, or that he was sick or ailing while here after discharge."

"From a careful examination of all the evidence it is believed that the claim was properly rejected, and the rejection is accordingly affirmed."

This decision gives such a fair view of the material facts that it has been quoted.

With the bill the petitioner files an affidavit stating he is wholly unable to earn a living by manual labor because of disease of the heart, liver, and stomach, and believes same was due to his military service, in which he contracted typhoid fever, from which same resulted. He further states that he possesses no property or income for support of himself and wife.

Many lay witnesses sustain the allegations of the soldier as to inability to perform manual labor and possessing no property. Some of these are comrades, who testify that he did suffer from the alleged typhoid fever in service with results as claimed of disease of the stomach, heart, and liver. Some are friends, who also testify to the same effect. The typhoid fever is alleged to have developed while the soldier was on furlough, it will be noted.

Two physicians testify that the soldier does suffer from a severe form of disease of the heart, liver, and stomach, and same could result from typhoid fever. They state he is unable to perform manual labor.

From the evidence submitted your committee is of the opinion that the disabilities from which the soldier now suffers may be safely accepted as due to his service, and recommend the allowance of pension at the rate of \$12 per month.

H. R. 5175. Emma J. Crocker, of Rockville Center, N. Y., is the widow of Frank H. Crocker, deceased, who served during the War with Spain in the United States Navy from June 9, 1898, to September 17, 1898, when honorably discharged because his services were no longer needed. He was 25 years of age at enlistment. (W. O. 29027.)

The records of the Navy Department fail to show any sickness or medical treatment of the soldier during his service.

The sailor never filed a claim for pension. The widow filed a claim on May 11, 1910, which was rejected June 23, 1910, on the ground of no record, medical or other satisfactory evidence, of service origin of any disability, and the inability of the widow to furnish necessary evidence to connect the cause of the sailor's death (cerebral hemorrhage) with his naval service.

The transcript from the death records show the sailor died August 2, 1909, from cerebral hemorrhage.

Dr. D. N. Bulson, the attending physician, testifies that he was the family physician of the soldier for years, and knows his condition of health was good prior to service; that after service he constantly complained of pains in his head, defective vision, and rheumatism until his death from hemorrhage of the brain, which the affiant believes was due to these causes.

Dr. Arthur D. Jaques testifies to same effect as Dr. Bulson, and Dr. Jaques was the attending physician at death, according to the death record.

With the bill the petitioner files an affidavit in which she states that she believes the sailor's death was due to his naval service; that she has no property and no income aside from that which she earns by her own labor, and has two minor children to support.

That the widow has no property is shown by testimony of several lay witnesses.

Frank L. Wisner and C. R. Ankers testify that from personal knowledge they know the sailor and the petitioner were never married until they married each other in 1900; that they were never divorced, but lived together until his death, and that the widow has not married again since his death and is now his lawful widow.

John Watts, a notary public, certifies over his seal that the widow presented to him her family Bible and he found entered therein the following entries: Frank H. Crocker, born February 16, 1901; William F. Crocker, born October 10, 1905; and said entries show no erasures and appear genuine.

It is shown by testimony of lay witnesses that said minor children are now living.

Several lay witnesses testify that the sailor was a strong and well man before service, but since discharge had suffered constantly from pains in his head, defective eyesight, and rheumatism, and gradually lost his health completely until he died August 2, 1909.

From the evidence submitted in this case, your committee is of the opinion that a pension of \$12 per month, with \$2 additional for each of the two minor children until they, respectively, reach the age of 16 years, is fully justified, and so recommend.

H. R. 6349. Elizabeth A. Shull, of Pendleton, Oreg., is the widow of A. P. Shull, deceased, who served in the Kibbe Rangers, Capt. William Byrne's company, First Brigade, Sixth Division, California Militia, Indian wars, from August 16, 1859, to January 4, 1860. (W. O. 8407.)

The soldier died about May 28, 1897. He never applied for a pension. The widow filed a claim August 9, 1902, which was rejected on May 20, 1903, on the ground of no title, as the soldier's service was rendered subsequent to the period of any of the Indian wars pensionable under the acts of July 27, 1892, and June 27, 1902.

The records of the War Department fail to show the organization in which the soldier served was mustered into the service of the United States. The records of the Auditor for the War Department, however, show said organization did render service as a State organization and the State of California was afterwards reimbursed by the United States for the expense of said service, and the soldier was paid for the period of 4 months and 20 days.

The evidence on file shows the soldier was first married in 1866 to one Florence Schub, who died in the year 1872; that on January 1, 1873, he married the petitioner, who had never been previously married, and lived with him until his death, about May 28, 1897, and that she has not remarried and is now his lawful widow.

The service alleged was rendered by the soldier and the petitioner is his lawful widow. Her claim in the Pension Bureau was rejected simply because there is no existing law providing pension for soldiers and their widows who rendered such service—it was in connection with none of the Indian wars for which pensions are provided by the several acts of Congress relative to Indian war service.

With the bill the petitioner files an affidavit stating she is 61 years of age and has no property or income and is unable to earn a living.

A physician testifies that the widow is a sufferer from chronic lumbago, rheumatism, and bronchitis, and not able to earn a living and has no property.

That she has no property is amply shown by other lay testimony.

From the evidence submitted your committee believe that a pension of \$12 per month is fully warranted, and so recommend.

H. R. 6593. Crowell Lisenby, of Pinehurst, R. F. D., Dooley County, Ga., was, during the War with Spain, a private in Company G, Third Regiment United States Infantry, from July 19, 1899, to July 18, 1902, when discharged upon the expiration of his term of enlistment.

He applied for pension February 6, 1908, stating that in October, 1901, while in the Philippines he was riding as an escort on an Army wagon going for wood; that the wagon fell through a bridge a distance of 7 feet, and that in the fall his back was struck with great force by the back of the seat, causing a permanent injury of the back, for which he was treated in hospital.

The claim was rejected on the ground of no disability May 2, 1908, and again February 15, 1910, on the ground of no record, medical, or other satisfactory evidence showing incurrence in service or existence at discharge of the alleged injury.

Reopening has been several times denied.

The soldier, as shown by the War Department records, was 23½ years of age at enlistment. The records of physical examination at enlistment show:

"Chills and fever at 21 years of age. Gonorrhoea in 1898. One molar gone."

He was treated for causes other than the alleged injury of back, among which was preputial chancroids, multiple, not in line of duty, from January 26 to February 1, 1901. There is no record of treatment for injury of back, but he was treated October 25 to 28, 1901, for acute lumbago, both sides, cause unknown, in line of duty.

The claimant was examined by a board of surgeons at Macon, Ga., April 1, 1908. They reported his height as 5 feet 10½ inches, weight 160 pounds. The board said he was "well nourished. Heart and lungs negative. Urine negative. No evidence of injury to back except his word that he suffers pain there. He does regular work of farm hand daily. No evidence of specific disease."

One comrade stated in 1910 that the soldier was thrown from a wagon and injured his back in October, 1901, and that he gained his knowledge of the matter by talking to the soldier shortly after the alleged injury was received.

Another stated at the same time that the soldier was thrown from an escort wagon in October, 1901, and that his information was derived by his knowing he was in hospital for injury of back.

Laymen state that the claimant has complained of his back and has not been able to do much continued labor since service.

One physician testified in November, 1908, that he did not find any objective evidence of disability, but that the claimant complained of pains, soreness, and weakness in left lumbar region of back.

Another said there was a tender spot on the left of spinal column in region of third and fourth lumbar vertebrae and that he was then totally disabled, judging from subjective symptoms.

Another said there was tenderness in region of third and fourth lumbar vertebrae which impaired ability for manual labor, and a month later in 1908 he said the condition was worse and that he constantly complained.

In an affidavit accompanying the bill the petitioner states that he is wholly disabled by injury of back and general debility; that he owns no property, and has no income.

Two laymen corroborate his statement as to financial condition, and a physician testifies that he examined the claimant March 25, 1912, and "find him unable to do manual labor owing to an organic heart lesion and kidney troubles."

Two comrades swear this soldier was injured in the back while in the service and line of duty, as he alleges; four lay witnesses and the soldier himself swear he has been disabled by pain and weakness of the back ever since discharge; and other lay witnesses and physicians testify he has suffered more or less from a disabled back from a short while after his discharge until the present time. The physicians also state he has some heart trouble.

After the final refusal to reopen the claim at the Pension Bureau an appeal was taken, and in a decision of October 4, 1913, the Assistant Secretary of the Interior sustained the rejection of the claim and refusal to reopen same. This decision will be found attached to the brief and gives the view of the bureau and the department regarding the merits of the claim, and attention is invited thereto by your examiner.

From the evidence submitted your committee believe that the disabilities from which the soldier now suffers were incurred in service and line of duty, and recommend the allowance of pension at the rate of \$12 per month.

H. R. 6627. Oscar E. Harper, of Posen, Mich., served during the War with Spain in Company C, Second Regiment Ohio Volunteer Infantry, from April 25, 1898, until honorably discharged February 10, 1899. He was 20 years of age at enlistment. Service was chiefly in Georgia. (I. O. 1261363.)

He filed a claim January 30, 1901, based on typhoid-malarial poisoning and ulceration of skin and general debility. This claim was rejected October 14, 1901, on the ground of no ratable degree of disability from any of the alleged disabilities since the date of filing the claim.

On June 6, 1908, he filed another claim for pension based on weakened physical condition and varicose veins of both legs, all of which are alleged to be results of typhoid fever, from which he suffered during his service. The claim was rejected on April 23, 1910, on the ground of no record of the alleged varicose veins of both legs below the knees, no medical or other evidence showing existence of the same in service, and the claimant's failure and evident inability to furnish the evidence necessary to establish the claim.

No appeal was taken and no effort made to reopen the claim.

The records of the War Department show treatment as follows:

"July 20, 1898, malarial fever, tertian, also shown by diagnosis typhoid fever, in line of duty. Returned to duty September 13, 1898. Nothing additional found."

When discharged he claimed to be suffering from no disability, and those by whom he was examined found none, save slight left varicocele, which soldier said had existed prior to service.

Capt. Frank H. Bell, in affidavit of March 18, 1909, states that the soldier suffered during the service from a severe attack of typhoid fever; that he knew the soldier prior to enlistment, and he was a strong and healthy man, free from any disability; that the soldier's health has been very bad since his discharge.

Dr. L. Bigler testified, November 27, 1901, that he had treated the soldier since July, 1901, and found him suffering from disease of liver and spleen and heart and eczema of both legs below knees.

Dr. L. D. Applewhite testified, December 21, 1907, that he had treated the soldier from 1904 for varicose veins and eczema of both legs; that affiant believes disease of legs to be result of typhoid fever the soldier suffered from during service.

He was examined by a board of surgeons at Sandusky, Ohio, April 3, 1901, who reported that, aside from some ulceration of left leg below knee of 7 by 4 inches, for which they state no rate was warranted, they found soldier suffering from no disability at all and not entitled to any rate.

February 10, 1909, he was examined by a board of surgeons at Chicago, Ill., who reported all organs normal, except both legs. They found varicose veins of both legs below knees of a very severe nature and equal to loss of use of wrist or one ankle in preventing manual labor. Rate, ten-eighths.

With the bill the petitioner files two affidavits in which he alleges that he was strong and well prior to enlistment; that he contracted typhoid fever of severe form in the service, which has resulted in varicose veins of both legs below the knees so bad as to require removal of some of the veins of left leg by operation; the resulting varicose veins came on gradually after his service; that he is unfitted for any kind of manual labor; that he possesses no property except a few household goods.

Three lay witnesses by their testimony sustain the soldier's allegations as to owning no property. One of these also testifies that the soldier suffered from typhoid fever in service, has had disease of both legs since as a result, and has not been able to perform any manual labor for some years because of the diseased legs.

Dr. J. M. Jones testifies, January 9, 1913, that he has treated the soldier for the past two years for varicose veins of both legs; one limb has been operated upon and the other must be soon; that he is unable to perform manual labor and owns no property.

Dr. V. H. Dumond in an affidavit states substantially the same thing as Dr. Jones.

Dr. Alex W. Campbell, on March 6, 1913, testifies that he has attended the soldier at various times for the past year or so; that the soldier has varicose veins of both legs below knees, and the left leg shows scar 16 inches long made by an operation to remove veins, and right leg will require a similar operation; that the diseased condition of both legs prevents manual labor to at least 50 per cent.

From the evidence submitted your committee believe that the disabilities from which the soldier now suffers may be safely accepted as due to service, and they respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 6943. Charles F. Pandorf, of the National Military Home, Montgomery County, Ohio, served during the War with Spain, in Company I, Third Ohio Volunteer Infantry, from June 21, 1898, to October 26, 1898, when honorably discharged. He was 19 years of age at enlistment. (I. O. 1354178.)

November 19, 1906, he applied for pension based on rheumatism, disease of the kidneys, and malarial poisoning, alleged to have been contracted in the service. This claim was rejected on February 17, 1908, as to disease of the kidneys and malarial poisoning on the ground of no ratable degree of disability from same since date of filing, and as to rheumatism on the ground of no record evidence of origin or treatment therefor in the service, and the claimant's statement on file declaring that said disability did not originate until after the soldier's discharge from the service.

April 28, 1909, he filed a claim for pension alleging malarial poisoning and disease of the kidneys, contracted at Huntsville, Ala., in the fall of 1898. This claim was rejected on October 21, 1909, as to disease of the kidneys on the ground of no record and the claimant's manifest inability to show origin in service and continuance from discharge by satisfactory evidence, and as to malarial poisoning on the ground of no ratable degree of disability therefrom since date of filing the claim.

The claimant appealed after the second rejection of his claim and stated that subsequent to filing these claims he had undergone treatment at the Mercy Hospital, Baltimore, Md., where it was found his greatest disability was tuberculosis of the spine, and that it is shown by medical science tuberculosis of the spine can and does result from malarial poisoning. The Secretary of the Interior, November 25, 1910, gave a decision sustaining the former actions of rejection and holding the claimant must file a new declaration amending the former declarations, if he desired tuberculosis of the spine considered as a result of malarial fever from which he suffered in the service. After this decision the claimant filed an amendatory declaration December 22, 1910, alleging the spinal tuberculosis was due to malarial fever from which he suffered during the service. This claim was rejected January 7, 1911, on the ground of no record, medical or other satisfactory evidence, showing origin of spinal tuberculosis in the service, or

continuance thereof from discharge, and the claimant's evident inability to connect the origin of the same with his military service, as a result of the malarial poisoning, or otherwise.

No appeal has been taken to this last action of rejection, and no effort was made to reopen the claim for reconsideration, although this was a legal rejection, and thus cut off the medical authorities from passing upon the question as to whether or not tuberculosis of the spine could or would be accepted as a result of the malarial fever.

The records of the War Department show the soldier was treated for remittent fever from July 31 to August 3, 1898 (diagnosis also as myalgia). These records also show he was on furlough from September 15 to October 15, 1898, and furlough was extended from October 15 to October 26, 1898, on a physician's certificate.

When mustered out the soldier claimed to be suffering from kidney disease and malarial fever. The medical officer who then examined him states:

"Soldier is emaciated and anemic and asthenic, probably due to a recent attack of some continued fever of which he gives a history (possibly typhoid). Urinary disturbance probably due to disturbance of digestion and a febrile temperature."

This surgeon regarded the soldier's physical condition as temporary, stating that with care he should be well again in a month or six weeks. He stated that the soldier was then, however, totally disabled physically.

Capt. and Asst. Surg. F. C. Weaver testifies that the soldier was ill in the service in October, 1898, with malarial fever; that since the service during 1905 and 1906 affiant treated him for rheumatism.

Capt. B. F. Boyer testifies that the soldier became ill with malarial fever and kidney disease about September 7, 1898, in line of duty; that the hammocks were turned in and the soldiers had to sleep on the ground with only a blanket in September, 1898; that since service the soldier has suffered from rheumatism, and he is now misshapen and unable to work.

Charles Bobb testifies that the soldier has suffered since December, 1898, with rheumatism, and once so badly he had to go to Hot Springs, Ark., for it.

James Taylor testifies that the soldier has suffered since 1901 with rheumatism.

George L. Hussman testifies that the soldier was well and strong before service, but came home from same a physical wreck and has constantly since suffered from malarial poisoning and kidney trouble.

B. A. Caples testifies that the soldier has suffered from malarial poisoning and kidney trouble since 1898, after his discharge.

George L. Humphrey testifies that the soldier has suffered ever since affiant met him in 1901 with kidney trouble and malarial poisoning.

T. P. Phelan testifies the soldier went to Hot Springs, Ark., in February, 1899, and March, 1904, for baths for rheumatism.

Dr. C. L. Patterson testifies he treated the soldier from October 10 to November 7, 1898, for malarial fever.

Dr. W. M. Blaine testifies that he treated the soldier from August, 1903, to June, 1904, for severe articular rheumatism, and he suffered so severely from same as to be wholly unable to do any work.

The board of surgeons at Columbus, Ohio, who examined the soldier December 26, 1906, states as to rheumatism:

"Rheumatic crepitus in both shoulders, with pain in these joints on elevating arms above 110°. Passive elevation restricted to 135°. Considerable atrophy of lumbar muscles. Marked posterior kyphosis involving dorsal vertebra, the curvature being somewhat regular throughout upper three-fourths costal vertebra. No evidence of disease of any vertebra further than the deformity above described. No tender joints. No pronounced prominence of any one vertebra. The curvature seems too pronounced and inflexible to have resulted from position or occupation. No evidence in any other joints, muscles, or tendons of rheumatism. Eight-eighths rheumatism, including curvature of spine."

They found no disease of the kidneys, and as to malarial poisoning state:

"Area of hepatic dullness normal, extending from seventh rib to three-fourths inch below costal border. Spleen in normal position and can not be felt beneath border of ribs. Skin normal. Conjunctive clear. No icterus. No special tenderness over liver, spleen, or stomach. No evidence of malarial poisoning. No rate."

They find no other disability of any kind except a very irritable heart, rate six-eighths, and no evidence of venereal disease or vicious habits.

This board treats curvature of the spine as result of the rheumatism, it will be noted.

He was examined by a board of surgeons at Washington, D. C., July 23, 1909, who report they could find no evidence of rheumatism, malarial poisoning, or disease of the heart. This board found the soldier to be suffering from only one disease, to wit, acute nephritis, for which they rate him ten-eighths. This board makes no mention of curvature of the spine.

With the bill you petitioner files an affidavit stating that by reason of rheumatism, spinal tuberculosis, and malarial poisoning he is wholly unable to perform any manual labor, and that he possesses no property or income.

Three lay witnesses testify that the soldier is unable to perform any manual labor and owns no property at all.

The surgeon of the Soldiers' Home certifies that the soldier is now suffering from Potts' disease, tuberculosis of the spine, pulmonary tuberculosis, and chronic articular rheumatism, and marked kyphosis of dorsal region of spine.

The soldier is now in the hospital of the Soldiers' Home.

With the bill will be found two photographs of the soldier recently taken, from which it will be seen that he is in a horrible physical condition, and, of course, unable to do any kind of work.

From the evidence submitted your committee believe that the disabilities from which the soldier now suffers may safely be accepted as due to service, and recommend the allowance of pension at the rate of \$12 per month.

H. R. 6952. Hale F. Hamilton, of the National Military Home (Company 19), Montgomery County, Ohio, served in the War with Spain from April 25, 1898, to November 5, 1898, as a private in Company N, Fifth Ohio Infantry, and from January 4 to May 31, 1900, in Company E, Twelfth United States Infantry, when honorably discharged on a surgeon's certificate of disability. Service chiefly in the Philippine Islands. Age 25 at last enlistment. (Invalid certificate 1055697.)

June 7, 1900, he filed a claim for pension alleging chronic diarrhea, dysentery, and malarial fever, resulting in disease of kidneys, impaired sight, and gastritis; loss of teeth, general debility, and cold resulting in catarrh, all contracted in the Philippines. He was allowed a pension of \$8 per month March 5, 1903, from date of filing, for chronic diarrhea and loss of part of teeth. This approval and rate to cover all

disability from dysentery and gastritis. No disability shown since date of filing from malarial fever, chills and fever, disease of kidneys, and impaired sight.

Under an exhaustive special examination evidence was secured showing that the loss of claimant's teeth was not due to his military service, but due to disease of teeth and gums which existed prior to his enlistment. June 2, 1904, he was pensioned for chronic diarrhea at \$6 per month, and the pension on account of loss of part of teeth was discontinued.

A claim for increase of pension was rejected February 17, 1910. December 9, 1910, he was granted an increase of rate to \$10 per month for chronic diarrhea, but the claim for restoration for loss of part of teeth was rejected, as the evidence failed to show that this disability was due to service and line of duty. A request to reopen the rejected part of the claim was denied March 20, 1912. No appeal was taken.

"May 29 and 30, 1899, intermittent malarial fever in line of duty; June 22 to July 2, 1899, acute diarrhea; July 8 to 9, 1899, acute diarrhea; August 6 to 14, 1899, acute diarrhea; August 15 to November 16, 1899, chronic gastroenteritis; November 17 to December 27, 1899, chronic gastroenteritis; December 27, 1899, to February 13, 1900, chronic dysentery, complicated with spine; February 13 to May 31, 1900, chronic dysentery, complicated with loss of teeth and inability to masticate food; in line of duty. Discharged May 31, 1900, on surgeon's certificate of disability."

No testimony was filed in the original claim, it being adjudicated upon the record evidence. November 7, 1900, the board of surgeons at Youngstown, Ohio, examined the claimant and reported that he was suffering from chronic diarrhea and that 13 teeth were missing. They also found disease of liver and stomach, and result of malarial fever, and rated eight-eighths for same and three-eighths for loss of teeth; catarrh, two-eighths; and disease of heart, one-eighth. The board of surgeons at Warren, Ohio, on June 19, 1901, report that he is entitled to twelve-eighths for chronic diarrhea, six-eighths for disease of lungs, four-eighths for loss of teeth, and two-eighths for catarrh. The board of surgeons at Columbus, Ohio, January 26, 1910, state that he has slight diarrhea, but not enough for them to rate; two-eighths for loss of teeth, four-eighths for rheumatism, and no other disability found. On November 16, 1910, the board at Marion, Ohio, report that he is entitled to twelve-eighths for chronic diarrhea, six-eighths for disease of heart, and that eight upper and eight lower teeth are missing. The board at the National Military Home, Ohio, on January 10, 1912, find his appearance anemic, heart enlarged, lungs in good shape, stomach and rectum inflamed and tender, urine in good order, and rate ten-eighths for chronic diarrhea and four-eighths for disease of heart.

During the special examination several comrades and an officer testified that when claimant joined the regiment he had bad and diseased teeth and also had lost a good many of the most important teeth. A dentist who had treated his teeth also stated that his teeth had always been brittle, diseased, and bad. This dentist is very old, and upon cross-examination repudiated some of his testimony as to bad teeth to such an extent as to cast some doubt over the question as to the real value which should be placed upon his testimony as a whole. However, taken with the other adverse testimony, it would appear to show he is correct in stating the claimant's teeth were bad from boyhood days and in no sense due to service and line of duty.

With the bill your petitioner files an affidavit in which he states he is unable, by reason of diarrhea and resulting constipation, to earn a living by manual labor, and that he owns no property of any sort.

Two lay witnesses, in affidavits, sustain the allegations of the petitioner as to owning no property.

Dr. C. G. Rogers testifies he has examined the petitioner, August 5, 1913, and finds he is suffering from chronic diarrhea and resulting periodical constipation and intestinal trouble, and is wholly unable to perform manual labor.

Dr. J. W. McKinney testifies, November 7, 1913, that he had that day examined the petitioner and found him suffering from chronic diarrhea, alternating with constipation, with resulting proctitis and pain and distress in the intestines; some involuntary bowel evacuation which caused continual soiling of clothes (was soiled at examination); chronic gastritis with distention of stomach, causing palpitation and dyspnea and vertigo; diarrhea and pain marked over stomach and intestines upon exercise, and because of these disabilities he is wholly disabled for performance of manual labor.

From the evidence submitted your committee believe that an increase from \$10 to \$12 per month is fully warranted, and so recommend.

H. R. 7053. John D. Ashley, of 1115 Twelfth Street, Pueblo, Colo., served during the War with Spain in Troop A, Second United States Cavalry, from May 1, 1898, to October 24, 1898, when honorably discharged. He was 35 years of age at enlistment. (I. O. 1388000.)

On January 17, 1900, he applied for pension, based upon rheumatism, alleged to have been contracted in Jacksonville, Fla., in July, 1898. The claim was rejected December 22, 1911, on the ground that the rheumatism existed prior to enlistment, as shown by the evidence on file. No appeal was taken and no effort, beyond some correspondence without any testimony, was made to reopen the rejected claim.

The records of the War Department show the following treatment:

"July 11 to 25, 1898, acute articular rheumatism in both knees and feet, in line of duty; July 25 to September 3, 1898, rheumatic fever, in line of duty. Returned to duty. Furloughed September 4, 1898. No additional record of disability found."

When discharged he claimed to be suffering from inflammatory rheumatism and stomach trouble. The officers by whom he was then examined certified that the soldier was then suffering from subacute articular rheumatism, which was contracted in the service and line of duty.

In support of his claim the soldier filed affidavits of two physicians, who testified to treating him for rheumatism from about 1907 on to 1910, and affidavits of two lay witnesses testifying to the fact that for about 10 years prior to 1910 the soldier had suffered from rheumatism.

He was examined by a board of surgeons at Pueblo, Colo., April 6, 1910, who reported him to be then suffering from general rheumatism and rated 8/18. This board found no other disability existing.

The claim underwent a thorough special examination for the purpose of ascertaining if the soldier had been free from rheumatism prior to his enlistment. This action was due to the fact that before and after enlistment the soldier's occupation was that of a miner working far underneath the ground, and such people are very apt to, and usually do, contract rheumatism, and also because he so soon after enlistment suffered so severely and so persistently from rheumatism.

A vast array of testimony and evidence was secured by this special examination from witnesses who are rated as good men and women, which can be briefly summarized as follows.

The soldier's father and mother, two sisters, and a brother-in-law state that he was a peculiarly strong and well man prior to enlistment, free from any physical disability; that he returned to their home immediately after discharge, when he was suffering very severely with rheumatism of both knees, ankles, legs, and shoulders and back, from which he has continued to suffer.

Five lay witnesses who knew the soldier for periods of from seven months to several years before his enlistment state that he never suffered from rheumatism prior to the service.

One comrade and three lay witnesses testify that the soldier never suffered from rheumatism prior to enlistment, but did suffer from same immediately after discharge and ever since that date.

Five lay witnesses testify that the soldier has suffered from rheumatism during the period of their acquaintance with him, which covered the time from date of discharge until 1910.

Five physicians testify to treating the soldier for rheumatism since his discharge. Their treatment pretty well covers the period of from date of discharge to 1910.

So much for the evidence which is favorable to the claim.

The adverse testimony and that which affords the basis for action of rejection of the claim is substantially as follows:

William H. Rose states that he knew the soldier very well for years before enlistment; that the soldier lived in affiant's home; that at one time the soldier went on crutches and appeared to be suffering severely from rheumatism of the legs, knees, and back, and did, in fact, tell the affiant that he was then suffering from rheumatism.

Subsequently to giving this testimony and after the rejection of the claim, this witness repudiated, as far as a disavowal of the former sworn statement could be repudiated, his statement to the special examiner as to the soldier's suffering from rheumatism prior to enlistment and being on crutches from that disease. In doing this the witness claims his memory of facts was at fault, and that the cause for use of crutches was an accidental injury of one of the soldier's knees and not rheumatism, and so far as he knows the soldier never suffered from rheumatism before enlistment. This witness alleges the special examiner was overzealous in an effort to show that the rheumatism did exist prior to service, and then caused the witness to seemingly swear to things he had no intention of testifying concerning. The Commissioner of Pensions refused to accept the repudiation of said adverse testimony. (See copies of letters attached to brief.)

Two lay witnesses testified that the soldier did go upon crutches for some time at the time Mr. Rose had stated, but these witnesses told the special examiner they did not know the cause for using crutches, and they also stated they never knew the soldier to suffer from rheumatism before his enlistment.

All of the medical officers by whom the soldier has been examined report no evidence of venereal disease.

The soldier explains the use of the crutches at the time alleged, and upon at least one other occasion, by stating that he had then injured one of his knees and upon these other occasions he had suffered injuries to the other knee and to both ankles. The evidence shows that one knee and perhaps both ankles of the soldier have been injured at various times in his life.

With the bill your petitioner files an affidavit stating that by reason of rheumatism, which he firmly believes due to his military service, he is wholly unable to earn a support by manual labor; that he owns no property and has no income from any source.

Two lay witnesses by their testimony sustain the allegations of the soldier as to his inability to perform manual labor and possession of no property.

Dr. W. D. Dorland testifies the soldier suffers from chronic rheumatism of hips, knees, and feet; that he suffers great pain from same and the joints are enlarged, and he is totally unable to perform any ordinary manual labor.

From the evidence submitted it is believed that a pension of \$24 per month is fully warranted and it is so recommended.

H. R. 7830. Emma Fox, of 97 Mulberry Street, Cincinnati, Ohio, is the widow of Fred L. Fox, who served during the War with Spain in Troop F, Seventh United States Cavalry, from August 8, 1898, to May 12, 1899, when honorably discharged. He was 19½ years of age at enlistment. (Wid. Orig. 996699.)

The widow filed a claim for pension November 20, 1912, alleging the soldier's death, on September 24, 1912, was due to his military service. This claim was rejected February 14, 1913, on the ground of the claimant's inability to furnish competent evidence to connect the cause of the soldier's death (abscess of the brain and meningitis due to disease of left ear) with his military service. No appeal was taken and no effort was made to reopen the claim.

The records of the War Department show treatment as follows:

"September 2 to 27, 1898, acute tonsillitis, both sides; November 22 to 23, 1898, coryza, acute; December 2 to 4, 1898, malaria, acute fever; December 3 to 20, 1898, malaria, remittent; December 22 to 25, 1898, bronchitis, acute; December 30, 1898, to January 4, 1899, malaria, intermittent; returned to duty. All the foregoing in line of duty. No additional record of disability found."

The death records show the soldier died September 24, 1912, from abscess of the brain and meningitis, with mastoid disease as a contributing cause, and Dr. Victor Ray as attending physician.

Dr. Victor Ray testifies, December 10, 1912, that the soldier came under affiant's treatment September, 1912, for chronic inflammation of the left ear; that the soldier told affiant the ear had been discharging ever since his discharge from the military service; that this disease of ear resulted in an abscess of the brain and meningitis which caused death; that the disease of ear when affiant first treated same in September, 1912, gave every evidence of having existed for a long time, as alleged by the soldier.

Elizabeth Shiner testifies that she knew the soldier well for a number of years, and when he returned from his service he was deaf in the left ear, and informed the affiant this deafness was due to typhoid fever he had in the service.

The other evidence on file relates only to the lawful widowhood of the claimant and dates of birth of minor children for whom pension is claimed.

The soldier never filed a claim for pension and was never examined by a board of surgeons.

With the bill the petitioner files an affidavit stating that she is without means of any kind, owning no property of any description; that she is an invalid and is forced to live with and depend upon her parents for support of herself and children.

Two lay witnesses testify that the petitioner is the widow of the deceased soldier and is absolutely without means of support, as she possesses no property at all, and that she is physically unable to perform any manual labor.

Dr. Henry Buchanan testifies, May 3, 1913, that the petitioner is under his treatment and is unable to perform any kind of manual labor, as she is subject to epileptic attacks, in one of which she fell upon a stove and sustained very severe burns from which she was months recovering.

It is shown by record evidence that two minor children, born August 30, 1901, and December 1, 1903, are now living.

From the evidence submitted your committee believe that a pension of \$12 per month, with \$2 additional for each of the two minor children, is fully warranted and so recommend.

H. R. 7977. George Oatten, of Saginaw, West Side, Mich., served during the War with Spain in Company E, Thirty-third Regiment Michigan Volunteer Infantry, from April 26, 1898, to December 22, 1898. He was 21 years of age at enlistment. Much of the service was performed in Cuba. (I. O. 1345470.)

The military records of the War Department show he was sick in the hospital at Siboney, Cuba, from July 15 to August 16, 1898. The medical records show as follows:

"\* \* \* to July 29, 1898, malaria; July 29 to August 2, 1898, malarial remittent fever; August 10 to 11, 1898, malaria; August 11 to 15, 1898, insolation (sunstroke) complication, malarial remittent fever—in line of duty. No additional record found."

February 16, 1906, he applied for pension based upon malarial poisoning, which he alleged had resulted in disease of the stomach, bowels, liver, spleen, heart, nervous debility, intolerance of heat, and dizziness. This claim was rejected January 27, 1908, on the ground of no ratable degree of disability from the causes alleged.

He again filed a claim March 3, 1908, and this time based it upon malarial poisoning, resulting disease of the stomach, bowels, liver, spleen, and that sunstroke has resulted in nervous debility, vertigo, intolerance of heat, and dizzy spells. This claim was rejected on May 17, 1909, as to sunstroke and results, on the ground that the best obtainable testimony fails to show existence of the alleged disabilities at the date of discharge and continuance thereafter.

He again filed a claim June 7, 1909, realleging same disabilities, and this was rejected November 10, 1910, as to malarial poisoning to cover disease of stomach, bowels, liver, and spleen, on the ground of the claimant's evident inability to furnish medical or other satisfactory evidence of the continuance thereof since the date of discharge. That part of the claim based upon alleged results of sunstroke was not considered, having been rejected and not reopened. No appeal was taken, but four efforts have been made to have the claim reopened, and all were denied on the ground of insufficiency of the testimony offered to warrant such action.

The claimant, in all papers executed and filed by him, and also in a sworn statement before a special examiner, alleges he suffered during the service from but two disabilities, to wit, malarial fever and sunstroke. He claims disease of stomach, bowels, liver, heart, and spleen resulted from the malarial fever, and the sunstroke resulted in nervous debility, vertigo, intolerance of heat, and dizzy spells, from which he has suffered constantly since his discharge.

Several officers and half a dozen comrades have testified in affidavits or before the special examiners to the fact that the soldier was very ill in the summer of 1898 in Cuba with malarial fever and returned home in terrible physical condition, having to be placed in a hospital in Detroit, Mich., for a day or so while en route home, and was ill for a long while afterwards from malarial fever. When he was discharged he claimed he was then suffering from chills and fever, and the surgeon by whom he was examined certified he was then suffering from malarial poisoning.

None of these officers or comrades have any personal knowledge of any sunstroke the claimant suffered from in the service, and he himself can not and will not swear he was ever unconscious from sunstroke or collapsed from overheating during the service. However, there is the record of treatment in the service from sunstroke.

Many lay witnesses testify that the soldier returned home from service suffering from malarial fever, was confined to bed with same for some time, and has constantly suffered since that time from malarial troubles—that is, with disease of stomach, bowels, liver, heart, and spleen.

Three doctors testify to the fact that the soldier has suffered since about 1904 from malarial poisoning and its usual results. Two of these physicians and several lay witnesses testify to a spell of temporary insanity from which soldier suffered in July, 1905, that lasted for a week or more. He was confined in jail and underwent official examination at that time for the mental trouble.

He was examined by a board of surgeons at Saginaw, Mich., April 18, 1906, who report him as 27 years of age, 5 feet 9 inches in height, and weighs 127 pounds. This board found he was suffering from malarial poisoning and rated same at eight-eighths. They state he suffered from no other disability and there was no disability of vicious habits. They found no evidence of any results from sunstroke.

The special examination disclosed the fact that the claimant had borne a pretty bad character prior to his enlistment, having been prosecuted for and convicted of larceny, but that since his discharge he has married and been a steady worker and kept out of trouble. He has always been a very thin man, and before and since service has gone by nickname "Skinny." It is not shown that he was ever ill prior to the service, and it is not shown that he has been sick to any very marked extent since his recovery from malarial fever, from which he was suffering very severely at the time of his discharge. In fact, he worked for some time prior to enlistment for two brothers—J. Fred and Chauncey Tyler—and has worked for them most of the time since his service, and these brothers both state that they can see no difference in his health since service from that he enjoyed prior thereto. He had lost practically no time from work after his recovery from malarial fever until 1909, when the special examination was had, and he turned in on an average about as much work since his service as he was accustomed to do prior thereto.

With the bill your petitioner files an affidavit stating he is wholly unable to perform any manual labor because of sunstroke and malarial poisoning and the results of same and that he possesses no property, and has no income.

His allegations are sustained by testimony of two lay witnesses.

Dr. S. C. J. Ostrom, a member of the board of surgeons of the Pension Bureau, certifies on September 22, 1913, that he finds the soldier suffering from malarial poisoning, with diseased liver and spleen, and pains of back and shoulders, and upon several occasions he has attended the soldier for chills and fever; that he is 36 years old, 5 feet 9½ inches in height, and weighs 130 pounds; is listless, weak, and anemic; and has dyspnea after exercise; his stomach is out of order and the digestive organs do not work properly; that he does not use alcohol; and is unfit for manual labor.

From the evidence submitted your committee believe that the disabilities from which the soldier now suffers were incurred in service and line of duty and recommend the allowance of pension at the rate of \$12 per month.

H. R. 8435. William Miller, of the National Home, Milwaukee, Wis., served in the Regular Establishment in Company H, Second United States Cavalry, from November 25, 1873, until November 25, 1878, when he was honorably discharged at the expiration of his term of enlistment. He was 24 years of age at enlistment. (I. O. 1389423.)

The records of the War Department show the following treatment: "January 23 to February 23, 1878, punctured wound of the right thigh by sharp point of blacksmith's anvil on January 27, 1878; April 1 and 2, 1878, sprained back on March 31, 1878; July 16 and 17, 1878, catarrh. No additional record found."

March 22, 1910, the soldier filed a claim for pension based upon injury of stomach, which he alleged he received by being kicked in the stomach by a horse in 1875. This claim was rejected October 17, 1910, on the ground that no disability in a ratable degree was shown to exist from the alleged injury of stomach. No appeal was taken, but the claimant twice attempted to have the claim reopened, and each time such action was refused by the Pension Bureau because the evidence offered was not deemed sufficient to warrant same.

The claimant swears that while shoeing a horse in the service (in discharge of the duties assigned him) he was kicked in the stomach by the horse and received an injury from which he has suffered ever since; that he is unable to furnish testimony of but one comrade as to incurance of said injury, as the officers, surgeons, and all other comrades who knew of the same are dead or in parts unknown to him.

Comrade Thomas B. Gilmore testifies, November 9, 1910, that prior to being kicked by a horse in the service the claimant was well and strong, but afterwards suffered from the results of this injury and never was well again as long as affiant knew him; that the soldier suffered from stomach trouble and claimed same was due to the injury from the horse kicking him; that he was confined for a time in the hospital and underwent medical treatment after the horse kicked him.

Three lay witnesses, who testify that they have known the soldier for periods ranging from 1881, 1885, and 1893, state he has always since they knew him suffered from some trouble or disease of the stomach, and claimed same was the result of having been kicked by a horse when in the military service.

Dr. H. F. Smith testified December 27, 1910, that he that day examined the soldier and found him suffering from disease of the stomach, which claimant alleged was the result of having been kicked by a horse in the military service; that the stomach is painful and after meals there is nausea and as a physician he suspects there may be carcinoma of the stomach. This physician states he had never before this examination treated the soldier.

The soldier was examined by a board of surgeons June 1, 1910, who reported him 61 years of age, 5 feet 9 inches in height, and weighing 145 pounds. Pulse, 76, 84, 96; respiration, 20, 21, 22, and temperature, 98.4. This board reports both of soldier's eyes are badly impaired as to sight; that there is marked general senile decay of the man; and that he is wholly unable to do any manual labor. The board does not specifically state or give a rate for any especial disability. They simply describe him as an old worn-out man, and say he is entitled to \$72 per month pension.

He was again examined by a board of surgeons on March 1, 1911, who state that they find no scars or other signs of the alleged injury to the stomach, but do find enlarged liver, sallow skin, enlarged and tender spleen, and a small pile, and that the prostate is enlarged. They find cataract of the left eye and impaired sight of the right eye. They suggest a rate of \$18 per month for disease of the stomach and bowels and twelve-eighths for impaired sight.

With the bill the petitioner files an affidavit in which he states that he is wholly unable to earn a living by labor by reason of disease of the stomach, due to a horse kicking him during his military service, and that he is totally blind now, having lost the sight of both eyes; that he is without means or income of any kind and unable to earn a support for himself and his wife.

It is shown by the testimony of several lay witnesses that the soldier is totally blind and suffers from stomach trouble and owns no property and has no income.

Dr. F. A. Stratton testifies, June 7, 1913, that the soldier is totally blind in both eyes and suffers from rheumatism and cystitis, both in chronic form, and wholly unable to perform any kind of manual labor.

From the evidence submitted in this case it is believed that the disability of the soldier was due to the service. In view of that fact the committee respectfully recommend the rate of pension of \$12 per month.

H. R. 8452. James H. Martin, Orontion, Mo., served in the Regular Establishment, United States Navy, from October 10, 1902, to October 9, 1906, when honorably discharged at the expiration of his term of enlistment. He was 24 years of age at enlistment. (I. C. 38953.)

The records of the Navy Department show that during his service he was treated for appendicitis on two occasions, hernia (rupture), and bowel trouble, all in line of duty.

On December 7, 1906, he filed a claim for pension based on right hernia and rheumatism. This claim was allowed as to hernia at \$10 per month from date of filing, which is the maximum rate provided by law for that disability. That part of the claim based on rheumatism was rejected on both the ground of no record, medical or other satisfactory evidence, showing it was contracted in the service, and because there was no disability shown to exist from same since the date of filing.

There is no evidence to show origin in the service of the alleged rheumatism.

When examined by a board of surgeons on May 1, 1907, they reported that the only evidence they could find of rheumatism was a general tenderness of the muscles and a slight stiffness of some joints, which would not warrant a rate. They did find some slight derangement of the functions of the heart that could result from rheumatism and rated it at six-eighths. The only real disability they found was complete right inguinal hernia, for which they rated fourteen-eighths.

With the bill the petitioner files an affidavit stating he is unable to earn a living by manual labor, and the only property he owns is a small house and lot worth about \$400 which is mortgaged for \$300, and he is unable to support his wife and children.

Lay witnesses by their testimony sustain the sailor's allegations as to property he owns, debts he owes, and his inability to perform manual labor.

A physician testifies the sailor suffers so severely from right inguinal hernia and "other physical disabilities" as to be unable to earn a support by any ordinary occupation.

From the evidence submitted your committee believe that an increase from \$10 to \$17 per month is fully warranted, and so recommend.

H. R. 8490. Gambo C. Villines, of Cross Prairie, Tenn., served in the Regular Establishment in Company B, Fifteenth Regiment United States Volunteer Infantry, from January 18, 1881, to January 17, 1886, when honorably discharged at the expiration of his term of enlistment. He also afterwards served in Company E, Eighth Regiment United States Volunteer Infantry, from September 13, 1886, to June 4, 1890, when honorably discharged by favor, and in Company B, Fifteenth Regiment United States Volunteer Infantry, from August 24, 1891, to August 24, 1892, when again honorably discharged by favor, and in Company H, Eighth Regiment United States Volunteer Infantry, from March 12, 1894, to December 16, 1895, when transferred to Company F, Sixth Regiment United States Volunteer Infantry, from which he was finally honorably discharged June 11, 1897. He was 25½ years of age at the first enlistment. (I. O. 1238555.)

The records of the War Department show the following treatment in each service:

First service—  
"March 3 to 6, 1881, neuralgia; March 27 to April 2, 1881, fever; April 10 to 17, 1881, inflammation of pleura; April 24, 1881, catarrh; November 4 to 6, 1882, contusion of scalp; November 17 to 23, 1882, contusion of scalp, right side of head, caused by beer bottle; May 18 to 21, 1883, acute bronchitis; January 11 to February 9, 1884, acute rheumatism."

Second service—  
"August 5 and 6, 1887, acute diarrhea."

Third service—  
"January 4 to 21, 1882, slight contused wound of the right hand, hit a man in the teeth, not in line of duty; April 6 to 8, 1892, chronic inflammation of the mediastinum, was overheated while rescuing a drowning person, in line of duty; July 6 to 25, 1892, acute gonorrhoea, not in line of duty. Nothing additional found."

He was not reported sick and received no medical treatment at all during his final service from March 12, 1894, to June 11, 1897, according to the War Department.

On November 4, 1890, he filed a claim for pension based upon rheumatism, which he alleged he had contracted during his first service in Company B, Fifteenth Regiment United States Volunteer Infantry, about January, 1884. This claim was first rejected June 25, 1901, on the ground of no disability in a ratable degree from rheumatism since date of filing.

He again filed a claim May 26, 1906, realleging the same disability and same time and place of contracting it. This claim was rejected May 15, 1913, on the ground that the evidence on file, the best obtainable, fails to satisfactorily show that rheumatism has continued since January 17, 1886, the date of the discharge from the first service, or to connect any now existing disability therefrom with the claimant's military service. No appeal was taken, and no effort has been made to reopen the claim.

The soldier states that he contracted this rheumatism during his first service; was suffering from same when discharged from the service; and has constantly since suffered therefrom. He furnished testimony of several lay witnesses to the effect that when he came home in 1886 from the first service he was suffering from rheumatism, and these witnesses state that when they saw and knew him in 1890, 1893, 1897, and 1899 he continued to suffer from same. There is a record of treatment in the service for rheumatism in January and February, 1884.

There is both lay and medical testimony showing he has suffered from rheumatism from about 1900, in addition to the lay testimony before mentioned. The soldier explains his inability to furnish medical evidence showing treatment for rheumatism prior to about 1900 by saying the physician who treated him has since died.

The claim was sent to the field for special examination, but this action resulted in throwing little, if any, light upon its merits beyond showing the character of soldier and his witnesses are good and the facts to which they have testified true, and one witness, a comrade in the final service, was found who testified the soldier did suffer during this final service from rheumatism, and that he had no disability of any kind prior to the first service.

The Bureau of Pensions rejected this claim because of the fact that after being discharged from the service in 1886 in which the soldier claims he contracted rheumatism he three times again enlisted and served continuously practically from 1886 until 1897 and never was treated in any of these subsequent services for rheumatism, nor in any one of the medical examinations when he enlisted for same was rheumatism discovered to exist and so noted.

When he was examined by a board of surgeons November 28, 1900, they reported as to rheumatism as follows:

"No objective marks of rheumatism in any muscle, tendon, or joint, and all movements normal. No other disability alleged or found. No signs of gonorrhoea or other venereal disease. No ratable disability found."

When he was examined by another board of surgeons July 18, 1906, they reported:

"Rheumatism: Crepitation in all joints; pain on motion in all joints; motion limited one-third in all joints; lumbar muscles involved; no atrophy of muscles or contraction of tendons; rate, eight-eighths. Heart: No murmur; no hypertrophy; no dilation; there is dyspnea; heart irritable; no edema; no cyanosis; no rate."

With the bill the petitioner files an affidavit in which he states that he is unable to earn a living by manual labor because of rheumatism and results contracted in the service, and that he has no property or income.

It is shown by lay testimony that the soldier has no property and suffers so from rheumatism as to be unable to earn a living.

Dr. A. C. Moore testifies that he has treated the soldier for years now for typical case of articular rheumatism, and the remedies for same have caused stomach trouble to result so as to make it at times almost impossible for him to retain food sufficient to keep him alive; that the soldier is a man of good habits and character and is unable because of articular rheumatism and its results to do any manual labor.

From the evidence submitted your committee is of the opinion that the disabilities from which the soldier now suffers may be safely accepted as due to the service, and respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 8653. Marian E. Keyes, of 637 East Capitol Street, Washington, D. C., is the widow of Charles H. Keyes, deceased, who served in the Regular Establishment, United States Marine Corps, from June 3, 1885, to June 2, 1890; June 10, 1890, to June 9, 1895; June 17, 1897, to

June 23, 1900; August 4, 1900, to August 3, 1905; August 4, 1906, to July 10, 1911, when retired honorably. (W. O. 988051.)

The records of the Navy Department show the following treatment: "October 10 to 12, 1886, debauch, excessive use of alcoholics; April 30 to May 4, 1888, tonsillitis; May 29 to June 1, 1891, catarrhus epidemicus; December 6 to 9, 1892, alcoholism; January 1 to 13, 1893, chancreoids, venereal; June 17 to 29, 1895, alcoholism; December 25, 1898, catarrh; January 9, 1899, catarrh; June 20 to June 24, 1903, gastric catarrh, due to excessive use of alcohol. He died April 13, 1912, from catarrhus epidemicus."

All of the foregoing were of line of duty origin except those due to syphilis and alcoholism.

The widow filed a claim for pension June 10, 1912, which was rejected August 19, 1912, on the ground that the marine's death from pneumonia nearly six years after his retirement can not be accepted as a result of any disease for which he was treated while in active service, and the claimant is manifestly unable to furnish medical or other evidence which would connect his fatal illness with his marine service.

Nothing but the declaration and the transcript from official records of the Navy Department were filed in the claim in the Bureau of Pensions.

With the bill the petitioner files an affidavit stating she possesses no property at all and that she has no income.

Two lay witnesses sustain the claimant's statements that she has no property or income.

Marian L. Kerr testifies that she knew Charles H. Keyes well, and said Keyes often told affiant that he had been married in 1879 or 1880, and that this wife died in childbirth about one year thereafter; that afterwards he married one Josephine Grace, who died to affiant's knowledge on September 5, 1905; that he afterwards married Marian E. Kerr, with whom he lived until his death, and who is now his widow, and who has two minor children, by the soldier, now living.

E. B. Hesse testifies that the petitioner was never married prior to marrying Charles H. Keyes, with whom she lived until his death, and whose widow she now is, and that she has two minor children to support. This affiant always understood the said Keyes had two former wives, both of whom had died prior to his marriage to the petitioner.

Record evidence of the death of the second wife, "Josie," on September 5, 1905, is furnished.

Record evidence of the marriage of Charles H. Keyes and the petitioner on July 12, 1906, is filed.

Record evidence of the death of Charles H. Keyes on April 13, 1912, is furnished.

J. D. Cummings testifies that he knows the wife of the said Charles H. Keyes died in Sidney, Ohio. (Note: The second wife of the soldier died in Washington, D. C., and the third wife is living now, so this must refer to the first wife and is in keeping with other testimony.)

Record evidence is filed showing the birth of the following children of said Keyes: Elsie Miller Keyes, born May 6, 1907; Mary Louise Keyes, born March 12, 1912.

From the evidence submitted your committee is of the opinion that the petitioner is the lawful widow of the deceased marine, and as such is entitled to a pension of \$12 per month, with \$2 additional for each of the two minor children until they become 16 years of age, and so recommend.

H. R. 9064. Andrew J. Wallace, of Coal Creek, Tenn., served during the War with Spain in Company G, Sixth Regiment United States Volunteer Infantry, from July 2, 1898, to March 15, 1899, when he was honorably discharged. He was 38 years of age at enlistment. (I. O. 1264931.)

The records of the War Department show the soldier was treated August 16, 1898, and October 26, 1898; nature of illness not given. He is also reported as absent from duty from November 30 to December 3, 1898, as sick; nature of same not given.

When mustered out he claimed to be suffering from an injury to his breast. The medical officer by whom he was then examined certified that the soldier was then spitting up blood and claimed same was a result of an injury received in October, 1898.

He filed a claim for pension March 26, 1901, based on an injury to the right breast received in service which had fractured the right collar bone and caused hemorrhage of the lungs. This claim was rejected November 25, 1901, on the ground of no ratable degree of disability since date of filing the claim.

On January 17, 1907, he again filed a claim which was based on piles, which he claimed to have contracted from becoming overheated in Knoxville, Tenn., July 15, 1898, and that in Porto Rico in line of duty unloading a car of supplies, a box of guns fell upon him, breaking his right collar bone and two of his left ribs and his left side of jawbone, from which injuries he had always since suffered from diseased lungs, which caused hemorrhages. This claim was rejected December 5, 1908, as to piles, on the ground of no record, medical or other satisfactory evidence, showing origin in service, existence at date of discharge or for some time thereafter; and as to alleged injury to right collar bone, left ribs, and left side jawbone, on the ground that there was no disability shown therefrom in a ratable degree since filing the claim.

On July 26, 1909, he once more filed a claim, based on piles and disease of the lungs, which he alleges resulted from the injury in service that had broken his right collar bone, two left ribs, and left jawbone. This claim was rejected August 17, 1909, on the ground of no record or satisfactory evidence of medical treatment or other satisfactory evidence showing origin or existence in service, or at date of discharge, and the evident inability of the claimant to furnish such evidence. No appeal was taken, but there have been several attempts made to have the claim reopened, all of which were declined by the Bureau of Pensions on the ground that the evidence offered failed to warrant such action.

The soldier, in several sworn statements, alleges that in the fall of 1898, in Porto Rico, while in line of duty unloading supplies from cars, a heavy box of guns fell on him and broke his right collar bone, two left ribs, and left side of jawbone, and as a result his lungs were injured by this accident, and soon afterwards began bleeding and have continued ever since to bleed and are diseased; he also swears that he contracted piles in the service in July, 1898, at Knoxville, Tenn., and has suffered ever since therefrom.

On December 9, 1907, the soldier visited Dr. Z. D. Massy, who was the surgeon of his command, and who recognized him at once and made an affidavit in which the doctor testifies that in Porto Rico, in the fall of 1898, he treated the soldier for hemorrhage of the lungs, and the soldier then informed affiant that hemorrhage of the lungs was the result of an accident he had received while unloading sup-

plies a short time before, when a box of guns had fallen upon him, breaking some of his ribs.

Cary F. Spence, who was captain of the soldier's company, testifies, May 17, 1904, that in Porto Rico in the fall of 1898 the soldier was injured by lifting a heavy box of guns and was off duty for quite a while as a result of the injury, and several months afterwards when mustered out the soldier complained to affiant that his lungs had become diseased as a result of said injury and were constantly bleeding.

Six comrades have testified, in addition to the surgeon and captain, that the soldier suffered during the service from bleeding of the lungs, and claimed to them that same was the result of an injury received while he was engaged in unloading supplies and a heavy box of guns fell on him. Some of these comrades state that the soldier informed them that he preferred to receive treatment in quarters to going to the hospital.

One comrade alone testifies that the soldier suffered from piles in the service, and he states that he never saw the piles, and only had the soldier's word for it that he did suffer from same.

There is both lay and medical evidence to show that the soldier was well and strong prior to enlistment, but that when he came home after discharge he had a broken collar bone and claimed to have broken two left ribs and left side of jawbone, and was spitting up blood, and claimed that his lungs had been bleeding ever since the injury which he alleged he had received when a box of guns fell on him while unloading supplies in Porto Rico. The medical evidence shows the ribs were broken, as well as the collar bone and jawbone, and that the lungs are and have been diseased since the soldier's return from the service.

The soldier never alleged piles as a disability until 1907, nearly 10 years after discharge, and the medical evidence only shows existence of piles since about 1907.

The claim underwent a thorough special examination, with the result that all of the witnesses who had testified were persons of fair and good reputations as to truth, and they substantially sustained the testimony previously given by them in the claim.

Not one of the comrades who testified was present and saw the accident when the box fell on the soldier, and he was not able to give the name of one who was then present, but all of those who testified knew his lungs were bleeding in the service and they were bleeding when he was discharged therefrom.

The special examination resulted in the soldier's failure to produce witnesses who could testify to the existence of piles prior to about 1906 or 1907 from personal knowledge. One comrade and one or two witnesses here and there can and do state that the soldier said he had piles in the service and after discharge, but his wife is the only person who swears they existed and who saw them prior to 1906.

The soldier was examined by a board of surgeons June 12, 1901, who report him as 39 years of age, 5 feet 10 inches in height, and weighing 159 pounds. This board states that the soldier's right collar bone had been broken, but that they could find no evidence of any broken ribs of either side, or any disease of the lungs or any other disease or disability. They further state that they could find no disability of any character which would warrant their suggesting any rate therefor, and they therefore suggested no rating.

He was again examined by a board of surgeons March 20, 1907, who found him weighing 165 pounds, 47 years of age, and 5 feet 10 inches in height. His tongue was coated and he suffered from alternating constipation and diarrhea, and there was one large internal pile. They rated this 6/18. This board did find that not only had the right collar bone been broken, as found by the first board, but also two of the left ribs and the left side of the jawbone had been fractured, and rated injuries and results at 2/18. They found the heart and other organs in normal condition and no disabilities existing other than piles, constipation, diarrhea, and fractures as noted. There were no indications of vicious habits. The board failed to find anything wrong with the lungs of a serious enough nature to mention, other than the soldier alleged they had been injured by the box falling on him.

With the bill the petitioner files an affidavit in which he states that he is in part incapacitated for performance of manual labor by injuries to the left side and piles and has no property or income.

Two lay witnesses sustain the soldier's allegations as to owning no property and being unable to perform manual labor much of the time.

Two comrades testify in affidavits before the committee that the soldier's lungs were bleeding in the service, and he claimed same was due to being injured by a box of guns falling upon him.

A physician testifies, November 25, 1913, that he has treated the soldier at various times since 1901 and for broken right collar bone and injuries to the left side, which soldier claims he received as a result of a box falling on him in the service in Porto Rico in 1898; that the soldier suffers from repeated and oft-occurring hemorrhages from the lungs as a result of these injuries, and that he also suffers from severe form of piles and hemorrhoids and is disabled at least half of the time for the performance of any kind of labor.

From the evidence submitted in this case it is believed that the disabilities from which the soldier now suffers may be safely accepted as due to the service, and a pension of \$12 per month is recommended.

H. R. 9201. Peter H. Stramsky, 2518 West Baltimore Street, Baltimore, Md., served in the Regular Establishment in Company A, First United States Cavalry, from October 10, 1899, to March 29, 1900, when transferred to Hospital Corps, United States Army, from which he was discharged October 25, 1902. He was 21 years of age at enlistment. (I. O. 1335819.)

The records of the War Department show the following treatment: "November 2 to 26, 1900, malarial fever; November 16, 1900, gastritis, due to lead poisoning prior to enlistment, not in line of duty. No additional record found."

In several efforts which have been made by the soldier to have the claim reopened, all of which have been denied by the bureau, testimony of many witnesses has been filed by him. It is all of a similar character to that filed herein, and only cumulative.

Peter H. Stramsky, a private in the Hospital Corps, United States Army, from October 10, 1899, to October 22, 1902, filed a claim for pension under the general law November 1, 1906, alleging that while at Santa Mesa, P. I., in November, 1900, he contracted chronic diarrhea and constipation, affecting rectum. He asked a reconsideration of his original application for pension on account of rheumatism, disease of heart and stomach, which he claims to have contracted in July, August, and September, 1902.

On April 19, 1909, that part of the claim based on disease of heart was rejected on the ground of no record and claimant's inability to furnish satisfactory evidence of origin in service or existence at dis-

charge, and diarrhea, constipation, and disease of rectum on the ground of no record, no medical or other satisfactory evidence of origin in service or at discharge, and claimant's inability to furnish same, and on the further medical ground that a ratable degree of disability had not been shown since filing of claim.

May 15, 1909, rheumatism was rejected on the ground of no medical or other satisfactory evidence of treatment or existence of said disability since discharge prior to October, 1905, and claimant's inability to obtain such evidence.

In an appeal filed June 1, 1909, it is contended that the action of the bureau is contrary to the evidence.

Dr. H. C. Moses says, in affidavit filed July 30, 1907, that while on the way from Manila, P. I., to San Francisco, Cal., in September, 1902, he treated claimant for rheumatism, with probable heart complications, and that rheumatism was incurred in line of duty. Dr. Moses was acting assistant surgeon on board transport *Sherman*.

Comrade J. F. Sprinkle says in affidavit filed May 18, 1907, that he has been with claimant almost daily since November, 1902, and that he has suffered from rheumatism, heart trouble, and diarrhea.

Affidavit of William J. Marshall, filed May 18, 1907, is to the same effect as that of affiant Sprinkle, except he says he first heard soldier complain of the alleged disabilities in August, 1903.

Dr. Wilfred M. Barton says, in affidavit filed February 6, 1907, that he has treated claimant at intervals during the last three years for chronic gastritis, constipation, and diarrhea.

Dr. Charles C. McDowell states in affidavit filed March 11, 1907, that he prescribed for claimant November 4, 1903, for constipation and indigestion.

Soldier was examined by a board January 31, 1907, which reported as follows:

"Age, 27 years; height, 5 feet 11 inches; weight, 156 pounds; pulse rate, 85, 95, 120; respiration, 18, 20, 24; and temperature normal.

"Tongue slightly coated and indented. Teeth sufficient. Liver extends from sixth rib to costal margin and not tender. Stomach normal in size and otherwise. Spleen extends from ninth to eleventh rib; not tender or palpable. General abdominal tenderness, with great tenderness over descending colon and sigmoid; some tympany; no piles, fissures, or fistula. No diarrhea at present.

"Heart: Beats seen, felt, and heard, fifth space, nipple line. Three systolic murmurs heard at apex and transmitted to left. Another heard at second right interspace; third heard junction of fourth rib on both sides with the sternum, marked epigastric pulsation; increase of cardiac over right and systolic venous pulsation in the jugulars; action regular but heaving. There is cyanosis of chest and hands. No edema or dyspnea.

"Rheumatism: Slight stiffness in shoulders and stiffness and crepitus in knees and ankles. No atrophy, contraction, or limitation of motion.

"Urine: 1016, clear, acid, amber. No albumin or sugar.

A special examination was held, at which claimant and others testified. Claimant's testimony of May 25, 1908, and August 5 and 28, 1908, is a reiteration of the allegations contained in his declarations. He explained, however, that by stomach trouble he meant dysentery.

In supplemental deposition dated March 15, 1909, claimant says he received treatment at Santa Mesa Hospital, P. I., for malarial fever and dysentery or diarrhea, and that while his heart was weak during the latter part of his service in the Philippine Islands, it was while on the transport *Sherman* "that the rheumatism actually developed with heart complications."

William J. Marshall testified August 10, 1908, that he first heard soldier complain of rheumatism, stomach trouble, and diarrhea in March, 1904, and of heart trouble in August, 1904.

Louis Strumsky, father of soldier, testified August 11, 1908, that when he returned from the Army his health was bad and he was suffering from chills and fever and stomach trouble, and that since his return he has suffered from said causes, and that he had diarrhea when he came home after discharge. Also, that he first knew of soldier using liniments for rheumatism about three or four years ago.

The evidence of William L. Strumsky, a brother of claimant, taken August 11, 1908, is to the same effect as that of Louis Strumsky, except he says soldier had rheumatism when he returned from the Army; that about a year ago soldier "took Swamproot for his kidneys" and that he complained of piles several years ago. Both these deponents say claimant was healthy when he enlisted.

Mary Strumsky, mother of claimant, testified August 7, 1908, that he was healthy when he enlisted and that when he returned he was pale and did not look well, but that she did not know what was the matter with him, as he did not tell her.

On March 13, 1908, Howard W. Rowe testified that he has been acquainted with soldier practically all his life; that when he returned from the Army he complained of chills and fever and rheumatism, and that his health was good when he entered the service. Deponent adds that he has not heard soldier complain of chills or fever since the expiration of about one year after discharge.

H. C. Conrad testified, August 18, 1908, that when claimant returned from the Army he complained of rheumatism and stomach trouble; that he has seen soldier once or twice each week since discharge, and that he has complained of rheumatism and stomach trouble all that period, but that he did not hear him complain of heart trouble for a year or so after he returned from the Army.

Edward H. Koch testified, August 6, 1908, that he knew of no ailment with which claimant was suffering until several months prior to the date of his testimony, when soldier told deponent "his stomach bothered him."

On August 14, 1908, Louis Bayer testified that so far as he knew claimant had never suffered from any of the alleged disabilities.

Stephen C. Hess testified, August 27, 1908, to filling two prescriptions for a man representing himself to be the claimant. The ingredients of one indicate it was for indigestion, and the other seems to have been for nervous trouble.

Dr. C. C. McDowell says in deposition of August 6, 1908, that he treated soldier November 4 and 7, 1903, for "indigestion, constipation, etc.," and that he does not remember of having treated him for any other trouble.

Dr. W. L. Nicholls testified, August 25, 1908, that he had known soldier about one year, and that he treated him twice for stomach trouble, nervous indigestion, or nervous dyspepsia. He also testified that soldier had a weak and irregular heart from anemia.

Dr. John G. Hollyday testified, August 22, 1908, that he treated claimant shortly after he returned from the Army, but that he had no definite recollection of what the treatment was for.

Dr. H. C. Moses testified, September 14, 1908, that he was acting assistant surgeon, United States Army, from 1898 to 1903, and that

on return from Manila to San Francisco, aboard transport *Sherman*, about September, 1902, he treated claimant for rheumatism and heart complications.

Dr. Wilfred M. Barton testified, December 15, 1908, that in 1903 he treated claimant for heart trouble, diarrhea, and dysentery; that he did not have valvular disease of the heart, "but the pulse was weak, rapid, and irregular"; that he treated him in October and November, 1905, July and August and October and November, 1906, January, 1907, and March, 1908, for rheumatism, which deponent attributes to diarrhea; that soldier had trouble with his bowels, and there were remnants of dysentery during 1907 and 1908. Deponent also says he treated soldier in 1903 and 1904 for hemorrhoids, and that he is not sure whether he treated claimant for heart trouble after 1904.

Fred J. Koch testified, December 14, 1908, that soldier complained of rheumatism, diarrhea, or dysentery when he returned from the Army, and that he walked with a cane.

A. Engle says in deposition of December 14, 1908, that he first met claimant in 1903 or 1904, at which time he complained of suffering with his back and stomach and also rheumatism.

Fred W. Schulz says in deposition of December 15, 1908, that he knew claimant from boyhood to the time he enlisted; that he met him about six months after he returned from the Army, and that up to about a year ago he had seen soldier quite often. Deponent also says soldier's health was good when he enlisted; that when he met him after discharge "his stomach was all out of gear" and he complained of stomach trouble, rheumatism, and diarrhea.

Andrew Koden testified, March 13, 1909, he first met claimant during the summer of 1901 at San Francisco; that deponent was in the general hospital and met claimant on the grounds; that there were several hospitals, and he does not know which one claimant was in; that he did not know what was the matter with claimant, but that he limped, which indicated he had rheumatism; that when he next met soldier, in 1905, he still limped and "complained of one leg" and of rheumatism, also of stomach trouble and chills and fever.

John J. Carlin testified, March 15, 1909, that he first met claimant in 1899 in the Philippine Islands at Santa Mesa Hospital; that claimant was in the surgical and fever ward; and that while deponent does not remember what was the matter with him, cases of dysentery and typhoid malaria were sent to one section of said ward, and "his ailment must have been for some stomach or bowel trouble or some malarial fever condition."

Comrade William T. Baker testified, March 15, 1909, that soldier suffered from rheumatism and stomach trouble while in the service, and that he was in the hospital because of stomach trouble.

Dr. Frank Huwateck testified, March 27, 1909, that he was a member of the Hospital Corps from 1899 to 1902, and that claimant was sick in the hospital at Santa Mesa, P. I., in 1901, with malarial fever and complaints of stomach trouble.

The records of the War Department do not show that claimant was treated for rheumatism while in the service, or that he was suffering therefrom at discharge. Alleged diarrhea, constipation, and disease of rectum have not been shown to exist in a ratable degree of disability since claim was filed. Claimant is only 10 pounds under standard weight.

Although Dr. H. C. Moses testified that claimant was treated in September, 1902, on transport *Sherman* for rheumatism and heart complications, there is no record showing treatment for either while in the service or since discharge until 1903, for heart trouble, and October, 1905, for rheumatism.

With the bill petitioner files an affidavit stating he is wholly incapacitated for performance of manual labor and possesses no property of any kind and has no income.

The allegations of the soldier are fully sustained by the testimony of many lay witnesses.

Dr. F. K. Nichols testifies, February 3, 1914, that upon examination of the soldier that day he finds him to be suffering from severe form of disease of heart, and the action and functions of the heart are deranged materially, and, further, that he suffers from arthritis, which has seriously affected the left knee.

Several other doctors have testified that the soldier suffers from rheumatism and a resulting disease of the heart and is wholly unable to perform manual labor.

From the evidence submitted your committee believe that disabilities from which the soldier now suffers were incurred in service and line of duty and recommend the allowance of pension at the rate of \$12 per month.

H. R. 9973. Samuel P. Shupe, R. F. D. No. 2, Hagan, Va., served during the War with Spain in Company I, Sixth Regiment United States Volunteer Infantry, from July 10, 1898, to March 15, 1899, when honorably discharged. He was 21 years of age at enlistment. (I. O. 1279307.)

The records of the War Department fail to show he was ever reported as being sick or received any medical treatment for any cause. When discharged he claimed to be suffering from no disability. The medical officer by whom he was examined certified that an enlarged left testicle was all the disability found to then exist.

On January 9, 1902, he filed a claim for pension based on rupture from fall in the service. He also alleged that a very slight varicocele, which had existed prior to enlistment, had been made a great deal worse by service. This claim was rejected May 28, 1903, on the ground the rupture or varicocele existed prior to enlistment, as shown by the statements of the soldier.

He again filed a claim April 10, 1907, based on rupture, diabetes, disease of the stomach, and general debility. This claim was rejected as to diabetes and disease of stomach on the ground of no disability in a ratable degree since date of filing the claim. Former rejection as to rupture was adhered to. The claim was reopened by order of the Commissioner of Pensions September 25, 1912, as to diabetes and disease of the stomach, for the purpose of a test medical examination. The claim was again rejected after this test examination, because there was no ratable degree of disability shown from diabetes and disease of stomach, the former rejection as to rupture being still adhered to, and not reopened. No appeal was taken.

The claimant alleges that he did contract diabetes and disease of the stomach while in the service and still suffers from same. He further alleges that he incurred rupture in the service, and maintains that he never stated, or at least never intended to state, that rupture existed prior to enlistment; that what he stated in regard to same was that if it existed prior to his enlistment it was so slight as to be unknown to him, for he never knew it; and he believes the rupture was incurred in service and line of duty as a result of the fall.

Comrade G. R. Hylan testifies, May 1, 1912, that in Porto Rico the soldier was sick and suffering for at least two months with diabetes and stomach trouble; that the corporal wished the soldier to go to a hospital, but he would not do so; that affiant knows it was disease of stomach, because he could not eat and retain food, and he was in this condition at discharge.

M. G. Ely and William H. Kinser testify, November 29, 1907, that they knew the soldier before enlistment, and he was then well and strong and free from disease, but when he came home from the service he appeared to be sickly and complained of rupture and something wrong with his "waterworks," and he has never been stout and strong since service, and is not able to do much work.

Dr. W. L. Spencer testifies, December 21, 1907, that he treated the soldier in July and August, 1903, for varicocele; that he knows the soldier was well and strong prior to service, but since service has given indication of one suffering from nervous trouble and he has been unable to do very much manual labor; that affiant advised an operation for varicocele, but the soldier refused to have one.

The soldier was examined by a board of surgeons September 3, 1902, who reported him as 24 years of age, 5 feet 6 inches in height, and weighing 130 pounds. General appearance, fairly good; rupture or varicocele present on left side; tumor 2 inches in diameter; wears no truss. Rate, ten-eighths. Diabetes as shown by urine. Rate, eight-eighths. No other disease or disability.

Another board, who examined him June 5, 1907, found physical condition about the same and suggested six-eighths for rupture and four-eighths for disease of the stomach.

The last board to examine him, September 4, 1912, stated that they could find no disability existing except a small varicocele, for which they rated two-eighths.

With the bill the petitioner states in an affidavit that he is in part unable to earn a living by manual labor because of liver and stomach disease and diabetes, rupture, and varicocele, and that he possesses no property and no income.

Dr. J. S. Ewing testifies that the soldier suffers from an enlarged liver and indigestion.

The soldier, in an additional affidavit, states that he suffers constantly from some chronic form of stomach disorder, which doctors have treated him for since discharge, but without giving him relief, and that he also suffers from rupture which he contracted in the service.

The Member who introduced the pending bill has written two letters to the committee. In one he states that he has known the soldier for years and knows he has no property or income. In the other he states that the soldier is a man of good character, who would make no statement which was not true; that the soldier had good health prior to his service and ever since his discharge has been in poor health, and the boards of surgeons who have examined the soldier have so found in connection with his claim for pension.

From the evidence submitted to your committee in this claim it is believed that it is safe to accept the disability from which the soldier now suffers as due to service, and a pension of \$12 per month is therefore recommended.

H. R. 10169. Edward F. Smith, of Washington, D. C., served during the War with Spain in Company H, Third Regiment United States Artillery, from March 12, 1900, to January 25, 1901, when transferred to Company C, which afterwards became the Fifth Battery, United States Field Artillery, from which he was honorably discharged March 11, 1903, at the expiration of his term of enlistment. Prior to this the soldier had served from February 14, 1892, in Companies B and F, Fifth Regiment United States Artillery, to February 3, 1897, and from March 11, 1897, to March 10, 1900, in Companies A and L, Ninth Regiment United States Infantry. He also served from June 11, 1903, to October 20, 1904, in Company K, Ninth Regiment United States Infantry, and was honorably discharged under the provisions of section 4 of the act of June 16, 1890. (I. Cf. 1148609.)

The records of the War Department show that during his several services the soldier suffered from several attacks of malarial fever, two of which were severe and resulted in anemia; that he repeatedly was treated for diarrhea, bronchitis, and gastritis, rheumatism, dyspepsia, some bruises, and slight injuries. He was a victim of constantly recurring boils and stomach disease. All were incurred in line of duty. The only sickness he suffered from during the whole time which was not due to line of duty was an acute attack of gonorrhoea in 1892, for which he was treated several days.

He first filed a claim for pension May 2, 1905, based on malarial poisoning, rheumatism, gastritis, indigestion, cramps, and bloating, which was rejected on March 16, 1907, on the ground of no disability in a ratable degree therefrom. The claim was reopened and allowed July 30, 1908, from date of filing at \$6 per month for gastritis. The rejection of other disabilities was adhered to.

A claim for increase filed May 10, 1909, was rejected October 19, 1909, on the ground that no increase in disability was shown to exist.

He again filed a claim for increase August 13, 1912, and also claimed for disease of the stomach and intestines, as results of gastritis. This claim was rejected on October 23, 1912, on the ground of no increase in disability from gastritis, for which pensioned, and that disease of the stomach was covered by the rate for gastritis. As to disease of the intestines, that was held not to be a result of gastritis, and not otherwise shown to be due to service origin. An effort to have the claim reopened was denied November 16, 1912.

The record in the War Department is sufficient to show any disability the soldier may have suffered from since discharge from malarial poisoning, rheumatism, diarrhea, disease of the stomach, and gastritis could safely be accepted as having been due to the service.

Dr. Joseph S. Wall testifies, August 10, 1907, that during the previous two years the soldier had been under affiant's professional care for chronic gastritis and malaria, the malaria being of a severe and stubborn form, and that during these two years the soldier has been incapacitated for the performance of any manual labor. This doctor, in 1909, again certifies to about the same physical condition of the soldier from same disabilities.

Dr. Louis Kollpinski testifies, November 5, 1912, that from May, 1912, to date, the soldier has been under his professional care, and during that time suffered from repeated attacks of diarrhea, flatulence, tenderness of the stomach and bowels, vomiting, and inability at times to evacuate the bowels, and is now confined to bed and unable to perform any kind of manual labor.

The soldier has been examined by four boards of surgeons. The first, July 10, 1905, reported aged 38, height 6 feet, weight 172 pounds. They found no evidence of any rheumatism; no rate. No evidence of malaria or malarial poisoning; no rate. They found liver and spleen enlarged and tender, and rated eight-eighths for disease of diges-

tive organs (gastritis). No disease of rectum or any other disability, and no vicious habit.

The next board, July 15, 1908, found substantially the same physical condition and rated six-eighths for gastritis and nothing for anything else.

The board that examined him October 1, 1909, found the only disabilities existing were those due to gastritis and intestinal catarrh, and rated ten-eighths for those two together and treated them as one and the same. The Bureau of Pensions refused to regard them as one and the same.

The last board to examine the soldier, September 25, 1912, found enlarged liver and spleen, with tenderness of same and stomach, but otherwise the digestive organs were in normal condition; rate eight-eighths. They found no other disability existing and specifically refused to rate for anything except gastritis.

With the bill the petitioner files an affidavit in which he states that by reason of gastritis of the stomach he is wholly unable to perform any manual labor and owns no property except about \$500 worth of household goods, and no income other than the \$6 per month pension.

The testimony of lay witnesses and statement of the Member who introduced the bill sustain the soldier's allegations as to property, and the Member further states that he is informed the soldier is now confined to bed in hospital.

Dr. Charles H. Waters testifies, December 15, 1913, that the soldier is under his professional care and treatment for chronic gastritis, thickening of the walls of the stomach, and such obstruction of bowels that an operation seems advisable, and affiant believes there can be no doubt the present condition is due to disease contracted in his military service.

From the evidence submitted your committee believe that an increase from \$6 to \$17 per month is fully warranted in this case, and so recommended.

H. R. 10173. George B. Weesner, of Emporia, Kans., served during the War with Spain in Company D, Thirty-second Regiment United States Volunteer Infantry, from August 5, 1899, to May 8, 1901, when he was honorably discharged. He was 18 years of age at enlistment. (I. O. 1407069.)

The records of the War Department show the following treatment: "August 29 and 30, 1899, diarrhea; October 9 to 14, 1899, diarrhea; December 17 and 18, 1899, lumbago; December 18 to 30, 1899, gastroenteritis and malarial fever; December 30, 1899, to January 9, 1900, malarial cachexia; January 10 and 11, 1900, diarrhea; January 20 to 31, 1900, diarrhea; July 5 to 8, 1900, diarrhea; August 7 to 9, 1900, diarrhea. No additional record found."

When discharged he claimed to be suffering from no disability, and the medical officer who then examined him certified no disability or disease existed.

He filed a claim for pension November 19, 1912, based on malarial poisoning and diarrhea, and alleged that tubercular disease of the spine had resulted from these diseases, and all were due to his service. This claim was rejected on March 12, 1913, as to malarial poisoning and diarrhea on the ground of no ratable degree of disability from the same since date of filing the claim; and as to tubercular disease of the spine, on the ground that the same is not due to service origin, as shown by the claimant's own statements that it first appeared in 1912. No appeal was taken.

Dr. William Muffet testifies he treated the soldier during July, August, and September, 1901, for malaria and diarrhea.

Dr. J. F. Osborn testifies he treated the soldier in the years 1902 and 1903 for malaria and diarrhea.

Dr. G. W. Smith testifies he treated the soldier in the year 1904 for chronic form of malaria, with enlarged spleen and liver and other symptoms and results of that disease.

Dr. F. A. Endall testifies he treated the soldier during the years 1905, 1906, 1907, 1908, 1909, 1910, and 1911 for chronic malaria, and that during this time the soldier began to suffer severe pain in his back, which finally resulted in tubercular trouble of the spine, and he now suffers from this, and from all of the said diseases he is wholly disabled, as far as any manual labor is concerned.

Dr. J. P. Kaster testifies that the records of the hospital of which he is surgeon show the soldier came there in August, 1912, complaining of great pain in the back and side, and upon examination it was found that he was suffering from curvature of the spine, produced by tuberculosis, and affiant is not able to state the cause or origin of same, but that it wholly disabled him for all manual labor.

The soldier was examined January 15, 1913, by a board of surgeons, who report him as 31 years of age, 5 feet 11 inches in height, weight 175 pounds. They found chronic form of malarial poisoning with its usual results, enlarged spleen and liver—rate six-eighths. They found history of a chronic form of diarrhea which had resulted in chronic constipation, with inflamed rectum and piles—rate six-eighths. They found a pretty severe curvature of the spine, due to tuberculosis of the spine, and rated this disability alone at \$24. All other vital organs were normal. No vicious habits. They state in conclusion:

"This claimant is so disabled from malarial poisoning, rectum disease, result of chronic diarrhea, and curvature of spine as to be incapacitated for the performance of any manual labor, and is entitled to \$30 per month."

With the bill the petitioner files an affidavit in which he states that by reason of malarial poisoning, diarrhea, and its results, and curvature of the spine, all of which he believes are due to his service, he is wholly unable to earn a living by any kind of manual labor for himself, wife, and three small children, and that he possesses no property and is in debt and has to ask help of his relatives.

The testimony of several witnesses sustains the petitioner's allegations as to owning no property, having to ask help of relatives, and being unable to earn a living.

The physical condition of the soldier is clearly shown by the report of the board of surgeons of the Bureau of Pensions and medical testimony on file in his claim, which has hereinbefore been referred to.

From the evidence submitted in this case it is believed that a pension of \$30 per month is fully warranted, and it is so recommended.

H. R. 10193. William H. Franks, of Laurence, S. C., served in the Regular Establishment, Troop F, First Regiment United States Cavalry, from September 18, 1855, to September 18, 1860, when honorably discharged at the expiration of his term of enlistment. He was 18 years of age when he enlisted. (I. O. 6343.)

It does not appear from the records of the War Department that the soldier was ever reported sick or received medical treatment for any cause during his service.

The first and only claim filed by the soldier in the Bureau of Pensions was filed August 27, 1902, under the acts of July 27, 1892, and

June 27, 1902, which relate to Indian wars. This claim was rejected March 18, 1903, on the ground the soldier rendered no service in any of the Indian wars covered by the provisions of said laws.

The records of the War Department do show that the organization of which soldier was a member did serve from May to September, 1860, in campaigns against the Indians in Kansas and Indian Territory. Such service is not, however, covered by the Indian wars pension acts cited.

The soldier is manifestly unable to establish a claim for pension under the general laws, and consideration of the pending bill is requested under the committee rule relating to such cases.

With the bill the petitioner files an affidavit stating he is eighty-odd years of age, very feeble wholly unable to perform any manual labor, and believes his disabilities, particularly piles, are the result of his five years' service in the United States Cavalry. He further states that he has no property or income.

Several witnesses testify the soldier is very old and very feeble, and is wholly unable to perform any kind of labor, and that he possesses no property or income.

The Member who introduced this bill (Mr. J. T. Johnson) writes the committee that he personally knows the soldier is so old and feeble as to be unable to perform any labor, and is a great sufferer, and can not possibly live but a short while, and possesses no property or income. Mr. Johnson invites attention to a letter of February 16, 1914, from a Mr. R. C. Grat, stating the soldier is fast growing more and more feeble and suffers so from piles that much of the time he can not sit down and is liable to die now at any time.

From the evidence submitted in this case it is believed that a pension of \$12 per month is fully warranted, and it is so recommended.

H. R. 10357. John Hodges, of Poscola, Mo., served in the Regular Establishment in Company B, First Regiment United States Infantry, from February 6, 1867, to February 6, 1870, when honorably discharged at the expiration of his term of enlistment. (I. O. 731425.)

The records of the War Department show that during his service the soldier suffered from an attack of yellow fever and another attack intermittent fever, and also diarrhea.

September 30, 1859, the soldier filed a claim for pension based on yellow fever, rheumatism, and disease of the lungs. This claim was rejected June 12, 1900, on the ground of no ratable disability from alleged diseases since date of filing.

He again filed a claim August 3, 1912, based on the same disabilities, and also bronchitis, as an additional disability. This claim was rejected as to rheumatism and bronchitis and disease of the lungs on May 28, 1913, on the ground of no record, medical or other satisfactory evidence, showing origin of said disabilities in the service at discharge, or for about nine years thereafter, and the inability of the claimant to furnish competent evidence to connect any disability from which he now suffers with his military service, either as a result of yellow fever or otherwise. No appeal was taken.

Three comrades testify the soldier suffered from yellow fever during the service, but mention no other disability. The record shows he did have an attack of yellow fever.

S. Russell testifies he has known the soldier since before his service; that when he came home from the service he was suffering from rheumatism and has since continually suffered therefrom.

Elizabeth Greenwell and Maria Hodges testify the soldier suffered from time of his discharge until 1891, when they ceased to see him, with rheumatism, and much of the time he was rendered almost helpless thereby.

Carroll Allen testifies that he knows the soldier suffered from 1871 to 1884 from rheumatism and disease of the lungs.

Dr. W. C. Moxey testifies he treated the soldier in 1879 and 1880 for rheumatism and pneumonia.

Dr. E. J. Ganse testifies he treated the soldier from 1884 to 1887 for rheumatism and disease of the lungs.

Dr. J. L. Curd testifies to treatment in 1891 for rheumatism and chronic bronchitis.

Dr. A. F. Bugg testifies to treating the soldier in 1903 and afterwards for rheumatism and disease of the heart and lungs. He also later testifies again to the same effect.

Dr. C. A. Wells testifies that when he examined the soldier in 1907 he found him suffering from articular and muscular rheumatism and disease of the heart and lungs.

When the soldier was examined by a board of surgeons January 15, 1890, the only disease or disability that they could find from which he then suffered was disease of the lungs, for which they rated four-eighths.

He was again examined, and for the last time, by a board of surgeons November 1, 1899, who report him as 53 years of age, 5 feet 5 inches in height, and weighing 136 pounds. This board states that the soldier appears to be in good physical condition; they could find no evidence of rheumatism, disease of the heart or lungs, or any other disease or disability, and state that he is not entitled to any rate of pension.

With the bill the petitioner files an affidavit stating he is 67 years of age and wholly unable to do any kind of work because of rheumatism and bronchial or lung disease, and possesses no property other than \$50 worth of personal property.

His statements are sustained by testimony of lay witnesses. A physician testifies, February 14, 1914, that the soldier suffers from articular rheumatism and bronchial and lung disease to such an extent as to be unable to perform any manual labor and is very poor financially.

From the evidence submitted your committee believe that the disabilities from which the soldier now suffers may be safely accepted as due to service, and recommend the allowance of pension at the rate of \$12 per month.

H. R. 10952. Otho E. Gepler, of Albany, Ind., served during the War with Spain in Company D, First Regiment Ohio Volunteer Cavalry, from April 29, 1898, to October 23, 1898, when honorably discharged. He afterwards again served in the band, Thirty-first Regiment United States Volunteer Infantry, from July 14, 1899, to June 18, 1901. He was 33 years of age at enlistment. (I. O. 1321575.)

The records of the War Department show the following treatment during the first service:

"May 25 to 29, 1898, exhaustion, fatigue; June 27 to 30, 1898, adenitis right inguinal glands; July 7 to 13, 1898, bubo d'emblies (no urethritis); July 18 to 20, 1898, urticaria. All foregoing in line of duty. Nothing additional found."

He was not recorded as sick and received no medical treatment for any cause during the second and final service.

When discharged from the first service he claimed to be suffering from bruised groin. The medical officer who examined him states:

"I find an open ulcer resulting from an abscess in right inguinal region, the result of saddle bruise; a scar below this shows a former

opening. The wound discharges pus. No other disability found. This not caused by venereal disease."

When discharged from the final service the soldier claimed to be suffering from no disability, and none was found to exist by the officers by whom he was examined.

July 27, 1904, he filed a claim for pension based on injury to the right groin, resulting in an abscess, caused by a horse falling on him while in drill, and nasal catarrh contracted in the Philippines. This claim was rejected February 3, 1906, as to abscess of groin on the ground of inability of claimant to show continuance from date of discharge from the first service and through period of second service and since; and as to catarrh on ground of no record or medical evidence showing existence in service, at date of discharge, and since. Both disabilities were also rejected on the further ground of no disability therefrom since date of filing the claim. No appeal was taken and no effort was made to reopen the claim.

Byron L. Bargar, who was captain of the soldier's company—D, First Regiment Ohio Volunteer Cavalry—testifies July 24, 1904, that at Camp Thomas, Ga., the soldier was lame and appeared to have been in some way injured about the hips. Affiant did not see the accident when he was hurt.

Comrade Fremont Kipp testifies, July 28, 1904, that the soldier's horse fell on him in drill at Camp Thomas, Ga., in June, 1898, and he was for some time on sick list as a result thereof.

W. G. White, who was captain of Company B, Fourth Regiment Ohio Volunteer Infantry, testifies, July 28, 1904, that he knew the soldier before his enlistment in Company D, First Regiment Ohio Volunteer Cavalry; that affiant recalls the fact that the soldier, during the service in Georgia, came to see him and was then lame and used a cane, and said he was excused from duty because of this disability.

John E. Stick, who was a comrade of the soldier in the last service, in band, Thirty-first Regiment United States Volunteer Infantry, testifies, October 28, 1904, that the soldier during this final service suffered from catarrh, as shown by sniffling and repeated headache, and trouble with his ears, complaining of sensation of thumping in same.

Mark M. Young, who was also a comrade in the soldier's final service, testifies, October 24, 1904, that the soldier during this service suffered from catarrh, which was shown by his red nose and sniffling and bad breath.

He was examined by a board of surgeons October 26, 1904, who reported him as 40 years of age, 5 feet 9 inches in height, and weighing 180 pounds. The board states as follows:

"In right groin are two small scars, one about 1 inch above and the other three-quarters of an inch below Ponpart's ligament, each being about one-half inch in diameter, considerably depressed, slightly adherent but slightly dragging. No evidence that spermatic cords or other important structures in groin were injured. No special tenderness of cords or testicles. Testicles normal in size. No limitation in motion of right leg and no atrophy. No evidence of disability from injury of right groin. No rating.

"Nasal catarrh: Mucous membrane of nasal fossae and also of the pharynx slightly inflamed, hypertrophied, with slight catarrhal exudate evident. Eustachian tubes pervious. Hearing normal. But slight disability from catarrh of nose and pharynx; rate two-eighths."

The board found all other vital organs in normal shape except the heart, which was somewhat dull, a little weak, and irritable. They rated this four-eighths. No vicious habits, past or present.

With the bill the petitioner files an affidavit stating that by reason of piles, fistula, and disease of the rectum he is partially disabled for the performance of any manual labor, and that he has no property and no income.

John B. Stick, who was a comrade in service with the soldier, testifies that the soldier suffers from bowel and rectum diseases to such an extent as to often confine him to his home, and that in the service he complained of stomach disease.

There is lay testimony showing the soldier has no property and suffers from disease of the stomach and rectum.

Two physicians testify that the soldier is now and has been for several years suffering so severely from disease of the stomach, bowels, and rectum, with piles, hemorrhoids, and fistula, as to be much of the time unable to do any kind of manual labor.

From the evidence submitted your committee believe that the disabilities from which the soldier now suffers were incurred in service and line of duty, and recommend the allowance of pension at the rate of \$12 per month.

H. R. 11057. Addison B. Burroughs, of Hackensack, N. J., served during the War with Spain in Company G, Second Regiment New Jersey Volunteer Infantry, from May 2, 1898, to June 20, 1898, when transferred to the Second Battalion, Second Regiment New Jersey Volunteer Infantry, from which he was honorably discharged November 17, 1898. He was 21 years of age at enlistment. (I. O. 1352041.)

The records of the War Department fail to show he was ever reported as sick or ever received medical treatment while in the service.

When discharged he claimed he was suffering from malaria. The medical officer by whom he was then examined certified no evidence of any disability could be found to then exist.

He filed a claim September 5, 1906, based on malaria which he claimed he had contracted in August, 1898, in the service. This claim was rejected November 14, 1913, on the ground of no ratable degree of disability shown to exist since date of filing from malaria. No appeal was taken.

Aside from the statement of the soldier that he had contracted malaria in the service, no evidence was filed.

He was examined by a board of surgeons July 2, 1913, who reported him as 30 years of age, 5 feet 10 inches in height, and weighing 137 pounds. The board found the heart, bowels, and stomach normal, except some evidence of constipation. They found the skin a little pale and spleen enlarged, and he was then having chills and fever. They rated malarial poisoning at six-eighths. They also found joints somewhat enlarged and some rheumatism, rate six-eighths. No other disability found, and no evidence of vicious habits.

With the bill the petitioner files an affidavit in which he states that he is in part incapacitated for the performance of manual labor by malarial poisoning, and the only property he owns is wearing apparel worth \$50.

A. T. Holley, who was first lieutenant of the soldier's command, testified February 2, 1914, that he has known the soldier for years and has been in almost daily contact with him since his discharge, and knows he has suffered from constipation and what doctors called malaria, and has been often disabled thereby, some of the time in bed from same, and still suffers from the said disease.

Dr. Frank H. White testified January 31, 1914, that the soldier returned from the service in 1898 suffering from malaria; soon had fever

which ran into typhoid form; and after this the malaria became chronic and returned every spring up to 1906, when he applied for pension for said disability; that the teeth became decayed from this disease and mastication of food was not proper and digestive organs thus became affected; in 1907 chills did not return, but constipation and piles continued, and in 1908 chills returned and returned each year up until 1912, when affiant ceased to be the soldier's attending physician; that the soldier is not able to earn a living, and is a sufferer from chronic malarial poisoning and also suffers from rheumatism.

Dr. J. V. Bergie testifies, February 5, 1914, that he treated the soldier during 1911 and 1912 for chronic malarial poisoning and rheumatism and general weakness, and he is unable to do any real hard work because of said disease.

Dr. Frank Hopkins testifies, January 24, 1913, that the soldier was under his treatment at Hot Springs, Va., from March 5 to April 8, 1913, for chronic rheumatism.

While none of the witnesses specifically so state in terms, yet the tenor of their testimony indicates that the soldier has no property or income.

From the evidence submitted, your committee is of the opinion that the disabilities from which the soldier now suffers may be safely accepted as due to service, and they respectfully recommend the allowance of pension at the rate of \$12 per month.

H. R. 11260. James C. Hudson, of the Soldiers' Home, Washington, D. C., served in the Regular Establishment, in Company C, Twenty-first Regiment United States Infantry, from August 27, 1890, to December 14, 1891, when honorably discharged. Prior to this term of service he had served continuously in the Regular Establishment from July 12, 1875. (I. C. 870687.)

It is shown by the records of the War Department that during his long service the soldier was treated for rheumatism, abscess, diarrhea, dislocation of the shoulder, wound of the right finger, sprain of the right leg, headache, dyspepsia, deafness, disturbed vision, and vertigo. This disturbed vision and vertigo finally developed into Menier's disease. The rheumatism was constant and became chronic while he was in the service.

He filed a claim for pension December 18, 1891, based on vertigo, disturbed vision, numbness, and weakness. This claim was allowed at \$24 per month from date of filing for Menier's disease to cover all of the disabilities alleged. He now receives a pension of \$24.

Four claims for increase in rate have been rejected on the ground the rate of \$24 per month fully covers the degree of disability existing. The last rejection was September 29, 1913, on medical ground in which the medical examination was denied.

A board of surgeons which examined the soldier on March 10, 1892, states that he is so disabled by Menier's disease (vertigo and disturbed vision) as to be entitled to \$24 per month, and from rheumatism as to warrant two-eighths. No other disability was found to exist. It was upon the strength of this report that a pension of \$24 was allowed.

A board of surgeons, March 21, 1894, reported about the same physical condition of the soldier.

June 7, 1905, a board states that the soldier should have \$30 per month for pension cause—Menier's disease—and that he was totally incapacitated for any manual labor.

On January 31, 1911, a board reports that the soldier was so incapacitated by Menier's disease as to require attendance of another person and recommended the rate allowed by law for persons in such condition. This rate is \$50 per month when attendance, as in this case, is periodically required.

With the bill the petitioner files an affidavit, in which he states that he is totally disabled for any kind of labor and has no property.

The Member who introduced the bill assures the committee that the soldier has no property and his only income consists of his \$24 per month pension.

A physician testified, August 18, 1913, in the claim in the Pension Bureau, that he has treated the soldier for the last 15 years, and all of that time he has suffered so from Menier's disease as to be unable to perform any kind of labor, and the disease is constantly growing worse and will continue to do so.

From the evidence submitted your committee is of the opinion that an increase from \$24 to \$30 per month is fully justified, and so recommend.

H. R. 11434. Wiley Gullett, of Sallyersville, Ky., served during the War with Spain in Company F, Twenty-eighth Regiment United States Volunteer Infantry, from April 23, 1901, to April 22, 1904, when honorably discharged at the expiration of his term of enlistment. (I. C. 1161920.)

The records show that during the service he was treated at various times for constipation, measles, vacuina, rheumatism, mumps, orchitis (of nonspecific or venereal cause), and malarial fever.

He filed a claim for a pension January 29, 1908, based on left varicocele and impaired vision of the left eye. The claim was allowed for left varicocele at \$6 per month from date of filing, which he now receives. That part of the claim based on impaired vision of the left eye was rejected on the ground that the evidence fails to show same was due to service origin.

He filed a claim for increase of pension April 30, 1912, which was rejected September 12, 1912, on the ground of no increase in the disability.

Dr. Cisco testified, June 7, 1912, that the varicocele of the left testicle was causing constant enlargement thereof with great pain and tenderness and to a great extent prevented manual labor of any kind—in his opinion fully two-thirds.

A board of surgeons who examined him, August 14, 1912, states as follows as to varicocele:  
"Varicocele: Marked varicocele of left side, rate four-eighths; small varicocele of right side, rate two-eighths."

This board states that they found no other disability existing of any kind.

With the bill the petitioner files an affidavit stating he is wholly unable to earn a living by manual labor by reason of varicocele of the left and right sides, and all the property he possesses consists of about \$100 worth of personal property, and his only income is the \$6 per month pension he receives.

Lay witnesses sustain his allegations.

Dr. Dixon testifies, January 20, 1914, that the soldier suffers from a left varicocele, which is in such enlarged condition as to prevent manual labor.

From the evidence submitted your committee is of the opinion that an increase from \$6 to \$12 per month is fully warranted, and so recommend.

H. R. 11639. Ernest W. Hilliard, of Bristow, Okla., served during the War with Spain in Company K, Fifteenth Regiment Pennsylvania Vol-

unteer Infantry, from June 17, 1898, to January 31, 1899, when honorably discharged. He was 21 years of age at enlistment. (I. O. 1296664.)

The records of the War Department fail to show the soldier was ever in the hospital for medical treatment during his service, but do show he was reported as sick in quarters July 16 to 20 and August 6 to 11 and 15 to 31, 1898, the nature of illness not stated.

When Mustered out he stated that he was not suffering from any disability, and the medical officer who examined him certified he could find none existing.

He filed a claim for pension February 17, 1903, based on rheumatism, malarial poisoning, and alleged resulting disease of the spine. This claim was rejected February 1, 1904, on the ground of no ratable degree of disability since filing the claim from rheumatism and malarial poisoning; and as to disease of the spine, on the ground it is not accepted as a result of rheumatism or malarial poisoning.

After filing considerable testimony seeking to have the claim reopened, and being denied such action, an appeal was taken, and in a decision of February 28, 1905, the Assistant Secretary of the Interior sustained the bureau action.

The soldier was examined at his home by a board of surgeons (composed of one physician) July 13, 1903, who reported: Age, 27 years; height, 5 feet 8 inches; weight, 125 pounds. As to rheumatism, this physician stated there was no evidence thereof except a stiffened and tender condition of some of the muscles of the back about the spinal column. As to malarial poisoning, he states:

"Skin pale and sallow, tongue coated and fissured, tender over gastric region, spleen normal, liver extends up to sixth rib and slightly below costal cartilage, and he claims to suffer from bowels being constipated and then lax; much diarrhea."

As to disease of the spine, he states:

"No history or evidence of vicious habits (venereal disease). This claimant is so disabled by caries of spine (tuberculosis), the probable result of exposure in military service, as to require the frequent and periodical attendance of another person and is entitled to \$50 per month."

A great deal of evidence was filed in the claim and secured by means of special examination to show the soldier contracted rheumatism and malarial poisoning in the service and suffered from same until he filed the claim for pension. A great deal of this evidence related to the fact that the soldier soon after service began to suffer from trouble with his spine and has since suffered from same. It is shown the spinal disease is tubercular and disables the soldier completely, as far as any kind of labor is concerned. He does not claim same was contracted in the service per se, but alleges it is a result of either rheumatism or malarial poisoning or both, and that they were contracted in the service.

The Pension Bureau rejected the claim as to rheumatism and malarial poisoning, not because they were not contracted in the service but because no disability from same was shown to exist. The tuberculosis of the spine was alleged as a result of the other disabilities and was rejected because it could not be accepted as a result of either.

In appealing the soldier did not appeal as to stand taken as to spinal trouble not being a result, but confined his appeal to the fact that a ratable degree of disability did exist from rheumatism and malarial poisoning.

The material portion of this decision is herewith set forth, as it so clearly shows the view of the claim taken by officials of the Interior Department:

"While this claim was pending considerable testimony was taken on special examination, and there was also considerable evidence offered by the appellant's attorney in the form of ex parte affidavits. These, however, refer to soldier's condition due to the cause not here considered and the soldier's condition prior to his enlistment.

"Under the claim in question soldier was examined at his home by the president of the Butler (Pa.) board of examining surgeons July 13, 1903, less than five months after the date of filing the claim under consideration. The certificate of this examination, while it shows that soldier was then totally disabled, also clearly shows that his condition was not due to the causes alleged, except the cause which is not here considered. There was no evidence whatever of the existence of rheumatism, and, except for the statement that soldier was sallow, that his tongue was coated and fissured, there was no evidence of the existence of malarial poisoning either at the date of this examination or previous to said date. The certificate shows that soldier's spleen at the date of this examination was apparently normal, as was also his liver. Claimant alleged that his bowels were constipated and lax alternately, which, however, is not necessarily a result of the cause alleged, but in the present case, the soldier being confined to his bed, it is probably due to this fact.

"The only evidence offered to show the existence of the causes here considered consists of the affidavit of one of the soldier's attending physicians, in which he stated that subsequent to the soldier's return from the service he (affiant) treated the soldier for the alleged causes. This affiant in the same affidavit, however, stated that later the trouble for which he was treating soldier developed to be tubercular.

"The question of continuance of the alleged disabilities since soldier's discharge, however, need not be here considered under the grounds assigned for the action appealed from. The certificate of examination upon which said action was based clearly shows that a ratable degree of disability from these causes had not existed since the date of same."

With the bill the petitioner files an affidavit stating he is wholly disabled for the performance of any labor by reason of tuberculosis of the spine and bones of right leg and hip, and that he possesses no property or income.

Several lay witnesses testify the soldier is now confined to his bed all of the time by tuberculosis of the spine and leg, and has no property and is a public charge, and physicians state his case is hopeless and incurable; that he has been in bed since February, 1912, and has a wife, who owns a small house which is not worth, with the lot upon which it stands, over \$250, and she, with her own labor and the \$10 per month given by the county, supports herself and soldier.

Two doctors testify the soldier is now, and has been for over two years, bedridden and will never recover, as his disease (tuberculosis of spine and hip and leg) is incurable; that he is totally helpless, and these physicians state it as their belief that the disease is a result of his exposure in tropical climate in his military service.

From the evidence submitted it is believed that a pension of \$24 per month is fully warranted, and it is so recommended.

H. R. 12964. Martha R. Aliwein, Lebanon, Pa., served as a nurse in the Regular Establishment, United States Army, from December 1, 1904, to April 14, 1908, when discharged at her own request. She is spoken of by the Surgeon General of the United States Army as a com-

petent woman, who gave satisfactory service in every respect. She served at San Francisco, Cal., from 1904 to January, 1906, and in the Philippines from January, 1906, to October, 1907, and again at San Francisco, Cal., from October, 1907, until her discharge.

As there is no law by which she could be pensioned as a nurse for service rendered by her (the only law as to pensions for nurses is limited to those who served during the Civil War), she has filed no claim in the Pension Bureau, and consideration of the pending bill is requested under the committee rule (No. 2) as to cases where it is manifest that no pensionable status under existing law exists.

With the bill the petitioner files an affidavit in which she states that she served from December, 1904, to April, 1908, and of this time she served for nearly two years in the Philippines, and that she finally was discharged because her sight had become so impaired that her eyes required treatment.

Drs. Glininger and Gerberich and 16 other witnesses state that prior to her service in the United States Army the petitioner was a woman of good health, but since discharge she has constantly suffered from some impairment of sight until now she is totally blind.

Maj. Slact states that during 1906 and 1907 the petitioner served under him in the United States Army Hospital in Manila, P. I., and was most efficient and faithful in the performance of her duties.

Brig. Gen. W. S. Edwards states that the petitioner nursed his wife in sickness in the Philippines and was a most competent, faithful, and efficient Army nurse and was so esteemed by all who knew her.

"JANUARY 23, 1914.

"This is to certify that I first saw Miss Martha Allwein, of Lebanon, Pa., on May 2, 1908. She then gave the following history: Age, about 30; occupation, trained nurse on service in the United States medical service in the Philippines, but home on leave. She was referred to me by my colleague, Dr. Francis M. Perkins, of 1428 Pine Street, Philadelphia, Pa., who stated that eight years previously he had treated her at St. Agnes Hospital (Philadelphia) for an intraocular inflammation of the left eye, that left her without useful vision in that eye."

During 1906 she went out to the Philippines, and soon after noticed that what vision she had previously had had begun to grow dim, and that the pupil of the left eye had begun to take on a grayish hue. Since then the left eye has become entirely blind and the pupil became a whitish gray. The condition at the time I saw her was one of complete mature cataract in the left eye, the pupil being 5 mm. in diameter and showing no reaction to light. There was not even light preception in the left eye at this time. The tension of the eye was normal. There were no inflammatory adhesions between the iris and the lens. The right eye was normal in all respects. She consulted me in reference to the removal of the cataract in the left eye, and I informed her that there was some slight risk that in the healing of the left eye the right one might become compromised and even seriously infected, but that the risk was a slight one.

She decided to accept the risk, and on May 20, 1908, Dr. Perkins and I did an extraction of the cataract in the left eye under local anesthesia. The cataract came away easily but left behind it a dense opaque capsule, which was finally drawn out through the wound by means of very gentle traction. Atropia was immediately instilled and the eye closed. Two days later she was ordered a course of calomel (usual treatment) and the atropin used three times a day, as the eye was red and angry and not healing properly. On June 1, 1908 (10 days later), the eye was fairly quiet, and she was allowed to go home to keep up her treatment. Ten days later she returned with signs of beginning sympathetic ophthalmia in the right (normal) eye.

In spite of vigorous treatment from the start with mercury, iodides, soda salicylate (1 grain for every pound of body weight in 24 hours—170 grains daily), sweats, inoculations (and enucleation of the offending left eye at the Polyclinic Hospital on June 17, 1908), the vitreous humor of the right eye clouded up and the right optic nerve inflamed and swelled up frightfully (4 D). She was seen in consultation with Dr. de Schweinitz, but all the suggestions as to additional treatment were unavailing. She gradually lost the major portion of the vision in her right (remaining) eye, and when last seen, August 22, 1908, could count hand movements at 2 meters.

In our judgment Miss Allwein's left eye developed its cataract because of the exposure to the unusual glare of the sunlight in that region. Moreover, we believe the resistance of her right eye was also somewhat compromised by the same circumstances, and that in consequence of her residence there for almost two years she was much more liable to develop the horrible postoperative sequelae that presented in her case.

To-day, despite good surgery and most thoroughgoing exhaustive treatment, she is a blind woman, and that in all likelihood because of the debilitating effect of the Philippine climate upon her health.

WENDELL REBER.

Sworn to and subscribed before me this 24th day of January, A. D. 1914.

CHAS. IRWIN, Jr., Notary Public.

The Member who introduces this bill (Mr. KREIDER) assures the committee, by letter, that the petitioner is absolutely without property and dependent on charity.

The Surgeon General of the United States Army reports, March 2, 1914, as follows in this case:

"Prior to her appointment she was examined, on September 15, 1904, by a civilian physician in Philadelphia, who reported her free from disability. She was examined by an Army surgeon at the general hospital, San Francisco, on December 4, 1904 (eight days after her appointment), and a report of this examination shows that she had practically no vision in her left eye, and also shows a mitral systolic heart murmur. A report from the hospital, dated December 31, 1904, shows 'vitreous opacities in left eye of seven years' standing.' A report of examination, dated December 20, 1905, shows 'left eye has convergent squint, cloudiness of vitreous humor. Vision, counts fingers at distance of 2 feet.' Her examination, made November 26, 1907, by an Army surgeon at the general hospital, Presidio, San Francisco, shows a complete cataract left eye; only perception of light."

From the evidence submitted, your committee is of the opinion that the disabilities from which this nurse now suffers may be safely accepted as due to the service, and they respectfully recommend the allowance of pension at the rate of \$50 per month.

H. R. 13328, Mary A. Dow, Haverhill, Mass., mother of William C. Dow, deceased, who served during the War with Spain as captain, Forty-third Regiment United States Infantry. He was appointed first lieutenant, to date from August 17, 1898, promoted to the rank of captain on November 8, 1899, and discharged because of disability December 31, 1900. He had prior to this service served in Company F, Eighth Regiment Massachusetts Volunteer Infantry, from April 28,

1898, to April 28, 1899. He was 33 years of age at the first enlistment. (M. O. 1018359.)

The soldier died March 26, 1901, of disease of the lungs, which the evidence shows was contracted in the service. He had a claim for pension pending at the date of his death, which was allowed from date of filing, until date of death, and payment under same was made to his widow at the same time as first payment to her in her own claim as the soldier's widow, which was allowed from date of the soldier's death, and which she received until her own death on December 16, 1906.

After the death of the widow the mother of the deceased soldier filed a claim for pension, November 25, 1913, which was rejected on the ground of no title, as the soldier left no widow surviving him.

With the bill the petitioner files an affidavit stating that she is 74 years of age; that her husband is dead; that she possesses no property and has no income; that she is the mother of the deceased soldier; that the soldier left a widow, who died December 16, 1906; and that the soldier left no minor child.

The evidence filed with the committee shows the husband of the petitioner died on October 5, 1913; that the widow of the soldier died December 16, 1906; that the soldier left no minor child; that the petitioner is the mother of the deceased soldier; and that she possesses no property or income.

The fact that the soldier obtained two life insurance policies in favor of his mother may be accepted as evidence of his desire to contribute to her support. His father lived until after the soldier died, and actual support of his mother by the soldier was not necessary.

The mother never received any money from the life insurance policies, as the widow survived the soldier.

From the evidence submitted it is believed that a pension of \$12 per month is fully warranted, and it is so recommended.

H. R. 13518, Catharine Mihalak, Grand Rapids, Mich., widow of Frank Mihalak, deceased, who served during the War with Spain in Troop M, Fifth Regiment United States Cavalry, from May 14, 1898, to April 30, 1899, when honorably discharged. He was 21 years of age at enlistment. (W. O. 963423.)

The records of the War Department show the following treatment:

"August 24 to 30, 1898, fever; no additional record found."  
It is shown that he was reported as sick in quarters October 31, 1898. He was furloughed for 30 days, and it was extended for an additional 30 days because he was sick, the nature of the illness not being given.

The soldier applied for a pension March 22, 1910, based on malarial poisoning and disease of the kidneys and bladder. He was allowed a pension from date of filing the claim for malarial poisoning at \$10 per month. That part of the claim based on disease of kidneys and bladder was rejected on the ground of no ratable degree of disability therefrom since date of filing the claim.

The soldier died on January 22, 1911, from tuberculosis, and his widow filed a claim for pension April 22, 1911, that was rejected May 27, 1911, on the ground that the fatal tuberculosis of the soldier was not a result of malarial poisoning, for which he was pensioned, and there was no record, medical or other satisfactory evidence, to show origin of same in the service and continuance thereof since his discharge.

The soldier never alleged tuberculosis as a disability in his own claim filed about one year before his death from that disease. The evidence and testimony filed by him does not seek to show tuberculosis was contracted in the service, existed at the date of his discharge, and continued to exist thereafter. He was examined by a board of surgeons May 4, 1910, who reported his lungs were normal and free from disease. They, however, stated that he appeared to be in poor health and weakened physical condition, but they attributed this to malarial poisoning and its resulting disease of stomach, liver, and spleen; rated at fourteen-eightieths. They also found disease of nose and throat; rated at eight-eightieths.

The widow attempts, by the testimony filed in her claim, to show that the soldier was suffering from tuberculosis when he was discharged, and from then to his death. This testimony, however, like that in the claim of the soldier, simply shows that the soldier was never, after his discharge, a well and strong man, and that his health gradually gave way, but there is no convincing testimony that would show origin in the service of tuberculosis, unless the medical witnesses who testify diagnosed as malarial poisoning the disability which was in truth not malarial poisoning, but tuberculosis. This has happened in cases where no test was taken of sputa or blood bacilli.

The evidence shows the petitioner is the lawful widow of the deceased soldier, and that she has two minor children, born April 19, 1901, and July 23, 1906.

With the bill the petitioner files an affidavit in which she states that she possesses no property and has to earn her own living and that of the two minor children by working in a factory.

Several lay witnesses sustain her allegations as to owning no property and working in a factory to support herself and two little children.

A physician testifies that since the death of the soldier the widow has had to undergo an operation for removal of diseased ovary and suffers now from nervous disorder following this trouble, and is really not able to perform any work, although she has to do so for support of herself and two small children.

From the evidence submitted your committee is of the opinion that a pension of \$12 per month and \$2 additional for each of two minor children until they reach the age of 16 years is fully warranted, and they so recommend.

H. R. 13933, Pawil Wiczias, of 217 Berry Street, Brooklyn, N. Y., served during the War with Spain in Companies D and C, Twenty-first Regiment United States Infantry, from June 20, 1894, to June 10, 1899, when honorably discharged from Company C, Seventh Regiment United States Infantry, to which he had been transferred, on surgeon's certificate of disability. He was 21 years of age at enlistment. (I. Ctf. 1064304.)

The records of the War Department show the following treatment:

"October 11 to 14, 1894, abrasion right foot; September 29 to 30, 1897, myalgia; January 27 to February 8, 1898, under observation suspected mental aberration, no evidence of same discovered; November 18 to December 7, 1898, malaria; January 5 to 11, 1899, malaria; January 22 to February 2, 1899, malaria; April 26 to May 3, 1899, malaria; May 23 to June 20, 1899, malaria; discharged June 20, 1899, on surgeon's certificate of disability, due to malarial poisoning. No additional record found."

He filed a claim for pension on June 24, 1899, based on deafness of the left ear, malarial fever, rheumatism, disease of the heart and stomach, dysentery, and typhoid fever. This claim was rejected May 14, 1900, on the ground of no ratable degree of disability from any of the alleged disabilities since the date of filing the claim. The claim was reopened as to malarial poisoning and allowed at \$6 per month therefor from date of filing, to terminate August 14, 1900, the dis-

ability having ceased to exist. Former rejections as to all other alleged disabilities were adhered to.

His name was restored to the rolls June 24, 1904, at \$6 per month from date of dropping for malarial poisoning, and he is now pensioned at that rate.

On November 21, 1913, he filed another claim, this time based on ruptured and varicose veins of the right leg and deafness of the right ear, the result of sunstroke. This claim was rejected February 16, 1914, as to rupture of the veins of the leg on the ground that same was not incurred in service, but according to the soldier's own statement was developed some time after his discharge. Former rejection as to deafness was adhered to.

The claim for malarial poisoning was filed only a few days after discharge because of said disability, and was allowed for same, and he now receives pension therefor.

Dr. H. S. Shlevin testifies, August 17, 1901, that he has treated the soldier since about the time of his discharge, and he has suffered from malarial poisoning, rheumatism, disease of the heart and stomach, dysentery, and deafness of the right ear so as to be unable to do any manual labor. This physician states substantially the same thing in an affidavit in September, 1903, and May, 1904, showing medical treatment for said disabilities up to May, 1904.

Three lay witnesses in affidavits executed in August, 1901, state the soldier has suffered since his discharge from all of the disabilities alleged by him. These affidavits are of the machine-made type, as shown by the fact that the language in each is exactly the same, and the writing is that of one person.

He was examined by a board of surgeons August 14, 1900, who report him as 28 years of age, 5 feet 9 inches in height, and weighing 154 pounds. This board could find no disability from which the soldier suffered, other than deafness of the right ear, for which they rate six-thirtieths.

Another board of surgeons March 25, 1902, could find no disability other than a slight tenderness of the muscles (rheumatism), for which they rated two-eightieths, and some emaciation and slight indication of malarial poisoning, rated at four-eightieths, and slight deafness of the right ear, no rate.

A board on November 18, 1903, found malarial poisoning warranted a rating of six-eightieths, and deafness of the right ear rated at six-eightieths. No other disability found. They state that the soldier has the appearance of being a sick man—malarial poisoning and its results.

The last board, which examined him May 20, 1904, states that they found chronic malarial poisoning and resulting disease of the liver and stomach, and rated it at eight-eightieths; and rheumatism for which they rated eight-eightieths. They found no other disabilities.

With the bill the petitioner files an affidavit in which he states that he is wholly disabled for the performance of manual labor, possesses no property, and has no income other than his pension of \$6 per month. Lay witnesses sustain his allegations.

A physician testifies March 2, 1914, that the soldier suffers from chronic malarial poisoning, varicose veins, deafness of the right ear, neurasthenia, and severe headaches, and is unable to earn any wages by labor of any kind.

From the evidence submitted your committee believe that an increase from \$6 to \$24 per month is fully warranted, and so recommend.

H. R. 13947. William E. Howell, 312 South Grier Street, Williamsport, Pa., served in Regular Establishment, in Company H, Thirteenth United States Infantry, from July 20, 1894, to October 19, 1897, when honorably discharged. He also served during the War with Spain from April 27, 1898, to October 29, 1898, in Company B, Twelfth Pennsylvania Volunteer Infantry. He was 21 years of age at first enlistment. (I. O. 1211717.)

The records of the War Department show he was sick in hospital in first service from December 10, 1894, to January 9, 1895; nature of illness not given, but it is stated that it was contracted in line of duty. In second service it is shown he was treated for ophthalmia of right eye, headache, and chronic nicotine poisoning, due to excessive use of cigarettes and not in line of duty.

When discharged from the last service he claimed he was suffering from rheumatism of right knee. The medical officer by whom he was then examined certifies he could find no evidence of rheumatism.

On November 11, 1898, he filed a claim for pension based on rheumatism contracted while in final service during War with Spain, and disease of eyes contracted during the first service in Regular Establishment, United States Army. This claim was rejected July 20, 1902, on grounds of no record, medical or other satisfactory evidence of origin in service of rheumatism. He waived the claim as to disease of eyes prior to this adverse action.

August 11, 1902, he filed a claim based on disease of eyes, which he claims he contracted during first service in the Regular Establishment, United States Army. This claim was rejected January 5, 1904, on ground of no ratable degree of disability shown since date of filing the claim. No appeal has been taken to either action of rejection, but one effort was made to reopen the last claim rejected, but this effort was denied on ground evidence offered failed to warrant such action.

Milton Tharp, who was second lieutenant of soldier's company during the War with Spain, testifies the soldier suffered from rheumatism during that service, and also complained of heart trouble.

Comrade J. L. Hill testifies that during service in War with Spain soldier complained of trouble with his eyes, which were inflamed.

W. H. Spangler testifies that he is a druggist, and that since 1898 he has continually sold the soldier remedies for the disabilities he complained of, particularly disease of heart and rheumatism.

Dr. B. F. Waggeneller testifies, in 1899, that soldier was then suffering from rheumatism and disease of the heart, and had suffered from same since discharge from the United States Army a short while before.

The soldier was examined August 16, 1899, by a board of surgeons, who reported age 25 years, 5 feet 6½ inches in height, weighing 149 pounds. This board found he was suffering from chronic rheumatism, with tender and stiffened muscles, tendons, and joints, and rated it six-eightieths. They also found disease of heart existed, and rated it six-eightieths.

Another board, on November 1, 1899, reported soldier suffering from rheumatism and rated it at eight-eightieths; disease of heart, rated eight-eightieths; and disease of eyes, eight-eightieths. They found no other disability existing.

The soldier files an affidavit with the committee, in which he states that he is partially disabled for performance of manual labor by disease of eyes, heart, and rheumatism, and that he owns no property except household goods worth less than \$100.

The Member who introduced the bill, Mr. KIESS of Pennsylvania, assures the committee in a letter that he knows the soldier possesses no property.

The following medical evidence has been filed with your committee: "This is to certify that William E. Howell, of Williamsport, Pa., is suffering from the following ailments: Rheumatism, right side affected; cause probably due to exposure, as change in weather affects him. Dampness or rain much worse, causing chill followed by slight rise in temperature.

"Inflammation of joints especially worse at time of rain or dampness. Unable to work at that time; too much pain.

"Myopia, right eye prominent and pupil enlarged; can not see object at a distance with right eye; probable cause, concentration of vision of right eye.

"Have been Mr. Howell's attendant for past seven years. Graduated, Chicago, Ill., 1901.

"D. W. LONGWELL, M. D."

The foregoing was duly executed before an authorized notary public. From the evidence submitted your committee believe that the disabilities from which the soldier now suffers may be safely accepted as due to service, and recommend the allowance of pension at the rate of \$12 per month.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. WILLIAMS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4023. An act to correct the military record of Waldo H. Coffin.

The message from the Senate also announced that the President of the United States had approved and signed bills of the following titles:

On March 9, 1914:

S. 3454. An act authorizing the Secretary of Commerce to lease to the city of Port Angeles, Wash., certain property.

On March 12, 1914:

S. 48. An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes.

On March 13, 1914:

S. 3742. An act to authorize the Hudson River Connecting Railroad Corporation to construct a bridge across the Hudson River in the State of New York.

On March 14, 1914:

S. 3206. An act for the protection of the water supply of the city of Baker, a municipal corporation of the State of Oregon; and

S. J. Res. 90. Joint resolution to continue in effect the provisions of the act of March 9, 1906 (Stat. L., vol. 34, p. 56).

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 4145) to authorize the Government of Porto Rico to construct two bridges across the Arcibo River near the city of Arcibo, P. R.

#### PENSIONS.

The committee resumed its session.

Mr. MURRAY of Oklahoma. Mr. Chairman, I yield one minute to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. DIES. By the way, Mr. Chairman, I want to revise and extend my remarks in the Record.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MURRAY of Oklahoma. Now I yield one minute to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. I ask unanimous consent, Mr. Chairman, to extend my remarks in the Record.

Mr. AUSTIN. Mr. Chairman, I make the same request.

Mr. LANGLEY. And I the same, Mr. Chairman.

Mr. GOULDEN. And I make the same request, Mr. Chairman.

The CHAIRMAN. Is there objection to the requests of the gentleman from Illinois [Mr. MADDEN], the gentleman from Tennessee [Mr. AUSTIN], the gentleman from Kentucky [Mr. LANGLEY], and the gentleman from New York [Mr. GOULDEN]?

There was no objection.

Mr. MURRAY of Oklahoma. Now, Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. POU].

The CHAIRMAN. The gentleman from North Carolina [Mr. POU] is recognized for 10 minutes.

Mr. POU. Mr. Chairman, there are some remarks which I had intended to submit when the river and harbor bill would be considered by the House. But finding that there would be much demand for time then, my friend from Oklahoma [Mr. MURRAY]

very kindly reserved 10 minutes of the time now under control by him. I shall therefore submit those remarks now.

I am reminded of the fact that whenever a Member or Senator says anything in behalf of good roads there are people who say: "Oh, yes; of course he is a good-roads man. Everybody is for it. Therefore he is for it." Now there is a state of affairs which may well engage the attention of every Member of this body at this time. It is this: The people of the United States not very much longer will submit quietly to the appropriation of such stupendous sums of money as are being carried by bills which we are from time to time passing, almost to the entire neglect of the good-roads system of the United States. I went into the room of the Committee on Appropriations a while ago and asked for a document, Senate document 382, of the Sixty-second Congress. A resolution was introduced a year or two ago in the Senate asking that the Secretary of the Treasury furnish a statement of all the expenditures of the Government for river and harbor work up to that time, and it turns out that up to March 6, 1912, \$627,098,236.05 had been appropriated by this Government for rivers and harbors, exclusive of the Panama Canal.

Now, we are proposing to authorize the expenditure of \$25,000,000 to improve our roads system. There is just as much sense, Mr. Chairman, in appropriating \$627,000,000 in digging out rivers and harbors and \$25,000,000 for the improvement of public roads as there would be if one of the States in the Union should appropriate \$627,000,000 for the building of a great university in that State and \$25,000,000 for a public-school system. [Applause.] We have got the system reversed. The larger of these appropriations should be devoted to the improvement of our public-roads system, and we should then decide what we ought to do by way of river and harbor improvement.

Now, within the next few days we are going to vote \$43,000,000 to dig out rivers and harbors, and, speaking for myself alone, I will say now if there is a roll call, I am going to vote against the pending river and harbor bill. [Applause.] I will do that, not because I am opposing the improvement of the river and harbor system of the United States, but I am going to vote against the bill as a protest, because I believe we are appropriating entirely too much money for that purpose, compared with the amount we are hoping will go to improve our road system.

I find also in this document that we have appropriated up to that date \$241,165,000 in digging the Panama Canal. That is all right. Every American is proud of that great achievement. But think how many Americans would have received direct benefit if we had taken that \$241,000,000 and distributed that amount among the States to be used in cooperation with the States in the improvement of the good-roads system of the entire United States.

Now, the keynote of the Wilson administration was sounded when that great man—and I use the term "great man" advisedly—went before the American people and told them that if given the power, we proposed to try to subserve the interest of the average man. Too long, he said, have powerful special interests engaged the attention of the committees of Congress. In no better way can we carry out that pledge to subserve the interests of the average man—the man, for instance, who lives on the rural free-delivery route in the country—than to address ourselves to this great task of first improving the rural postal highways throughout the length and breadth of the United States.

I suppose, of course, I shall be charged with demagoguery in making this speech here to-day, but I care not the snap of a finger if the charge is made. I am absolutely in earnest, Mr. Chairman, in the efforts that I make here to draw the attention of this House and of the country to this great problem. I have lived in the country and know what bad roads mean. You may talk about the trust problem, Mr. Chairman, you may talk about the tariff problem, and you may talk about all these other problems that are engaging the attention of the House, but there is no problem of greater importance than the one I am speaking of here and now.

Mr. LANGLEY. Mr. Chairman, will the gentleman yield to me for a suggestion?

Mr. POU. I do.

Mr. LANGLEY. I heartily agree with the gentleman in what he is saying. He is making a splendid speech. I have been making the same line of argument for good roads for about 10 years down in Kentucky, and some of the Democrats laughed at me when I contended that the Government of the United States ought to help build good roads and predicted that it would finally do so.

Mr. POU. I am sorry that there was any Democrat in Kentucky who laughed at the gentleman when he made that sort of an argument. They should have applauded him. There was a Roman orator, Mr. Chairman, who kept crying, "Cartago delenda est," and there came a time when Carthage was destroyed. We shall keep up the fight for this legislation until we win. I do not know why this little pittance of \$25,000,000 is being held up in the Senate. I hope the bill will pass; but sooner or later the men who are indifferent about this great question will find that the people are thinking about it, and if they do not fall in line and help, the time will come when the people will make them fall in line or send somebody here who will, because I believe they are in dead earnest about this great question. [Applause.] Of course I could stand here and talk all day on this proposition. At any rate, I imagine I could. I do not propose to take up more time of the House. I merely want to announce that I am against the river and harbor bill, and shall vote against the one which we are soon to consider, and shall vote against the next one, and shall keep on voting against all subsequent river and harbor bills so long as I am a Member of this House, until at least a corresponding amount of money is expended in the building up of a good-roads system in the United States. [Applause.]

Mr. GOULDEN. Mr. Chairman, will my friend from North Carolina yield?

Mr. POU. I do.

Mr. GOULDEN. Does not the gentleman think that both rivers and harbors and roads should be improved?

Mr. POU. I do.

Mr. GOULDEN. Does not the gentleman think the Government is able and that the people are willing to do both within reasonable limits?

Mr. POU. I do. I believe that heartily, and I believe that more money is going to be yielded by the income-tax law than the experts in the beginning thought would be yielded. But the point I am making is this, that we are beginning at the top, whereas we ought to begin at the bottom; that when we appropriate \$43,000,000 for the digging out of rivers and harbors, the benefit that the average man gets from it is so remote that it is almost impossible to calculate it. The great railroad arteries that lead to the cities, first of all, are fed by the country roads. The country road goes to the railroad. Then the railroad goes to the city, and the great trunk line goes to the seaport. So I say, Mr. Chairman, I hope that gentlemen will consider this question very earnestly. We may as well be candid. The advocates of Government aid for good roads, if necessary, will perfect an organization here which may block the passage of future river and harbor bills unless justice is done on this great question. [Applause.]

Mr. Chairman, I do not know why the Shackleford good-roads bill, as we call it, has not been already passed by the Senate. I wish I did know. I hope they are hard at work over there, trying to make it a better bill; but this I do know, if some good-roads bill is not passed by this Congress there are a lot of people in the United States who are going to demand to know why.

Of course, this is not a party question, but I want to see my party make an honest effort to subserve the interest of the greatest number of people, and, in my judgment, the best way to do this at this time is to send the Shackleford bill to the President for his signature, and then follow it up in the next Congress with a similar bill carrying an appropriation twice as large. Talk is cheap, Mr. Chairman. The time for action has come. When many of you go back home to your constituents asking for nomination or election you will find a lot of people who are going to ask you what you did to promote the building of good roads. Let us be in a position to tell them that we did something more than talk for it.

Why, Mr. Chairman, we are wasting half a billion every year killing stock and tearing up vehicles forcing them over bad mud roads. This huge sum, which would dig the Panama Canal almost twice, could be saved to the American people every year if we would provide for improving our roads system. A bad road is the most expensive luxury a people ever indulged in. And a small sum, comparatively speaking, will save this half billion every year.

I am afraid somebody is at work against the Shackleford bill. Earnest is my hope that any effort to sidetrack that measure will not be successful.

When this Congress has passed into history and we recall the list of great measures which have been written on the pages of our law books, when we contemplate that list of measures not excelled by the record of any Congress since the foundation of the Government, there will be no law which will so directly benefit the great army of toilers who live outside the towns as

the legislation for which I am pleading here and now. [Applause.]

Mr. MURRAY of Oklahoma. I yield to the gentleman from Wisconsin [Mr. BROWNE].

Mr. BROWNE of Wisconsin. Mr. Chairman, every time a pension bill has come before this body it has been the signal for bombardment all along the line of the southern Democracy. Every man who has introduced a bill for or cast his ballot in favor of a pension bill has been accused of doing so to curry favor with his soldier constituency, and yet these same Representatives would wish you to believe that they were not playing politics and did not make these speeches opposing every pension bill to be circulated in their districts as the most toothsome campaign diet that could be placed before their constituency.

These long speeches of the opponents of these pension bills have no influence upon me and will not deter me in the least from doing what I believe to be my duty.

I come from a State that had only been admitted to the Union 12 years before the war; a State whose sturdy citizenship is, and was at that time, composed of many nationalities—English, German, Scandinavian, Irish, French, and Pole, but all Americans in the broad sense of loyalty to a common country.

Wisconsin did nobly in the war for the preservation of the Union, and the part she took in it is deserving of the gratitude of every citizen of the Republic, North or South. She was nobly and honorably represented in every important battle; her soldiers were conspicuous in every campaign; nearly every fleet carried them to the assault, every southern prison confined and starved her sons, and every hospital nursed her sick and wounded troops. She sent forth nearly 100,000 of her patriotic citizens in the pride and strength of their young manhood to breast the storm which threatened to disrupt and destroy the Union of our States.

Many of this valiant army never returned to home and loved ones. They sealed their devotion to country with the crimson current of their lives. They fell on mountain tops and in the valleys, on the oceans and the rivers.

The men that returned to their homes found the flourishing business that they left destroyed, the farm grown up to weeds, their former vigorous health impaired.

I have heard eminent doctors say that the health of every man who remained any great time in the service was more or less impaired by the hardships he was obliged to encounter.

As old age creeps on the old wounds and disabilities weigh heavier, the fight for life becomes harder. God pity the man or woman that in their old age has to battle with poverty in addition to the disability of poor health.

When these men enlisted at their country's call, the property owners of this country made a solemn pledge that the soldiers, their widows and orphans, should be the chosen wards of this Government. This Government has tried to keep this sacred pledge, but nevertheless, with the high cost of living, with the infirmities of age, there are many of the most meritorious cases where the pensions received are wholly inadequate.

The State of Wisconsin has been very generous with its soldiers. It has established a beautiful home near Waupaca, Wis., where the veterans and their wives can live. The National Government contributes \$3 per capita for the soldiers in this home in addition to what the State contributes, but this has been inadequate, so that the trustees of this home have been obliged to make a rule that every inmate, as a condition for entrance, has to give up a portion of his pension to the support of this home.

I believe that this Government should make a sufficiently large appropriation so that every soldier could retain his pension to use for those things that are necessary for his happiness in his old age. I believe that every soldier that enlisted has made a sufficient sacrifice to entitle him decent and comfortable support during his declining years.

I do not believe that the Committee on Pensions will be intimidated by the attacks upon it made on this floor, and will continue to report favorably upon all meritorious pension bills, and will be generous with those men who have made such a sacrifice for their country.

Mr. MURRAY of Oklahoma. I yield 10 minutes to the gentleman from Colorado [Mr. KEATING].

Mr. KEATING. Mr. Chairman, I desire to call the attention of the committee to the case of Parmela I. Parris, widow of a veteran of the Mexican War, whose pension has been increased by this bill from \$12 to \$30 a month.

Mr. CALLAWAY. On what page of the report is that case?  
Mr. MURRAY of Oklahoma. On page 13.

Mr. KEATING. A few minutes ago, while the gentleman from Texas [Mr. DIES] was addressing the House, I endeavored to interrupt him in order that the facts concerning this case might be laid before the House, and during the colloquy that ensued I suggested that the gentleman was misleading the committee. I made that statement because I take it for granted that before a gentleman consumes the time of this House in discussing a measure before the House he has given that measure some consideration; and I could not understand how anyone who had read this bill and the accompanying report could make the statement that the gentleman made, that under this bill we were granting this woman two pensions. The fact is, as the bill makes very clear, the pension of \$30 per month is in lieu of what she is now receiving.

She is now on the pension roll as the mother of a Civil War soldier and is receiving \$12 a month. This bill will increase her pension to \$30 a month.

Mr. DIES. Will the gentleman yield for a question?

Mr. KEATING. Certainly.

Mr. DIES. Will the gentleman from Colorado explain this language of the report of the committee:

The pending bill treats with the Mexican War claims, and the case is prepared to be considered as if she were now pensioned as the widow of a Mexican War soldier.

Mr. KEATING. I submit, Mr. Chairman, that the gentleman from Texas has served too long in this House to imagine that we are about to pass the report. The House is considering the bill, and the language of the bill can not be misunderstood and should not be misconstrued.

Mr. DIES. Mr. Chairman, the gentleman will not criticize me very severely for following so distinguished a committee as the Committee on Pensions in their report.

Mr. KEATING. I wish the gentleman would always follow the Committee on Pensions; and when the gentleman reads from a report of the Committee on Pensions I wish he would do that committee the justice to read all of the report, which he did not do in this instance.

But now as to the facts in this case. This woman is the widow of a Mexican War veteran. She is entitled, under the general law, to \$12 a month. It has been the practice of your Committee on Pensions to increase the pensions of widows of veterans of the Mexican War to \$20 per month, providing the necessity for such increase could be shown to the satisfaction of the committee. We have made no attempt to conceal that fact. It has been repeatedly stated on the floor of this House. I stated it only a few weeks ago in response to a question propounded by the gentleman from Kentucky [Mr. THOMAS], and I assured him that if a bill which he was then discussing was referred to the committee, the pension of his claimant would in all probability be increased from \$12 to \$20.

In this case we are giving the woman \$30 a month, and why? Because she not only gave her husband to his country in the Mexican War, but she gave her son to his country in the Civil War. The records show that her husband fought in the Mexican War, and that her boy died in the Civil War. Those facts were taken into consideration by the committee when it was passing on this bill. We felt that a woman who is now past 80 years of age, in straitened circumstances, whose husband fought under the colors in the Mexican War and whose boy died under the colors in the Civil War, was entitled to \$30 a month from this great Government. I do not know how the constituents of the gentleman from Texas may feel about the matter, but I am quite willing to submit this case to my constituents in Colorado, and I know they will not criticize me and they will not charge me with an attempt to put my hand into the Treasury of the United States. [Applause.]

Mr. MURRAY of Oklahoma. Does any other gentleman want time?

Mr. DIES. I yield 10 minutes to the gentleman from Texas [Mr. CALLAWAY].

Mr. CALLAWAY. Mr. Chairman, I am not going to attempt to discuss these pension cases in detail. I want to discuss this matter from the standpoint of the principle of legislation. I think, however, that the Congress of the United States has about abandoned principles of legislation and has gone into the question of distributing benefits to the different interests and organizations and individuals of this country who are sufficiently fortunate as to get the ears of Members of Congress who are willing to put in their time raiding the Federal Treasury.

I discussed the system of pensions for the soldiers in the Civil War and the Mexican War heretofore, and I would not come back to the House to discuss them now but for the fact that we are about to embark on a different system of pension legislation. We are now taking in those who served in the Spanish

War. Looking at the record of this, I see that there are 436,000 of those people, most of whom are now living. The bulk of them have wives or widows, or will have wives or widows, and we can depend on at least 436,000 of these people sooner or later to come for pensions.

Mr. Chairman, under the present law every man who was injured in the service during the Spanish War receives a pension. Every man whose health was impaired by service in the Spanish War receives a pension. The widow of every man who has died on account of injury from service in the Spanish War receives a pension, and the widow of every man who shall die from injury received during the Spanish War will receive a pension. It seems to me, Mr. Chairman, that that is as far as we should go.

But here is a proposition to pick out individuals in different localities and grant them pensions, while those with less gall or less political pull or less affidavit ability, though in the same condition, fail to connect with the Federal Treasury.

Mr. Chairman, it has always been my understanding that Democrats believe in equal laws, benefits, and opportunities for all the people. Here is a proposition to pick out Tom, Dick, and Harry from different sections of the country and grant them special benefits out of the Federal Treasury. I can not see any justification in that.

But that is not the only evil in it. Here are inducements held out to 436,000 people scattered from one end of the country to the other to besiege the Representatives in Congress to get a special benefit.

What will they do to get them? Get certificates from a doctor? Yes. There may be laymen that do not know that you can get certificates from doctors, but there is no lawyer who has had any considerable practice who does not know that doctors can be found that will give certificates. There is no man who has had experience in the courts of the country who does not know that you can get evidence that you have been injured in the service. They have got them in this bill, and there is not a member of the committee that will not say that they have not had certificates and affidavits that are false and claimants before the committee with perjured testimony. There is not a member of the committee who will say that they believe all the certificates of the doctors and all the evidence that have come before that committee.

It makes me sick to look at the pension rolls of the Civil War. I know there is perjury in the list. I know there are many men getting pensions who are not entitled to them.

Another proposition: Congressmen put in all their time in the distribution of special benefits, and they come in here every other Friday and take up the time of this House distributing special benefits. One-twelfth of the time of this House is taken up in determining whether Dick, Tom, Bill, Bob, and Sally shall have their allowance raised. It is a damnable outrage on the Federal Treasury, on the intelligent electorate of this land, on our time and energies, and it is a continuous strain on the resources of the country. [Applause.]

That is not all. The system by which this Government is distributing these benefits is all wrong. How do you get them? You get at the Congressman, get him to introduce a special bill, and drive him before the committee that distributes the special benefits. The committee determines whether or not that particular Congressman is asking for too many or too few bills. It is not a question of doing justice to the men who are claimants for pensions. Oh, no; it is not a question of the justice of granting a pension to the claimant. It is a question of whether the Congressman has a right to the pension.

Mr. Chairman, sooner or later this system must be abandoned, and then no man will be so poor as to do it reverence.

The gentleman from Missouri [Mr. RUSSELL] was conducting one of these petty peculations through the House, and the gentleman from Kentucky [Mr. THOMAS] was much wrought up because he had not been getting as many bills as had members of the committee. They never do. [Laughter.] He says: "Will the gentleman from Missouri explain how it is and why it is that the members of this committee have had 25 or 30 bills during the Congress while I have had only 5 or 6?" The gentleman from Missouri said if the gentleman from Kentucky would possess his soul in patience to the end of Congress they would do even-handed justice to him, because they were expecting to distribute these things equitably to all Members of Congress.

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

Mr. CALLAWAY. Mr. Chairman, I will ask the gentleman from Oklahoma to yield me some time.

Mr. MURRAY of Oklahoma. Yes; I will give the gentleman five minutes.

Mr. CALLAWAY. On last pension day, when we had this question up, and we were complaining about this grievous outrage on the Federal Treasury, the morals of the country, and the time of the House, the gentleman from Kentucky [Mr. LANGLEY] said that he would like to have had some more pensions, but they said he had all he was entitled to.

Mr. LANGLEY. Mr. Chairman, will the gentleman pardon me—

Mr. CALLAWAY. No; I will not pardon the gentleman. [Laughter.] Mr. Chairman, I can not pardon a man who is one of these pension grabbers. I do not believe the Lord will ever pardon him, and I believe if the people understood this system of legislation they would not pardon him.

Mr. LANGLEY. The gentleman did not let me finish my request. Then, if the gentleman will not pardon me, will he yield?

Mr. CALLAWAY. Yes.

Mr. LANGLEY. The gentleman did not correctly state what I said. I said I had secured the passage of all of the bills that I had been able to get considered by the committee, and I want to say now that I would have gotten more through if I could, and that I will get through all I can—

Mr. CALLAWAY. Why did not the committee allow the gentleman more?

Mr. LANGLEY. Because I do not expect to get more than my share of consideration. There are more than 400 other Members who have to be considered.

Mr. GORDON. The gentleman probably got his share.

Mr. LANGLEY. Yes; I did. And while I have the floor, if I have the voice—for it is evident that my throat is in such condition that I can scarcely make myself heard—I desire to say I thank God that I have had the privilege of passing as many pension bills through this House for the soldiers and their dependents as I have, and I am glad that I do not feel about these pension matters as does the gentleman from Texas.

Mr. CALLAWAY. No; the gentleman does not feel about it as I do, for I believe one old soldier is as good as another old soldier. I believe one man 80 years old is as good as another man 80 years old. I believe that one man penniless is as good as another man penniless, and I believe that if one man 80 years old and penniless, who served in the war, is entitled to a pension of \$40 a month, every other man under this flag, under the same circumstances, is entitled to \$40 a month. I believe if one nurse, as they have in this bill, blind from some cause, is entitled to a pension of \$50 a month—a nurse during the Spanish War—every other nurse should have it. A nurse in the Spanish War is no more than a nurse in a hospital; they serve the sick as best they can, they usually give their entire time and energy, and they are usually devoted to the service in which they are engaged—if one nurse who is blind is entitled to a pension of \$50 a month, every nurse who is blind is entitled to a pension of \$50 a month.

They are going to propose pensions for all widows of these fellows who served in the Spanish War. I want to give you an instance that came under my direct observation. A fellow served in the Spanish War, went out at 21. He was gone in that service about 18 months. He never got out of the State of Texas. I have heard him say time and again that he appreciated that service of 18 months more than he did any other 18 months of his life; it was a great education to him; it was of great benefit to him. He traveled more than he ever traveled before or since in his life. He married about a year and a half ago, and about six months ago he died. Is there any reason why that woman should have a pension? There was never any danger to that man from the time he went into the service of the United States Government until he went out. He said himself that it was worth more to him than any other 18 months of his life. He traveled further than he ever traveled before, and he wore better clothes and ate better grub than he ever ate before or since, and he earned more money per month on an average than he had ever earned before or since. He lived for a time and then died, and here is a proposition to pension his widow—pension, pension, pension. Is there any equity in that?

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. CALLAWAY. Mr. Chairman, I will ask the gentleman to yield me five more minutes.

Mr. MURRAY of Oklahoma. Very well, I will yield the gentleman five minutes, but I ask him not to ruin us in those five minutes.

Mr. CALLAWAY. Mr. Chairman, if we get these Spanish War veterans and their widows on the pension rolls, no man in this House will have children who will live to see the end of that list. The last pensioner of the Revolutionary War, I be-

lieve, played out year before last. [Laughter.] It will be at least 125 years from the end of the Civil War before we will see the last Civil War pension, and, Mr. Chairman, if we put these Spanish War veterans on in the same kind of way, it will be 150 years, because they are more learned in ways of holding on to pensions. You corrupt the electorate, you corrupt the citizenship. You hold out a temptation by providing, if they make a showing they can get a pension and they have got to have certificates from doctors, and you corrupt the doctors. They must have affidavits from their fellows, and you corrupt their fellows.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALLAWAY. I am in hopes this House will not embark on this new scheme of legislation which will add to the enormous raid on the Treasury. [Applause.]

Mr. MURRAY of Oklahoma. Mr. Chairman, I want to make this observation with reference to the granting of pensions. The matter of the distribution of pensions is of economic value to the country. There have been times in this country when but for the pensions financial troubles would have arisen, but beyond and above that is a broader reason for them—that is, reward for services to the country. You know it is a general expression that “republics are ungrateful,” and sometimes they have been so. I feel ashamed when I read the history of the American Revolution that the man who financed it, who put his name and his property behind that great cause and made it possible to keep the patriots in the field, died in prison for debt. I also feel ashamed when I read the history of George Rogers Clark, who gave to this country an empire, and in his declining years someone in Congress remembered his distinguished services and moved to give him a sword, and when the committee went to wait upon him he kept his seat, and the committee asked him if he did not have some response to make. He said, “No; take the trinket back and tell Congress when I needed a sword for my country I found one, but now I need bread”; and I want to say to this House the men who fought in the wars of this country should have a reward in their declining years. [Applause.] Every country that offers these rewards in any line prospers by those rewards. Napoleon recognized that when he instituted the Legion of Honor, a system of rewards to his soldiers for great achievements. Nor did he confine these rewards to the soldiery, but extended them to all pursuits in life. The fact that we have put into our Constitution a reward for inventions has given to the American people an inventive genius nowhere else to be found in all the governments of the world in any age in any clime. A system of rewards is wholesome for any country; it makes no difference what it costs. I was taught to believe like the gentleman who has preceded me, but when I understood the other side of the question bravely I have told those with whom I have stood in the past that I was mistaken, and I believe them to be mistaken as I believe the gentleman from Texas [Mr. CALLAWAY] is mistaken. We must give rewards to the old heroes who have fought for this Republic, and we must continue to give rewards for the old heroes who will fight in all the battles of its future. [Applause.]

I now yield five minutes to the gentleman from New York [Mr. GOULDEN].

Mr. GOULDEN. Mr. Chairman, I have been so much interested, especially in the distinguished oratory of our friends from Texas, that I concluded I would not say anything upon this subject, but my friend from Oklahoma [Mr. MURRAY], with his usual eloquence, has presented the matter in such a light that I thought it but right and proper that perhaps I should express myself upon this subject. This is my excuse for taking up the time of the committee.

First, allow me to say that I have no bills before the committee from my district and am not a member of it, but I want to compliment the members not only for this report but the care which they have shown in the others that have been submitted to this House. And I desire to compliment the committee upon doing an act that should meet the approval of every Member of this House. Less than two years ago they pensioned the widow of that brave and heroic Confederate officer who at Gettysburg on July 3, 1863, led that famous charge, Gen. George E. Pickett. He was also a veteran of the Mexican War, and what the distinguished gentlemen from Texas have said would apply to the aged widow of a most distinguished officer not only of the Confederate service but of the Mexican War. No one appreciates her pension more than that bright, noble woman. The committee undoubtedly in many other cases have had similar applications for pensions to consider.

This bill has 54 cases in it. It carries the enormous sum—and I know my friend from Texas will be somewhat surprised at this—the enormous sum of \$9,228 yearly increase. I am

sure it will not affect any of the good people in Texas or elsewhere to pay their proportionate share of this munificent sum.

Mr. CALLAWAY. Will the gentleman yield?

Mr. GOULDEN. With pleasure.

Mr. CALLAWAY. That is the first 50. Every two weeks there will be another bill to come in here.

Mr. GOULDEN. No; not every two weeks. The custom in the past has been one in a month or six weeks.

Mr. CALLAWAY. And when the news goes out over the country that there are 436,000 that are eligible and may get in, will they not increase until it will be \$500,000 or \$600,000?

Mr. GOULDEN. Not one bit of it. I think I can speak for the stirring patriotism of the young men of America, our sons, who so gallantly volunteered to carry the flag into Cuba, Porto Rico, and the Philippine Islands, and say that they will answer now, as they did when they were mustered out of the service, the great majority of them at least, namely, “There is not a single thing the matter with us,” although some of them were scarcely able to walk at the time they did so.

Mr. CALLAWAY. Will the gentleman yield?

Mr. GOULDEN. With pleasure, always.

Mr. CALLAWAY. Do you not think that 90 per cent of the 436,000 would get pensions if they could get them.

Mr. GOULDEN. No. Emphatically no. I should hate to believe that of the brave young men who went to the front at the call of their country in 1898 that they so lacked in civic pride and patriotism. I should feel ashamed of the young men of the American people if they could be guilty of any such thing as that. [Applause.]

Mr. CALLAWAY. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Texas?

Mr. GOULDEN. I yield to my friend always with pleasure.

Mr. CALLAWAY. Do you think that these brave young heroes that went to the Spanish War, or any of them, would present false affidavits, or perjured affidavits, and perjured certificates to the committee at present?

Mr. GOULDEN. No. Most emphatically no. I would not believe it. It is incredible.

Mr. CALLAWAY. I would say to the gentleman that a member of the committee told me they looked with very grave suspicion on many of them.

Mr. GOULDEN. That might be true. If the gentleman from Texas, who perhaps was a Spanish-American War veteran, or should have been, would present affidavits to the Pension Committee, I have no doubt, even though he might happen to be a Member of Congress, they might look with suspicion on them. I would not, I can assure the gentleman of that fact.

Now, the other gentleman from Texas [Mr. DIES] has alluded to a number of cases, and I have time to take up only two or three to which he called attention. The first of them is that of the brave Capt. Edward C. McDowell.

Mr. DIES. On what page is that?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MURRAY of Oklahoma. How much more time have I, Mr. Chairman?

The CHAIRMAN. About 18 minutes.

Mr. MURRAY of Oklahoma. I yield five minutes more to the gentleman from New York [Mr. GOULDEN].

The CHAIRMAN. The gentleman from New York [Mr. GOULDEN] is recognized for five minutes more.

Mr. GOULDEN. I thank the chairman. In that case the man served more than three years not only in the Spanish-American War but in other places of the volunteer forces of the country.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. GOULDEN. With pleasure.

Mr. CALLAWAY. I thought the war lasted only about 30 days.

Mr. GOULDEN. Oh, no. The gentleman is evidently mistaken about that. I can very readily see the reason why he did not volunteer—because the war was too short to distinguish himself. It lasted more than a year, taking in the Philippine insurrection and Cuba.

Mr. KEATING. Four years.

Mr. GOULDEN. My friend from Colorado says four years; and as he was one of the brave boys at the time, he knows. This is the case of an old Confederate soldier who had courage enough and patriotism enough to volunteer in that war and to follow the old flag for one year and one month, and now, because he is over 75 years of age and in need, the committee recommend giving him a pension of \$24 per month. My friend from Texas thinks it is an undeserving case. Now, I really do not believe he thinks that.

There are one or two other cases I wish to refer to. Here is one of a widow, over 80 years old, of a Mexican War veteran. Her son was a volunteer in the Civil War and was killed in battle October 5, 1864. And this is simply changing the amount which she has been receiving from a Civil War pension of \$12 a month to that of a Mexican War pension of \$30 a month, following the death of her husband in 1887. Now, objection is made. I do not know why, because my friend from Texas [Mr. DIES] is usually accurate on everything except on pensions.

Mr. CALLAWAY. Will the gentleman yield?

Mr. GOULDEN. With pleasure.

Mr. CALLAWAY. The only reason for pensioning this lady is that she is 80 years old, the mother of a fellow who died in the Civil War, and the widow of a person who died in the Mexican War.

Mr. GOULDEN. That is right. Do you not think that is sufficient claim on a grateful people?

Mr. CALLAWAY. If it is, every woman who is the mother of a boy who died in the Civil War and the widow of a man who died in the Mexican War ought to have a pension of \$12 a month, had she not?

Mr. GOULDEN. By all means. Every one of this class should be pensioned if in needy circumstances.

Mr. Chairman, I have only time and the desire to occupy the attention of the committee for the consideration of just one more case, and that is to be found on page 76.

Mr. HOWARD. Mr. Chairman, if the gentleman will look on page 29, he will find another case.

Mr. GOULDEN. Yes.

Mr. HOWARD. I suggest to the gentleman to look at page 29, H. R. 3311, the case of Martella M. George. Does the gentleman think under any conceivable rule that could possibly be adopted by the committee a man that had the war record that this man had in the Spanish-American War could leave a widow or a mother or children or anybody else who ought to have a pension on his account?

Mr. GOULDEN. In this and other cases I yield to the superior wisdom and judgment of the Committee on Pensions, without going into a long history of that and other items in this bill.

Mr. HOWARD. That is a very fine way of dodging.

Mr. GOULDEN. Now, Mr. Chairman, I will refer to the case on page 76, as my time will not permit me to enter into a discussion with my friend from Georgia. It was introduced by the gentleman from Pennsylvania [Mr. KREIDER] as H. R. 12964. This is a most meritorious case, and I happen to know something personally about the case. I have not the time now to read the history of it, but here is a woman completely blind, whose blindness undoubtedly originated in the Philippine Islands, where she served as a trained nurse under the Government. She was a trained nurse there for four years, and I know, as a fact, that she returned from the Philippines practically blind. I know further that she is blind to-day and that she is in need. Therefore I want to say that this is a most worthy case and one that I congratulate the committee on having reported favorably.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. GOULDEN. Yes.

Mr. DIES. When this good woman went into the service she was examined, and the report shows that she had practically no vision in her left eye, and her right eye was seriously affected. Yet my friend thinks she lost her sight in the service.

Mr. GOULDEN. I do. I knew her before she went to the Philippines.

Mr. GORDON. Was she blind?

Mr. GOULDEN. No; not before she went to the Philippines.

Mr. DIES. I understand she lost her sight long after she returned from the Philippines by reason of an operation.

Mr. GOULDEN. She was not blind when she went into the service, but practically so when she was sent home.

Mr. DIES. The evidence shows she was not blind when she returned until after she had undergone an operation.

Mr. GOULDEN. I take my own personal knowledge of this case as being superior even to the report of the Surgeon General.

Now, taking it all in all, this bill presents a list of cases of men and women whom this House can very well indorse. I believe it to be in the interest not only of good government, but also in the interest of rewarding those who have so faithfully served the Government in the past, and I believe if this Nation is to be preserved and our institutions are to be maintained we must show proper appreciation of those who are willing to sacrifice their lives on the altar of their country. [Applause.]

Mr. MURRAY of Oklahoma. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. KIESS].

The CHAIRMAN. The gentleman from Pennsylvania [Mr. KIESS] is recognized for five minutes.

Mr. KIESS of Pennsylvania. Mr. Chairman, it was not my intention to make any remarks upon the pending bill, but as a member of the Committee on Pensions I feel that I should say something regarding the work of that committee and, in a way, defend its action and defend this bill.

I do not claim for the Committee on Pensions that it is infallible. In fact, no committee is infallible. I do say, however, after close association with my colleagues on the committee, that no body of men are more earnest in their work or more anxious to do the right thing, and when there is any doubt we naturally sympathize with the applicant. As you all know, the cases which we take up are those that do not come under the general pension laws. These are cases where soldiers or widows can not entirely prove their claim to the satisfaction of the Pension Department.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. KIESS of Pennsylvania. I decline to be interrupted.

The CHAIRMAN. The gentleman declines to yield.

Mr. KIESS of Pennsylvania. I have only five minutes. The evidence filed in support of these private pension bills is carefully examined, and, I believe, taken as a whole, the committee needs no apology for the bills that are reported favorably. Many claims that are unjust are refused. Certainly not all the bills that are introduced and that come before the Committee on Pensions are passed.

Now, Mr. Chairman, I do not hold any brief for doctors and nurses, but I want to say here that there is no class of people that I have more confidence in and hold in higher regard than the physicians and nurses of this country. And, speaking for my own people and for the doctors of Pennsylvania, I do not believe that our doctors would give perjured or false testimony to enable anyone to get a pension. As for the doctors of Texas, I can not speak. In fact, I know very little about Texas, but I am learning some things from the men who are sent here to represent that great State. It has been my former experience in a legislative body, and it is borne out here in Washington, that the men who are crying the loudest about the raids on the Treasury and the amount of money that is expended are the same men who are wasting hours and days of the valuable time of this great Congress in a useless discussion of unimportant matters. As for me, instead of continually speaking on the floor of this House, I am willing to save that time, which is at a great expense to the country, and allow the money to go to soldiers and sailors who fought for their country and to their widows. [Applause.]

I agree fully with the remarks that were made by the gentleman from New York [Mr. GOULDEN], and I know that I am representing the wishes of my constituents when I advocate just and fair pensions to the men who enlisted in the service of our country. [Applause.]

Mr. MURRAY of Oklahoma. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. KREIDER].

The CHAIRMAN. The gentleman from Pennsylvania [Mr. KREIDER] is recognized for five minutes.

Mr. KREIDER. Mr. Chairman and gentlemen of the committee, in view of the fact that H. R. 12964, granting a pension to Martha R. Allwein, has been mentioned a number of times in these discussions, I think it is only right and proper that I should make a statement regarding it.

In the first place, reasons have been given by the distinguished gentleman from Texas [Mr. DIES] as to why these pension bills are brought here. As to those charges I want to plead "not guilty." There is absolutely no politics, no farming out, in this proposition, whatever. Miss Martha R. Allwein, the beneficiary of this bill—and I say this frankly—has no connection with me in any way, political or otherwise. As far as I know the people of her entire relationship are Democrats.

Mr. GOULDEN. Correct.

Mr. KREIDER. I do not think there is one in the entire family that supported me for Congress, and if I should run again I know of no one in her entire family relationship who would support me.

Mr. GOULDEN. If the gentleman will permit, right there, I wish to say that when they failed to support the gentleman they did not know him, but now that they know him and know he is capable of representing a great district in Congress, I think I am quite safe in saying that they will favor him hereafter. [Applause.]

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. KREIDER. I want to say that I think the gentleman is incorrect when he states that this woman's eyesight was defective when she entered the service.

Mr. DIES. That fact is stated on page 77 of the report.

Mr. KREIDER. I want to call attention to the fact that the gentleman who makes that affidavit on page 77 swears that the first time he saw this woman was in 1898. I want to call attention to the fact that she volunteered and entered the service in 1904; that she was four years in the service—two years of which was spent in the Philippine Islands, during which time this cataract in the eye developed; and this operation was performed after she had been honorably discharged from the service at her own request for the express purpose of having an operation performed on the eyes, with the hope and belief that the other eye might be saved; and this affidavit to which the gentleman has referred shows that the party making it swears he did not see her until the 2d day of May, 1908.

Mr. DIES. Mr. Chairman, my friend is talking about one thing, and I am talking about another. I am talking about the report of the Surgeon General of the United States Army, in which he says that a report of this examination shows that she had practically no vision in her left eye, and also she had a mitral systolic heart murmur.

Mr. KREIDER. When was that?

Mr. DIES. This report is dated March 2, 1914.

Mr. KREIDER. It shows that she had no vision practically when she left the Army.

Mr. DIES. If my friend will indulge me, the full report says:

Prior to her appointment she was examined, on September 15, 1904, by a civilian physician in Philadelphia, who reported her free from disability. She was examined by an Army surgeon at the general hospital, San Francisco, on December 4, 1904 (eight days after her appointment), and a report of this examination shows that she had practically no vision in her left eye.

Mr. KREIDER. I am not questioning the good faith in which the report was made, but I think there is a mistake in that report. It is not reasonable to suppose that any Army officer would accept as a nurse for the United States Army a woman whose eyesight was so defective "that she had practically no vision in her left eye," or that after it had been discovered she would be kept in the service for four years and sent to the Philippine Islands, probably the worst place on earth for anyone with defective eyesight. Nor would anyone with defective eyesight accept service in these islands.

Mr. THOMAS. Mr. Chairman—

The CHAIRMAN. Does the gentleman yield?

Mr. KREIDER. Only for a moment. I have only five minutes.

Mr. THOMAS. I wish to thank the gentleman for his courtesy. I wish to ask him the same question that I desired to ask the gentleman who preceded him, whose name I do not know, and no one around me seems to know.

Mr. MURRAY of Oklahoma. It was the gentleman from Pennsylvania [Mr. KIESS].

Mr. THOMAS. There are about 50 pensions granted in this bill. I wish to ask how many of those go to members of the Pension Committee?

Mr. KREIDER. I do not know. I am not a member of the Pension Committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MURRAY of Oklahoma. I yield to the gentleman one minute more.

Mr. KREIDER. I want to say—

Mr. GORDON. Will you answer this—

Mr. KREIDER. No; I refuse to yield now. I want to say that this pension business should not be looked upon from the standpoint of politics or favors. The Government is to-day soliciting men to enter its service; and I, as a private individual, want to go on record as being in favor of Government liability as well as employers' liability. I have favored such a law all my life, and I believe the Government ought to take care of those who are injured while in the service of the Government or who from any cause lose their earning capacity while in the employ of the Government, whether it be in the Army or elsewhere. I believe it is no more than right that the Government should take care of its employees the same as private individuals or corporations. This woman has been made the object of an attack which is altogether due to the fact that the gentlemen are not familiar and do not understand the facts in the case. She is a woman as honest as the day; a bright, keen, intelligent woman, who is absolutely blind, and blind as the result of her service to her country. She is helpless. Her father and mother are both dead. She is without a cent to live on, and is being supported by her sister, whose husband earns his living by manual labor. [Applause.]

Mr. MURRAY of Oklahoma. Mr. Chairman, in reply to the remarks made by the gentleman from Kentucky [Mr. THOMAS], I have asked the members of the Pension Committee sitting around me if they have any claims in this bill. I wish to say

that I have not had in this Congress a report of a pension claim from this committee. Mr. KIRKPATRICK has none in this bill; neither RICHARDSON, KEY of Ohio, DERSHEM, GREEN of Iowa, AVIS, WALTERS, nor MACDONALD. Four of the committee—KEATING, SMITH, KIESS of Pennsylvania, and DALE—have one each in this bill. Mr. SELLS has two. I make this statement in justice to the committee, because of the insinuations made by the gentleman from Kentucky [Mr. THOMAS].

Mr. THOMAS. Mr. Chairman—

Mr. MURRAY of Oklahoma. I decline to yield.

Mr. THOMAS. Thank you.

Mr. MURRAY of Oklahoma. Those are all the Members whom I know anything about, and only five members of the committee have claims in this bill.

Mr. Chairman, we are ready to yield up the balance of the time.

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

The name of Louis K. Turner, late of Company D, Third Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

Mr. DIES. Mr. Chairman, I move to strike out the last word. I am as sure as I live that neither the gentleman from Pennsylvania [Mr. KREIDER] nor any other gentleman wishes to do me an injustice with respect to this case of Martha R. Allwein, and I feel just as sure for myself that I wish only to state the facts. Because of what the gentleman from Pennsylvania [Mr. KREIDER] has said, I wish to state that what I have said in all these cases I have taken from the official reports and not from lay witnesses. The report of the Surgeon General of the United States Army is as follows:

Prior to her appointment she was examined, on September 15, 1904, by a civilian physician in Philadelphia, who reported her free from disability. She was examined by an Army surgeon at the general hospital, San Francisco, on December 4, 1904 (eight days after her appointment), and a report of this examination shows that she had practically no vision in her left eye.

Now, after her service to the Government was over for some time, when she was no better and probably in a little worse condition, she consulted a physician with reference to the removal of that cataract from the left eye. The doctor very frankly told her that it might cost her the sight of the other eye. The report of the physician—a Government physician, I suppose—sums up the whole matter and says she decided to accept the risk, and on May 28, 1908, they extracted, and so forth.

Boiled down, it means that she went into the service with her vision impaired—practically no vision in the left eye—served through several years as a nurse, principally in the officer's family, came out of it in a little worse condition than she went in, and then consulted the physician. She accepted the risk, the operation was performed, and she went blind. I say it had no connection with the service, and that \$50 a month is out of all proportion to the amount allowed for nurses in the Civil War, which is \$12 a month.

The Clerk read as follows:

The name of Martella M. George, widow of W. E. George, late of Company D, Twenty-third Regiment Kansas Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$12 per month, and \$2 additional for each of four minor children until they reach the age of 16 years.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to insert in the Record the report on this case of Martella M. George, widow of W. E. George, Twenty-third Regiment Kansas Volunteer Infantry, War with Spain.

Mr. MURRAY of Oklahoma. I object, Mr. Chairman, for the reason that all the evidence was not put in by the clerk. I can explain why the report was written in that way. It was due to an oversight by the clerk, and in no way belongs to the committee. I object.

Mr. CALLAWAY. May I ask the gentleman a question about it?

Mr. MURRAY of Oklahoma. Yes.

Mr. CALLAWAY. Did not the committee make up the report?

Mr. MURRAY of Oklahoma. The gentleman will understand that we have to leave some things to be put in by the clerk.

Mr. CALLAWAY. Do we not understand that the report comes from the committee?

Mr. MURRAY of Oklahoma. The committee is ready to defend its report.

Mr. CALLAWAY. The gentleman says the report is not correct?

Mr. MURRAY of Oklahoma. All the evidence that we have is not in it.

Mr. CALLAWAY. The part that I want to insert in the Record is in the report.

Mr. MURRAY of Oklahoma. I object.

The CHAIRMAN. The gentleman from Oklahoma objects, and the Clerk will read.

The Clerk read as follows:

The name of Edward F. Smith, late of Battery H, Third Regiment United States Artillery, War with Spain, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

Mr. THOMAS. Mr. Chairman, I move to strike out the last word. Mr. Chairman, a little while ago I made inquiry as to the number of pensions in this bill which go to the constituents of the Pensions Committee. I made that inquiry in perfect good faith, for the reason that I had heard it stated that 27 of the 50 pensions in the bill go to States represented by members of the Pensions Committee. I asked the question because I desired information upon that subject, as I know that Members of this House, many of them, who have bills before the Pensions Committee have not received a single pension for their constituents.

I asked the gentleman from Oklahoma to yield to me, and he refused and yielded back his time to the chairman. He made the statement that he has not received or his constituents have not received or asked for any pensions. Well, Mr. Chairman, that is the first time that I ever knew that there was no one from the gentleman's district who fought in the Spanish-American War, because if there had been any volunteers from the gentleman's district he would have been trying to get them a pension, and doubtless would have got them all one before now from his committee, which is so generous to its own members.

Mr. Chairman, I am in favor of pension bills. I have always voted for every pension bill that has been presented to this House. I do not know whether these pensions have been properly distributed over the country or not, but that was what I was seeking information about. I am entitled to the information.

Mr. Chairman, I think that these pensions ought to be properly distributed among the Members. Of course this committee can not pension everybody. I have never had a pension reported by this committee. I have bills before it for people who should receive pensions, and the proof has been filed, and I think that I and other Members of this House should receive the same consideration at the hands of the committee as they apparently so generously accord to themselves.

The Clerk read as follows:

The name of George B. Weesner, late of Company D, Thirty-second Regiment United States Volunteer Infantry, War with Spain, and pay him a special pension at the rate of \$30 per month.

Mr. DIES. Mr. Chairman, I move to strike out the last word. I want one word more, and I am not going to try the patience of the committee much longer. My friend from Pennsylvania complimented himself that he did not take up any time of Congress, but was disposed to criticize me for taking up so much valuable time on pension matters. I say to the committee that if it sincerely believes that Congress does not want these monstrosities pointed out to it, and if it was not my duty to point them out, representing 300,000 people, I would not take up the time of the committee. I do not care to make speeches as much as that. I have some information on some things of this kind, and I feel that it is my duty to point them out. Unless you indicate that you want the matters covered up so that the people will not reach the right idea, I shall continue to call attention to what I believe is the wrongful use of the power of taxation and of appropriation of the public money.

Now, with reference to what my friend said about none of the members of the committee having more bills than other Members. There is no use to get behind the bush about it; we all know the members of the committee give themselves more in the run of time than they do other Members of Congress. There is no use to talk about that. In this bill I do not know what each individual Member got, but I know that the members of the committee represent 13 States, and these 13 States got 27 bills and the balance of the States got 27. In the bill passed a little while ago the committee represented 15 States, and they got 140 bills and the balance of the United States got 63. I just throw that in because it keeps the record straight and we will know what we are doing.

Mr. HOWARD. Mr. Chairman, I move to strike out the last two words. I want to make just a few observations on this particular bill, because this is one pension bill about which I can talk and no one can accuse me of being prejudiced in my views about it. I happen to have in my possession an honorable discharge as a private soldier in the Spanish-American War [applause], and I do not possess any one thing that I prize more than I do that discharge as a private soldier in the

Volunteer Army of the United States in the War with Spain. But I want to say now that under no conceivable law can I ever expect the Government of the United States to pension me or my wife or my children by virtue of that service. I will say why I do not believe they ought to do it, and I hope that if ever I apply for a pension from my Government the record that I am now making will be used against me, or if any that are near and dear to me ever make application for a pension by virtue of my humble service to my country when it needed me, that this record will be used against them, because of the fact that I did nothing but my duty as an American citizen and volunteered my service to help save my country. As was once said by Georgia's immortal Hill, "He who lets his country die, lets all things die, and all things dying curse him; but he who lets his country live, lets all things live, and all things living bless him." That is the reason I volunteered my services at the call. I wanted to help preserve with my humble services the greatest Republic that the sun of God ever shone upon, because the Government of this Republic has protected me and I wanted to contribute my mite to its protection when it called me. [Applause.]

Outside of the graft that is going on in the matter of these pensions, which is creeping into the Spanish-American pension and which has crept into this bill to-day, if I had been upon the floor and my attention had not been diverted from the bill at the time, I would have called attention to a precedent that this committee has set to-day. I have no criticism to make of the membership of this committee or anything which in their wisdom they may do, but they have set a precedent to-day in the passage of this bill which, as has been said by distinguished gentlemen on both sides of the House, will let the camel's nose into the tent, and as a result this Government will be plundered out of hundreds of thousands of dollars in the future because of the fact that you have set this precedent; and in doing so, you, gentlemen, kind hearted, big hearted, generous, and liberal, let your heart run away with your head. I refer to the case of Martella M. George, being H. R. 3311, appearing on page 29 of the report, and when you gave that woman a pension for herself and her minor children you set a precedent that is going to cost this Government hundreds of thousands of dollars, because her husband was a worthless, trifling, immoral, and licentious man.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. Yes.

Mr. DIES. Is that the case which the gentleman from Oklahoma [Mr. MURRAY], in charge of the bill, declined to let the report of go into the CONGRESSIONAL RECORD?

Mr. HOWARD. Yes; and I do not blame him for being ashamed to let it go into the Record. The case ought to be stricken from this bill, and had I been in the Chamber to assert my rights at the particular moment this item was reached, I would have made the motion to strike it out—not because I have no sympathy with that woman, not because I do not sympathize with those fatherless children, but because of the fact that you open the gate for all of the worthless men that ever enlisted for what they could get out of it to come in here and draw a pension from the Government of the United States alongside of the man who did actual service, prompted by patriotic motives.

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

Mr. HOWARD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more, and I shall not consume any more time than that.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOWARD. Mr. Chairman, as was said by my distinguished friend from Oklahoma [Mr. MURRAY], the only reason on earth for the existence of an Invalid Pension Committee and a Committee on Pensions is the fact that in a great many cases these committees are called upon to do equity, equity to mete out a competency to some particular soldier or the widow of some particular soldier in a case where the law covering a great class generally is deficient—a worthy and meritorious case—and these cases are based on equity, and when you deal with a case in the Committee on Pensions you should deal with it on the basis of absolute equity and nothing else, because there is no particular rule upon which you can grant a pension under the private-pension laws—

Mr. WILSON of Florida. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. Yes.

Mr. WILSON of Florida. Did this soldier marry subsequent to the Spanish-American War?

Mr. HOWARD. I have not looked into that, but I think he did.

Mr. DIES. Yes; he did.  
Mr. HOWARD. I think the record shows that he married subsequent to the war.

Mr. DIES. He married in 1900.  
Mr. HOWARD. He married in 1900 and he enlisted in 1898, and went out of the service shortly thereafter for disability not incident to service. I am not criticizing the committee, because if there is anyone on earth for whom I have sympathy it is a widow and little children, but we must be heartless in some things to protect the taxpayers of this country from the enormous burden that is resting upon them by virtue of the indiscriminate granting of pensions to people who really, in a great many instances, do not deserve them. Mr. Chairman, I ate hardtack until I was afraid to go out in the rain, for fear if I got wet spontaneous combustion would take place. I ate embalmed beef, and I fought mosquitoes, and that is all I had to fight. The Government did the best it could, I expect, under the circumstances, to feed me. The Government gave me shoes and good clothes to wear, and I have no hospital record save the contraction of a bad cold. But here is a man who went into the service with a disease, an awful disease, an unmentionable disease. He knew he had that disease when he went into the service, and he stayed there as long as he could hang around, and they discharged him because he was unfit for the service. Ten years after he died from typhoid fever, and an attempt is made to show that that typhoid fever was an incident to his service. They could not do that, and now they come in here and give his wife this pension for herself and these children without any evidence to support, while many worthy widows and innocent little children of worthy soldiers are alone in their penury and destitution, because they have not the ear of their Congressman. There are enough worthy cases to consume all the time this committee can devote to its duties.

Let me suggest this by way of conclusion: There is going to be a new order of things in this country from now on, and you gentlemen are going to see it. A great many of the influential citizens of this country—and I say that it is just that they should do it—are not going to pay any more money into the till indirectly, but they are going down into their pockets, and they are going to pull out the coin of the realm, and they are going to lay it on the internal collectors' table in hard cash, and then, when they commence to put down \$100,000,000 or more a year out of their pockets that they ought to have put down years ago to contribute to the upkeep of this Government, these men, who know something about business methods, who have been prosperous, are going to see that the administration of this Government is administered along the lines of business principles and that it is economical and judicious in expenditures. Now, you mark my prediction.

Mr. MADDEN. Will the gentleman yield?  
Mr. HOWARD. Yes.  
Mr. MADDEN. I think what the gentleman says would be true but for the fact that the bill to which he refers affects only one-half of 1 per cent of the people of the United States.

Mr. HOWARD. Well, under Democratic rule from now on the people are going to make so much money that 90 per cent of them will pay this income in a few years.

Mr. LANGLEY. If the gentleman is sure of that, it is about time they started to make the money, because they have had several months' opportunity and they have not made any headway in that direction under this Democratic administration.

Mr. HOWARD. Oh, the gentleman is mistaken about that; he has acquired the habit that many gentlemen of faith have of joining the calamity howlers.

The CHAIRMAN. The time of the gentleman has expired.  
The Clerk read as follows:

The name of Mary A. Dow, dependent mother of William C. Dow, late captain, Forty-third Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of \$12 per month.

Mr. THOMAS. Mr. Chairman, I move to strike out the last word. Mr. Chairman, a while ago I stated that I had never got a pension through this Pension Committee for any of my constituents, but I did get one passed in the House over the protest of the committee. That was for the widow of a Mexican soldier, Mrs. Ross. She was in the county poorhouse of Edmonson County at the time the bill was passed. Since then she has died. The bill has not yet been reported in the Senate. She was between 85 and 90 years of age. She died in a county poorhouse. She was a good old Christian woman, and I am confident has gone to a better land, where there is neither poverty nor pension committees.

Mr. MURRAY of Oklahoma. Mr. Chairman, I make the point of order the gentleman is not discussing the bill before the House or any bill before the House.

Mr. THOMAS. The gentleman is not before the House. [Laughter.]

The Clerk resumed and concluded the reading of the bill.  
Mr. MURRAY of Oklahoma. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that the bill do pass.

The motion was agreed to; accordingly the committee rose, and the Speaker having resumed the chair, Mr. BURKE of Wisconsin, Chairman of the Committee of the Whole House, reported that that committee had had under consideration the bill H. R. 14546, and had directed him to report the same to the House with the recommendation that the bill do pass.

Mr. DIES. Mr. Speaker, a parliamentary inquiry.  
The SPEAKER. The gentleman will state it.

Mr. DIES. I want to make the point of no quorum at such point as will secure a roll call on the bill. What time do I make it?

The SPEAKER. The gentleman can make that on the vote. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is, Shall the bill pass?  
Mr. DIES. Now, Mr. Speaker, I desire to make the point of no quorum.

The SPEAKER. The gentleman from Texas makes the point of no quorum. Evidently there is not a quorum present and the Doorkeeper will close the doors, the Sergeant-at-Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 230, nays 50, answered "Present" 6, not voting 146, as follows:

YEAS—230.

Alexander	Evans	Kettner	Rogers
Allen	Fergusson	Key, Ohio	Rothermel
Anderson	Ferris	Kiess, Pa.	Rouse
Ansberry	Fields	Kirkald, Nebr.	Rubey
Anthony	FitzHenry	Kirkpatrick	Rucker
Ashbrook	Fordney	Knowland, J. R.	Rupley
Austin	Foster	Konop	Russell
Avis	Fowler	Kreider	Sabath
Baker	Francis	Laferty	Scott
Baltz	Frear	La Follette	Seldomridge
Barton	French	Langham	Sells
Bathrick	Gallagher	Langley	Shreve
Beakes	Gard	Lazaro	Sinnott
Bell, Cal.	Gardner	Lee, Pa.	Sloan
Booher	Gerry	Lenroot	Smith, Idaho
Borchers	Gillett	Levy	Smith, Minn.
Borland	Gilmore	Lewis, Pa.	Smith, N. Y.
Bowdle	Gittins	Lieb	Smith, Saml. W.
Britten	Glass	Lindbergh	Sparlan
Brockson	Goeke	Lindquist	Steenerson
Brown, N. Y.	Goulden	McAndrews	Stephens, Cal.
Browne, Wis.	Graham, Ill.	McDermott	Stephens, Nebr.
Bruckner	Graham, Pa.	McGillicuddy	Stevens, N. H.
Brumbaugh	Gray	McKenzie	Stone
Bryan	Green, Iowa	McLaughlin	Stout
Buchanan, Ill.	Greene, Mass.	MacDonald	Sutherland
Bulkley	Greene, Vt.	Madden	Switzer
Burke, Wis.	Gudger	Maguire, Nebr.	Taggart
Bryns, Tenn.	Guernsey	Mahan	Talbot, Md.
Cantor	Hamilton, N. Y.	Mann	Talcott, N. Y.
Cantrill	Hammond	Mapes	Tayner
Carr	Hardwick	Metz	Taylor, Colo.
Cary	Hart	Miller	Taylor, N. Y.
Casey	Haugen	Mondell	Temple
Chandler, N. Y.	Hawley	Montague	Ten Eyck
Church	Hayes	Moon	Thacher
Claypool	Helgesen	Morgan, La.	Thomas
Cline	Helm	Morgan, Okla.	Thompson, Okla.
Connolly, Kans.	Helvering	Mott	Thomson, Ill.
Connolly, Iowa	Hensley	Murdoch	Towner
Conry	Hill	Murray, Mass.	Treadway
Cramton	Hinds	Murray, Okla.	Underhill
Crosser	Hinebaugh	Neeley, Kans.	Underwood
Curry	Holland	Nelson	Vare
Danforth	Houston	Nolan, J. I.	Vollmer
Davis	Hughes, Ga.	Norton	Volstead
Deltrick	Hullings	Padgett	Wallin
Dershem	Humphrey, Wash.	Parker	Walters
Difenderfer	Humphreys, Miss.	Patten, N. Y.	Watkins
Donohoe	Igoe	Patton, Pa.	Weaver
Donovan	Johnson, S. C.	Payne	Whitacre
Doollittle	Johnson, Utah	Peters, Mass.	White
Doremus	Johnson, Wash.	Phelan	Williams
Doughton	Kahn	Platt	Wills
Driscoll	Keating	Powers	Woodruff
Dupré	Kelley, Mich.	Rauch	Young, N. Dak.
Dyer	Kelly, Pa.	Reed	
Esch	Kennedy, Iowa	Reilly, Wis.	

NAYS—50.

Abercrombie	Eagle	Howard	Stephens, Tex.
Aiken	Edwards	Jacaway	Summers
Bartlett	Elder	Lever	Taylor, Ark.
Beall, Tex.	Faison	Page, N. C.	Tribble
Buchanan, Tex.	Flood, Va.	Park	Vaughan
Burgess	Floyd, Ark.	Quin	Watson
Byrnes, S. C.	Garner	Rayburn	Webb
Callaway	Garrett, Tex.	Sherley	Wilson, Fla.
Candler, Miss.	Gordon	Sherley	Wingo
Caraway	Gregg	Slayden	Witherspoon
Clayton	Hardy	Small	Young, Tex.
Dent	Harrison	Smith, Tex.	
Dies	Henry	Stephens, Miss.	

## ANSWERED "PRESENT"—6.

Hay	Lee, Ga.	Scully	Stevens, Minn.
Kindel	Pou		

## NOT VOTING—146.

Adair	Dickinson	Kennedy, R. I.	Peters, Me.
Adamson	Dillon	Kent	Peterson
Ainey	Dixon	Kinkead, N. J.	Plumley
Aswell	Doelling	Kitchin	Porter
Bailey	Dunn	Korbly	Post
Barchfeld	Egan	L'Engle	Prouty
Barkley	Edmonds	Leshner	Ragsdale
Barnhart	Estopinal	Lewis, Md.	Rainey
Bartholdt	Fairchild	Linthicum	Raker
Bell, Ga.	Falconer	Lloyd	Reilly, Conn.
Blackmon	Farr	Lobeck	Richardson
Brodbeck	Fess	Loft	Riordan
Broussard	Finley	Logue	Roberts, Mass.
Brown, W. Va.	Fitzgerald	Loneragan	Roberts, Nev.
Browning	Garrett, Tenn.	McClellan	Saunders
Burke, Pa.	George	McCoy	Shackleford
Burke, S. Dak.	Godwin, N. C.	McGuire, Okla.	Sherwood
Burnett	Goldfogle	McKellar	Sims
Butler	Good	Maher	Slemp
Calder	Goodwin, Ark.	Manahan	Smith, J. M. C.
Campbell	Gorman	Martin	Smith, Md.
Carew	Griest	Merritt	Stafford
Carlin	Griffin	Mitchell	Stanley
Carter	Hamill	Moore	Stedman
Clancy	Hamilton, Mich.	Morin	Stringer
Clark, Fla.	Hamlin	Morrison	Sharp
Coady	Hayden	Moss, Ind.	Taylor, Ala.
Collier	Heflin	Moss, W. Va.	Townsend
Cooper	Hobson	Neely, W. Va.	Tuttle
Copley	Howell	O'Brien	Walker
Covington	Hoxworth	Oglesby	Walsh
Cox	Hughes, W. Va.	O'Hair	Whaley
Crisp	Hull	Oldfield	Wilson, N. Y.
Cullop	Johnson, Ky.	O'Leary	Winslow
Dale	Jones	O'Shaunessy	Woods
Davenport	Keister	Paige, Mass.	
Decker	Kennedy, Conn.	Palmer	

So the bill was passed.

The Clerk announced the following pairs:

For the session:

Mr. HOBSON with Mr. FAIRCHILD.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. SCULLY with Mr. BROWNING.

Until further notice:

Mr. GORMAN with Mr. KENNEDY of Rhode Island.

Mr. GEORGE with Mr. GRIEST.

Mr. CLANCY with Mr. DUNN.

Mr. BELL of Georgia with Mr. BURKE of South Dakota.

Mr. SIMS with Mr. FESS.

Mr. PALMER with Mr. EDMONDS.

Mr. TAYLOR of Alabama with Mr. HUGHES of West Virginia.

Mr. GRIFFIN with Mr. WINSLOW.

Mr. KENNEDY of Connecticut with Mr. J. M. C. SMITH.

Mr. DALE with Mr. MARTIN.

Mr. ADAIR with Mr. BARCHFELD.

Mr. BAILEY with Mr. AINEY.

Mr. BARNHART with Mr. BARTHOLDT.

Mr. BRODBECK with Mr. BUTLER.

Mr. BURNETT with Mr. CAMPBELL.

Mr. CARLIN with Mr. BURKE of Pennsylvania.

Mr. CARTER with Mr. COOPER.

Mr. CLARK of Florida with Mr. COPLEY.

Mr. COLLIER with Mr. DILLON.

Mr. COVINGTON with Mr. GOOD.

Mr. CULLOP with Mr. FALCONER.

Mr. DAVENPORT with Mr. FAER.

Mr. DIXON with Mr. HAMILTON of Michigan.

Mr. FINLEY with Mr. HOWELL.

Mr. FITZGERALD with Mr. CALDER.

Mr. GARRETT of Tennessee with Mr. KEISTER.

Mr. WHALEY with Mr. KENT.

Mr. HAY with Mr. MERRITT.

Mr. HEFLIN with Mr. MCGUIRE of Oklahoma.

Mr. KINDEL with Mr. MOSS of West Virginia.

Mr. KITCHIN with Mr. MONDELL.

Mr. KORBLY with Mr. MANAHAN.

Mr. LLOYD with Mr. MOORE.

Mr. LONERGAN with Mr. MORIN.

Mr. MCCOY with Mr. PAIGE of Massachusetts.

Mr. MITCHELL with Mr. PETERS of Maine.

Mr. MORRISON with Mr. PLUMLEY.

Mr. NEELY of West Virginia with Mr. PORTER.

Mr. OLDFIELD with Mr. PROUTY.

Mr. PETERSON with Mr. SLEMP.

Mr. RAINEY with Mr. ROBERTS of Massachusetts.

Mr. SHERWOOD with Mr. ROBERTS of Nevada.

Mr. SCULLY. Mr. Speaker, did the gentleman from New

Jersey, Mr. BROWNING, vote?

The SPEAKER. He did not.

Mr. SCULLY. I have a pair with the gentleman. I voted "yea," and I wish to withdraw that vote and vote "present."

The name of Mr. SCULLY was called, and he voted "Present." Mr. KINDEL. Mr. Speaker, I voted "yea," but I understood that I was paired with somebody, so I leave it with the pair and vote "present."

The name of Mr. KINDEL was called, and he voted "Present."

The SPEAKER. On this vote the yeas are 231, nays 49, voting "present" 6. A quorum is present. The Doorkeeper will open the doors.

On motion of Mr. MURRAY of Oklahoma, a motion to reconsider the vote by which the bill was passed was laid on the table.

## EXPOSITION AT PANAMA (H. DOC. NO. 840).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed.

*To the Senate and House of Representatives:*

I transmit herewith a report from the Secretary of State in relation to the invitation from the Government of Panama to this Government to participate in an exposition which is to open at the city of Panama on November 3, 1914, and I join with the Secretary of State in strongly recommending the authority of Congress for the acceptance of the invitation and an appropriation of \$100,000 to enable suitable participation by the United States.

As the exposition will open as early as November 3 next, prompt action by Congress on the recommendation is essential to proper and adequate preparation for the participation.

WOODROW WILSON.

THE WHITE HOUSE, March 17, 1914.

## LEAVE OF ABSENCE.

Mr. REILLY of Connecticut, by unanimous consent, was granted leave of absence for an indefinite period of time, on account of illness.

## RIVERS AND HARBORS.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13811, being the rivers and harbors bill; and pending that, I ask unanimous consent that six hours be devoted to general debate, one half of the time to be controlled by myself and the other half by the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if he can not yield more time? I have had requests for more, and I feel I must ask that we have four hours on this side.

Mr. SPARKMAN. Will four hours, then, be satisfactory on that side?

Mr. HUMPHREY of Washington. I think we can get along with four hours, and I do not see how we can get along with any less.

Mr. SPARKMAN. Then, Mr. Speaker, I change the request to eight hours instead of six, one half to be controlled by myself and the other half by the gentleman from Washington.

The SPEAKER. The gentleman from Florida [Mr. SPARKMAN] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13811; and, pending that, asks unanimous consent that general debate be limited to eight hours, four hours to be controlled by himself and four hours by the gentleman from Washington [Mr. HUMPHREY]. Is there objection?

Mr. DONOVAN. Mr. Speaker, reserving the right to object, I would like to ask the chairman of the committee if he does not allow those who are opposed to the bill to have any time? I understand the gentleman from Washington [Mr. HUMPHREY] is in favor of the report. Now, that is giving all the time to one side. I asked the gentleman the other day to give me a few minutes, and he declined. I saw the gentleman from Washington [Mr. HUMPHREY], and I asked him if he was in favor of the bill, and he said he was, and he refused to give me time. Now, here is the situation: A bill comes up here carrying some \$40,000,000, and the time is taken up by those who are in favor of the measure. I suggest to the chairman that such an unfair proposition should not be tolerated.

Mr. SPARKMAN. Mr. Speaker, I will say for the benefit of the gentleman that there was no intention whatever on my part to discriminate against him. As I recall, he came to me asking for time after it had all been, practically, parceled out or promised to other parties. And I will say, further, that I did not know at the time, nor do I know yet, on which side of the

question all the parties to whom I have agreed to yield time will speak; or, in other words, whether any of them are opposed to the bill or whether all are in favor of the measure. If I can find time to allot the gentleman I will be very glad to yield him such time as I may be able to spare. I will say this, however, to him, that under the five-minute rule he can no doubt get all the time he may need.

Mr. DONOVAN. Mr. Speaker, the gentleman from Washington [Mr. HUMPHREY] admitted to me that he was in favor of the bill. Now, the point is, the time is wholly closed up. They refused to give me a few minutes. Why, the other day there was a \$600,000 appropriation bill, and I believe they allowed the opposition 3 minutes. I took 37 minutes. The Agriculture bill came along, and every moment of the time they took themselves and nothing for the opposition. Now, those things smack of the way they do in Russia. This is a free country. I am only a four-hundred-and-thirty-third part of this body, but I am opposed to the bill. The gentleman from Washington [Mr. HUMPHREY] gleefully gloated over the fact that he was in favor of the bill. [Applause.]

The SPEAKER. Is there objection?

Mr. DONOVAN. Mr. Speaker, I am going to insist on 15 minutes, or I am going to object.

Mr. MANN. Maybe the gentleman from Florida [Mr. SPARKMAN] will modify his request so as to give 15 minutes to the gentleman from Connecticut [Mr. DONOVAN].

Mr. SPARKMAN. Mr. Speaker, I modify my request so as to give the gentleman 15 minutes.

The SPEAKER. The gentleman from Florida [Mr. SPARKMAN] asks unanimous consent that the time for general debate be limited to 8 hours and 15 minutes, 4 hours of it to be controlled by himself and 4 by the gentleman from Washington [Mr. HUMPHREY] and 15 minutes by the gentleman from Connecticut [Mr. DONOVAN]. [Laughter.] Is there objection?

Mr. FOWLER. Mr. Speaker, reserving the right to object, I desire to ask the chairman of the committee if I may have some time to present a proposition for the Ohio River?

Mr. SPARKMAN. Why, I will say to the gentleman that I have understood for some time that he desired to make a motion, possibly, to amend the bill so as to embrace some proposition on the Ohio River, which he must do, of course, under the five-minute rule if at all, when he can doubtless get all the time he may desire. So far as I am concerned, I will see that he does get whatever reasonable time he may wish.

Mr. FOWLER. Yes; but I want to get my proposition before the Committee of the Whole House on the state of the Union before we commence to read the bill.

Mr. SPARKMAN. Will 10 minutes suffice for the gentleman?

Mr. FOWLER. No; I do not think I can do it in 10 minutes. I want 30 minutes.

Mr. SPARKMAN. I want to say, Mr. Speaker, that there are many requests for time. I would like to accommodate everybody if I could see my way clear to do so. If we had it, I would like to yield time to everyone who may desire to address the House on this or any kindred subject, but we have to draw the line somewhere. If 10 minutes will suffice for the gentleman from Illinois, I will see that he gets that much time.

Mr. FOWLER. Why not make your request for nine hours, and give Members of the House who have propositions they would like to get before the House an opportunity to do so, so that they may be fairly understood?

Mr. SPARKMAN. Well, there is a great desire to get this bill through and out of the way of other important matters that are to follow.

Mr. FOWLER. I am anxious to expedite the transaction of business, because I want Congress to adjourn, but this is an important matter to me. It is a matter of life and death to my people.

Mr. FOSTER. Mr. Speaker, it seems to me there ought to be some provision made for a division of time to men who want to get something out of the bill instead of all the time being given to those who want to get something into it. [Laughter.] I speak for the former class.

Mr. MADDEN. Did they not let in the gentleman from Connecticut [Mr. DONOVAN]?

Mr. FOSTER. Yes; for 15 minutes. But that is only 15 minutes out of 8 hours. There are others who desire to eliminate some features of the bill.

Mr. MANN. Mr. Speaker, my colleague knows, as everybody else in the House knows, that general debate on any one of these bills is not confined ordinarily to the bill, and most of the debate that relates to the bill is had during the reading of the bill under the five-minute rule, where time is usually graciously extended.

Mr. FOSTER. Then we ought to strike out a lot of this time occupied in the delivery of speeches that do not refer to the bill at all.

Mr. MANN. Perhaps so; but the right of Members to make speeches in the House has not been abridged heretofore, and will not be right away. I think probably my colleague [Mr. FOSTER] has a good case and ought to have some time. [Laughter.]

Mr. MADDEN. I can add to that that my other colleague is a very bright debater under the five-minute rule and very persuasive, and generally gets what he wants; and I commend him in the consideration of the bill under the five-minute rule, for I know that he will be able to present his case so forcibly that he will get what he wants.

Mr. FOWLER. The gentleman evidently does not refer to me. [Laughter.]

Mr. MADDEN. I refer to both of my colleagues, for that matter.

Mr. FOSTER. It is as difficult a matter to get something out of a bill as it is to get something in.

Mr. MANN. Both are impossible. [Laughter.]

The SPEAKER. Is there objection?

Mr. FOWLER. Mr. Speaker, I do not want to object, but I would like to get the opportunity to present my proposition to the committee.

Mr. MANN. I hope my friend from Florida will give my colleague [Mr. FOWLER] that extra half hour, even if the time has to be extended.

Mr. HUMPHREY of Washington. I hope, Mr. Speaker, that the gentleman from Florida will agree to that.

Mr. SPARKMAN. Say eight hours and a half.

Mr. MANN. Make it eight hours and a half and give the gentleman from Illinois [Mr. FOWLER] 15 minutes extra. That will be all right.

Mr. SPARKMAN. I will do the best I can.

Mr. FOWLER. If I can get 30 minutes, that will do. I suggest that the gentleman from Florida make his request for eight hours and three-quarters.

Mr. SPARKMAN. Mr. Speaker, I change my request, then, to eight hours and three-quarters.

The SPEAKER. The gentleman from Florida [Mr. SPARKMAN] asks unanimous consent that general debate on this bill be limited to 8 hours and 45 minutes; 4 hours to be controlled by the gentleman from Washington [Mr. HUMPHREY], 4 hours to be controlled by himself, 15 minutes by the gentleman from Connecticut [Mr. DONOVAN], and 30 minutes by the gentleman from Illinois [Mr. FOWLER]. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The question is on agreeing to the motion.

The motion was agreed to.

Mr. HULINGS. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. HULINGS. I rise for the purpose of asking unanimous consent to address the House for 30 minutes at the conclusion of the general debate on this bill.

The SPEAKER. The gentleman from Pennsylvania [Mr. HULINGS] asks unanimous consent to address the House for 30 minutes at the conclusion of the general debate on this bill.

Mr. HARDWICK. Reserving the right to object, Mr. Speaker, I am prompted to inform the gentleman that the Committee on Rules has arranged to report the Panama Canal bill at the conclusion of the consideration of this bill.

Mr. MANN. Mr. Speaker, as long as the matter is before the House, I would suggest that, in view of the division of time, the gentleman from Pennsylvania should have 30 minutes during the debate.

Mr. HARDWICK. Oh, yes.

Mr. MANN. I make that request—that the gentleman from Pennsylvania [Mr. HULINGS] have 30 minutes.

Mr. HARDWICK. During the general debate on this bill?

Mr. MANN. Yes; during the general debate on the river and harbor bill, in addition to the time already specified.

Mr. EDWARDS rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. EDWARDS. To reserve the right to object.

Mr. MANN. Did the gentleman object?

Mr. EDWARDS. I reserved the right to object.

Mr. HARDWICK. I thought that the gentleman withdrew his request.

The SPEAKER. No. The gentleman from Illinois made another request.

Mr. MANN. To give the gentleman from Pennsylvania [Mr. HULINGS] 30 minutes in general debate, in addition to the time already allotted.

Mr. EDWARDS. Would not that extend the general debate until nine hours and a quarter?

Mr. MANN. Yes.

The SPEAKER. That is exactly what it would do.

Mr. MANN. After all, Mr. Speaker, no provision was made directly for any member of the Progressive Party in the House. I think the request is a modest request.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania [Mr. HULINGS] shall have 30 minutes in addition to this eight hours and three-quarters of general debate on the river and harbor bill. Is there objection? [After a pause.] The Chair hears none.

Mr. BARKLEY. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from Pennsylvania [Mr. HULINGS] on what subject he is going to address the House?

Mr. HULINGS. I propose to address the House on the Mexican question.

Mr. BARKLEY. I object.

The SPEAKER. It is too late to object.

Mr. BARKLEY. I was on my feet asking for recognition, Mr. Speaker, at the time the Chair announced.

The SPEAKER. The Chair put the question fairly, and the gentleman had plenty of time. The Chair thinks the objection comes too late.

Mr. FOSTER. Mr. Speaker, I think the Chair did not hear the gentleman. He was on his feet.

The SPEAKER. If the gentleman from Kentucky was on his feet seeking recognition, the Chair will recognize him.

Mr. BARKLEY. I was going to reserve the right to object for the purpose of inquiring of the gentleman from Pennsylvania on what subject he intended to address the House.

Mr. HULINGS. I have already answered that question. Mr. Speaker, I have not occupied much of the time of this House. I have some observations to make which I think will come in play upon this subject—the river and harbor bill—if the House will indulge me.

Mr. BARKLEY. The gentleman does not intend to make an inflammatory speech on that subject, does he?

Mr. GOULDEN. He would not be guilty of it. [Laughter.]

Mr. HULINGS. I do not know just exactly how the spirit may move me. I hope it will be a speech worth listening to.

Mr. BARKLEY. I will withdraw my objection and trust to luck. [Applause.]

Mr. KAHN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. KAHN. The matter is adjusted. I was going to say that the gentleman from Pennsylvania [Mr. HULINGS] is a member of the Committee on Military Affairs and was not here when the debate on the Army bill took place.

The SPEAKER. He has already got his 30 minutes. The House resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from Missouri [Mr. ALEXANDER] will take the chair. [Applause.]

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of H. R. 13811, the river and harbor appropriation bill, which the Clerk will report.

The Clerk read the title of the bill (H. R. 13811) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, at the outset I wish to ask as a favor of the committee that I be not interrupted until I have finished the statement I desire to make touching some of the leading features of the bill, when I will be glad indeed to yield to interruptions, and to undertake to answer any questions that Members may see proper to ask.

We have spent a great deal of time upon the bill, and have given careful consideration to its preparation; and while it may not be perfect, we nevertheless consider it a good measure, and invite the closest scrutiny, together with the severest analysis, of each and all of its provisions.

The bill appropriates in cash \$39,227,504, and authorizes \$4,061,500 in addition, the whole aggregating \$43,289,004. The

authorizations are \$3,000,000 for the Ohio River; \$1,000,000 for the Delaware River from Allegheny Avenue, Philadelphia, to the sea; and \$61,500 for Beverly Harbor, Mass. The \$3,000,000 for the Ohio River is a part of the \$5,000,000 required to be furnished annually under a declaration in the rivers and harbors bill passed in 1910 of an intention to complete the improvement in 12 years, the provision having been construed by the committee to mean that the amount necessary to complete the project shall be appropriated within that period.

The estimates submitted by the Chief of Engineers for the prosecution of works under way and for maintenance amount to \$34,016,395, to be applied to 245 works, approximately \$4,000,000 being for maintenance. The balance is to carry on projects already begun but not completed. To this amount should be added \$250,000 for examinations, surveys, and contingencies, making a total of original estimates reaching \$34,266,395. By carefully going over the estimates some of these items were reduced by the committee, the whole of such reductions amounting to \$1,031,000. But against these reductions are quite a number of increases, aggregating \$4,260,780, the chief items being \$1,000,000 for the Mississippi River between Head of the Passes and the mouth of the Ohio River; \$1,185,000 for Galveston Harbor, or Galveston Channel, as it is called; \$125,000 for Pollock Rip Channel, Mass.; \$273,380 for Harbor Beach harbor of refuge, Michigan; \$167,400 for Racine Harbor, Wis.; \$100,000 for Columbia River at The Dalles, Ore. and Wash.; and an authorization of \$1,000,000 for the Delaware River from Philadelphia to the sea. I wish to say, however, that this \$1,000,000 is not, strictly speaking, an increase, as it is an authorization recommended by the engineers in their estimates for the bill, in addition to \$1,000,000 in cash, which the measure carries for that stretch of the river.

The \$1,000,000 increase for the Mississippi River was thought advisable, in view of a desire on the part of the engineers and the Mississippi River Commission to carry on the work of levee construction and revetment of the banks of the Mississippi River between the Head of Passes and the mouth of the Ohio more expeditiously than heretofore. The Mississippi River Commission had recommended an appropriation of \$7,000,000, but the Chief of Engineers cut the estimate down to \$6,000,000.

A much larger amount, however, was requested by local interests. A bill had been introduced during the first session of this Congress asking for \$12,000,000 in cash and an authorization of \$48,000,000 for the improvement of that stretch of the river, the whole to be appropriated within five years at the rate of \$12,000,000 a year. An extensive hearing was had early in the session on this bill but no action has yet been taken by the committee on the measure. In the meantime there was quite an insistent demand by parties interested that, in addition to the \$6,000,000 recommended by the Chief of Engineers for this bill, contract authorizations be provided for \$18,000,000 more. The committee, however, concluded to only allow \$7,000,000, or one million in addition to the six millions called for by the Chief. Whatever views a majority of the committee might otherwise have entertained regarding this demand for a contract authorization, it is believed the seven millions is all that could or should be allowed in the present bill, especially in view of the demand of other sections of the country for river and harbor work. Besides, seven millions is quite as much as will be expended on the work by the 4th of next March, when another bill will doubtless be passed.

In further justification of the action of the committee in allowing the additional million, I would like to call attention to the fact that the committee has inserted in the present bill a provision extending the jurisdiction of the Mississippi River Commission over levee building from the mouth of the Ohio River to Rock Island, Ill. It will be remembered that the bill of 1913 as it passed the House contained a similar provision, but this was changed in the Senate so as to authorize only a survey, which has since been had and a report thereon made to Congress by the War Department; though, in view of the act creating the Mississippi River Commission, together with subsequent legislation, I do not consider the survey a necessary basis for our action. It will be noted that the language used confines the expenditure of money above the mouth of the Ohio within the limit of authority under which levees may be constructed below the Ohio River, and that expenditures, if made at all for that purpose, must be in the interest of navigation.

The claim was made by those advocating the extension of the jurisdiction of the commission to Rock Island, Ill., that there was no just or logical way of differentiating the two stretches, and that if the activities of the Government were to be directed toward the building of levees between the Head of Passes and the mouth of the Ohio, in the interest of navigation it

should do the same thing to the section between Rock Island and the Ohio, where serious overflows are also experienced. The committee considered the two stretches very much alike, and hence extended the jurisdiction of the commission to cover both; and I can see no great harm likely to come from its action, for if the commission and the Chief of Engineers follow the provision in the bill, no money can be expended except in the interest of navigation; and if there is no such demand, none will be expended.

It has been the policy of the committee, as well as of the House, for many years to confine levee construction and reversion work to the requirements of navigation, a policy to which it has adhered in the face of strong pressure at times for appropriations to protect private property and that of municipalities from floods. I trust the House will continue to sustain the committee in its efforts to enforce this policy, for if we depart from that safe and salutary rule we will not only increase enormously our expenditures for waterway improvement, but seriously endanger our river and harbor bills. If, however, we are to embark on the policy of protecting private property against damages from floods, the task should only be entered upon after a thorough examination and survey of the work to be done, in order that the country and Congress may know in advance what the cost will be. Even then the necessary legislation should not, in my judgment, be carried in the regular river and harbor bills, but in some separate measure or measures. The former should deal alone with the matter of furnishing navigable channels for the accommodation of our commerce.

In addition to caring for the old or existing projects, 76 new projects have been adopted, requiring in all to complete \$38,684,700, but of this sum we have only appropriated or authorized \$5,786,829.

Among the larger items are those for East River, N. Y.; Chesapeake & Delaware Canal; Norfolk Harbor, Va.; New London Harbor, Conn.; Willapa Harbor, Wash.; Oklawaha River, Fla.; Cumberland River above Nashville, Tenn.; the Sacramento and Feather Rivers and Richmond Harbor, Cal.

The most expensive are: The East River, to cost \$13,400,000; Chesapeake & Delaware Canal, \$6,785,710; Sacramento and San Joaquin Rivers, \$586,000; and the upper Cumberland, \$4,500,000. The work on the East River, being a class of work not requiring expeditious treatment, is, if the suggestions of the engineers should be followed, to run over a long period of years, something above 25, though, of course, if the demands of commerce should require greater haste, the work may, and no doubt will, be prosecuted more rapidly.

I wish to direct special attention to the project for the improvement of the Sacramento and Feather Rivers, Cal. This is a very expensive piece of work as a whole and will cost, when completed, it is estimated something over \$33,000,000, the greater part of which is for flood protection and land reclamation. The engineers, however, fixed the amount to be expended by the Government in the interest of navigation at \$5,800,000, which the committee thought was not out of proportion to the benefits likely to accrue to commerce, present and prospective; and hence have recommended that it be undertaken, appropriating, however, only \$200,000 in this bill, and that on condition that the State of California furnish a like amount. In fact, we have adopted the project on the conditions imposed by the engineers to the effect that the State contribute an amount equal to that which the Government may be required to expend in the interest of navigation, which is fixed, as just stated, at a sum not to exceed \$5,800,000. This is one of the most comprehensive and well-considered plans of river regulation and improvement that have come before our committee for many years, little, apparently, having been left to chance or for future consideration that it was possible for engineering skill to make definite and certain.

The Chesapeake & Delaware Canal connecting the waters of those two bays, is another project which the committee thought of great importance and which received favorable consideration at its hands. The connecting of these two bays by the Government has been under consideration for quite a while. Many years ago the present Chesapeake & Delaware Canal was constructed, and has since been owned and operated as a toll canal by a corporation chartered, I believe, under the laws of Pennsylvania, Maryland, and Delaware. In 1906 Congress desiring to take steps either to purchase that canal and to enlarge and operate it as a free waterway or to construct one through the same territory but over a different route, passed a joint resolution for the appointment of a commission to examine and appraise the value of the works and franchises of the Chesapeake & Delaware Canal, and also to examine and investigate the feasibility of a waterway over what is known as the Sassa-

fras route, which traverses the narrow neck of land between the two bays a little to the southward of the present canal. Under this provision a commission was appointed known as the Agnus commission, which, having made an examination, submitted quite a voluminous report to Congress, recommending the purchase of the canal at a cost of \$2,154,289.70; but the report also showed the feasibility of the Sassafras route, along which a canal can be constructed at a cost which it is estimated by the engineers will be only a little more than that estimated for the purchase of the present Chesapeake & Delaware Canal and its enlargement to the required depth and width.

Later the Secretary of War, under the provision of the rivers and harbors bill of 1909, which called for a survey of an intra-coastal system from Boston, Mass., to Beaufort Inlet, N. C., including the section between the Delaware and Chesapeake Bays, caused an examination to be made of the Chesapeake & Delaware Canal and other possible routes across the intervening land, reports on which are embodied in House Document No. 391, Sixty-first Congress, second session, and in House Document No. 196, Sixty-third Congress, first session. In both of these reports the purchase of the canal was recommended, and in the last the cost, including the purchase of the existing canal, together with its enlargement to a depth of 12 feet, was placed at \$8,000,000, the purchase price of the canal being fixed at \$2,514,290, as was recommended by the Agnus commission. The committee, however, not agreeing with the engineers as to the amount that should be paid for the canal, but believing its actual value to be much less than the sum fixed by them, have authorized its purchase at a cost not to exceed \$1,300,000, which it is believed is all it is worth.

It will be noted by anyone who has examined or who will take the trouble to examine the Agnus report that the officers of the canal company gave but little information to the members of the commission as to the value of the canal or the price at which its owners would be willing to sell. It was ascertained, however, that the canal was bonded at something like \$2,600,000, which bonds were valued at about 50 cents on the dollar. Furthermore, the Government, it seems, originally contributed to the construction of the canal \$450,000, for which it yet holds stock in the company. This stock, together with stock dividends received, now aggregate 14,625 shares, of the par value of \$50, or \$731,250 in all; besides, the canal company has owed the Government something like \$51,187.50 since 1877 for cash dividends, which, together with interest, amounts now to about \$150,000. It further appears that no dividends have been paid to anyone subsequent to that date.

I wish also to say that according to the Agnus report there seem to be some engineering difficulties in the way of any further deepening of the present canal; difficulties that would not, it is thought, be encountered along the Sassafras route, and which might make it advisable to adopt this latter route. I only throw this out as a suggestion, for we would doubtless in the end follow whatever recommendations the engineers may make; at least that is the usual course.

In addition to the authority to purchase the Chesapeake & Delaware Canal, the committee has recommended the adoption of two other links in the intracoastal system from Boston to Key West as extended by later surveys, the one from McClellansville to Winyah Bay, S. C., and that from Charleston to Savannah, Ga., the former to cost \$20,000, the latter \$100,000. The bill also adopts three other links in the intracoastal system from St. George Sound, Fla., to the Rio Grande, Tex., these being sections 5, 7, and 12, to cost, respectively, \$227,000, \$475,000, and \$80,000. Likewise a short link or cut-off between Vermilion River and Schooner Bayou, La., to cost \$37,500. Section 5 extends from Mobile Bay to the Mississippi River, a distance of 125 miles; section 7, from the Sabine River to Galveston Bay, Tex., a distance of 68 miles; and section 12, from Brazos Santiago, Tex., to Rio Grande, a distance of 9 miles. This system comprises 12 links, numbered consecutively from 1 to 12, inclusive, the whole covering a distance of 1,038 miles. Provision has heretofore been made for sections 1, 3, 8, 9, and 10, costing \$1,015,335. Section 2, from St. Andrews Bay to Choctawhatchee Bay, estimated to cost \$3,000,000, has not yet been recommended. The uncompleted sections from 4 to 7 and 11 to 12, inclusive, are estimated to cost \$3,632,910. I desire and ask permission to submit with my remarks statements showing the different links in the proposed intracoastal waterway from Boston to Key West, showing distances, cost, proposed depths, and sections recommended, together with those unrecommended. Also a like statement of the system from St. George Sound to the Rio Grande.

THE CHAIRMAN. Is there objection?

There was no objection.

Report on survey of route for intracoastal waterway on the Atlantic coast.

	Proposed depth.	Distance.	Cost.
	Feet.	Miles.	
<b>Boston-Key West:</b>			
Boston-Narragansett Bay.....	18	113	\$17,453,000
Narragansett Bay-Long Island.....	18	23	12,322,000
Open-water channel.....		147	
Raritan Bay-Delaware River.....	12	35	20,000,000
Open-water channel.....		40	
Delaware River-Chesapeake Bay.....	12	13	8,000,000
Open-water channel.....		206	
Norfolk-Beaufort.....	12	190	5,400,000
Beaufort-Cape Fear River.....	7	105	2,872,111
Cape Fear River-Little River.....	7	106	3,724,219
Little River-Winyah Bay.....	7	106	5,677,800
Winyah Bay-Charleston.....	7	64	1,227,800
Charleston-Savannah.....	7	59	427,400
Savannah-Fernandina.....	7	128	195,000
Fernandina-St. Johns River.....	7	58	251,726
St. Johns River-Indian River.....	7	380	2,491,056
Indian River-Key West.....	7	1,253	2,127,950
		1,920	82,170,063
<b>Recommended sections:</b>			
Raritan Bay-Delaware River <sup>2</sup> .....	12	35	20,000,000
Delaware River-Chesapeake Bay.....	12	13	8,000,000
Norfolk-Beaufort.....	12	190	5,400,000
Beaufort-Cape Fear River.....	7	105	2,872,111
Cape Fear-Little River.....	7	106	3,724,219
Little River-Winyah Bay.....	7	106	5,677,800
Winyah Bay-Charleston.....	7	64	1,227,800
Charleston-Savannah.....	7	59	427,400
Savannah-Fernandina.....	7	128	195,000
Fernandina-St. Johns River.....	7	58	251,726
		758	47,760,056
<b>Unrecommended sections:</b>			
Boston-Raritan Bay.....	18	283	29,775,000
St. Johns River-Key West.....	7	633	4,619,005
		916	34,394,005

<sup>1</sup> Of Indian River-Key West stretch 197 miles is open-water channel.  
<sup>2</sup> Provided a right of way, as described in House Document No. 195, Sixty-third Congress, first session, be immediately secured.

Report on survey of intracoastal waterway, St. George Sound to Rio Grande.

SECTIONS.			
No.	Extent.	Distance.	Cost.
1	St. George Sound-St. Andrews Bay.....	60	(1)
2	St. Andrews Bay-Choctawhatchee Bay.....	53	\$3,000,000
3	Choctawhatchee Bay-Pensacola Bay.....	52	(1)
4	Pensacola Bay-Mobile Bay.....	46.5	339,338
5	Mobile Bay-Mississippi River.....	121	227,000
6a	Mississippi River-Bayou Teche.....	132	826,000
6b	Bayou Teche-Mermentau River.....	94	477,125
6c	Mermentau River-Sabine River.....	60.5	453,660
7	Sabine River-Galveston Bay (C. D. 7).....	95	475,000
8	Galveston Bay-Brazos River.....	45.5	(2)
9	Brazos River-Pass Cavallo.....	77	(2)
10	Pass Cavallo-Aransas Pass.....	59.5	(2)
11	Aransas Pass-Brazos Santiago.....	134	765,194
12	Brazos Santiago-Rio Grande.....	8	75,593
		1,038	6,632,910

<sup>1</sup> Already provided for. <sup>2</sup> Not recommended.

Sections 4 to 12, inclusive, \$3,632,910 (recommended).  
 Sections 5, 7, 12, \$780,593 (adopted).

Mr. SPARKMAN. From the first statement it will be seen that the sections of the Atlantic intracoastal system favorably reported cover the stretch from Raritan Bay, New York Harbor, to St. Johns River, Fla. It is recommended, however, by the Board and Chief of Engineers that work on the section between Raritan Bay and the Delaware River be only undertaken when compliance has been had with certain conditions. These are, in substance, that a right of way with certain specified characteristics shall be furnished. I may add that the Committee on Rivers and Harbors has no information as yet that these requirements have been or will be met, but I assume that if the advantages likely to accrue from the construction of the canal are such as have been outlined by its proponents the right of way required will be furnished.

Mr. Chairman, it is not easy to overestimate the value of these intracoastal waterways. Of course some of the links are of more importance than others, but each, in my opinion, is of sufficient value to commerce to justify its improvement by the Government in accordance with the plans outlined by the engineers. Connecting the rivers flowing into the Atlantic and the Gulf they will, when completed, furnish a system of navigable waterways more than 20,000 miles in extent and reaching nearly every section of the country east of the Rocky

Mountains. Of course this work can not all be undertaken at once, nor is there any necessity for its so being undertaken. The policy should be to provide for the different sections from time to time in the order of their relative importance considering the commerce to be accommodated by them, and that, I may add, is the present intention of the Committee on Rivers and Harbors.

Mr. Chairman, of course I know that the amount carried in this bill will appear large, especially to one not familiar with the advantages accruing to the people of the country from water transportation or who is not conversant with the great demand for river and harbor improvement growing out of the rapid progress we are making along every line of material development. We are all familiar in a general way with this wonderful growth. I wish to call attention, however, to some features of this development which will illustrate the point I am making. From 1902 to 1914 the population of this country increased 27 per cent, farm products 70 per cent, products of the mine more than 67 per cent, imports of merchandise upward of 113 per cent, and exports of merchandise more than 76 per cent. Similarly and as a result of all this a marked increase occurred in freight tonnage both by rail and by water. The tonnage of the railroads during the past decade grew from 1,340,394,000 tons to 1,844,977,000 tons, an increase of more than 540,000,000 tons. But the most remarkable increase has been in our water-borne commerce. In 1910 the engineers reported this commerce, foreign and domestic, including duplication, at 625,901,653 tons, while the reports for 1913 fixed the amount at 1,002,759,000 tons, an increase in three years of more than 375,000,000 tons. But there has been no such increase, Mr. Chairman, during that period in expenditures on rivers and harbors. I will file with my remarks a statement showing the expenditures for that class of work covering the fiscal years from 1904 to 1913, inclusive, from which it will be seen that the percentage of increase during that decade has been only 23 per cent, while the increase in water-borne commerce for the past three years has been more than 60 per cent. This, Mr. Chairman, is the statement:

Expenditures for rivers and harbors during the fiscal year ending June 30 (a-1 including expenditures under permanent and indefinite appropriations).

1904.....	\$22,329,469.15
1905.....	23,054,497.08
1906.....	22,513,605.99
1907.....	21,513,471.54
1908.....	26,176,661.06
1909.....	34,577,751.69
1910.....	27,353,338.62
1911.....	30,062,062.02
1912.....	32,464,724.79
1913.....	36,813,778.79
Total.....	276,859,360.77
Average per year for 10 years.....	27,685,936.00

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?  
 Mr. SPARKMAN. Mr. Chairman, I prefer the gentleman would let me finish my statement.

Mr. CALLAWAY. I just want to ask one question with respect to this water-borne commerce, as to what the character of the water-borne commerce is, whether that applies to rivers and canals or to ocean-borne commerce?

Mr. SPARKMAN. It applies to all kinds of water-borne commerce, canals, rivers, harbors, coastwise, and foreign, and I may as well explain just here what I mean by duplications. By this I mean commerce carried over two or more waterways or into two or more harbors where it is counted more than once.

Another matter to which I wish to direct attention is that the amount expended in 1913 is only a little upward of \$2,000,000 more than the amount expended in 1909, the year before we embarked upon the annual-bill policy, and this increase is more than covered by the amounts added to the rivers and harbors bills as a result of the floods on the lower Mississippi River in 1912 and 1913.

Now, Mr. Chairman, of course I know that increase of water-borne tonnage does not necessarily mean an increase of expenditures for river and harbor improvement. The pertinent question is, Has there been a legitimate commercial demand for the improvements making the expenditures necessary? The answer to that must be in the affirmative. There has not been a harbor developed or a river improved which has not been preceded by a demand for the work based upon the necessities of commerce. The development of the country along the rivers has made this improvement a necessity, while the increase in the dimensions and draft of ocean-going craft, in obedience to an inexorable law of economics, has made it necessary to also increase the dimensions of harbor channels on our lake shores and seacoast. Nor, Mr. Chairman, has this growth in the dimensions and draft of vessels been confined to the imme-

diate past, but has been going on for many decades and is likely to continue for many more. But I would like to call attention to this increase—to the regularity of its growth. Half a century ago an ocean-going vessel of more than 300 feet in length or more than 40 feet in draft was not in existence. The bulk of the Atlantic Ocean traffic was then carried on in ships drawing less than 20 feet of water, with not a single vessel at that time exceeding 24 feet in draft, while to-day, Mr. Chairman, we have vessels more than 900 feet long, nearly 100 feet beam, and several more than 38 feet of draft. It is to this increase in the dimensions and draft of the vessels using our harbors that we have had to accommodate ourselves, and, as I have said, the end is not yet.

It is the opinion of experts, men who have given much thought to this question, that in another half a century or perhaps less ocean-going vessels will have increased 50 per cent in length, 60 per cent in width, 33½ per cent in draft. So it would seem that this work must go on yet awhile. So impressed have been engineers with this growth that they are now advising the governments of the world to begin now and build for the future; to lay out plans for the improvement of our rivers and harbors, especially the latter, on a basis sufficiently broad and comprehensive to accommodate this anticipated increase in the dimensions and draft of vessels. In this connection I wish to read from the remarks of Mr. J. Foster King, chief surveyor to the British Corporation for the Registry of Shipping, Glasgow, in an address delivered by him before the Twelfth International Congress of Navigation, in Philadelphia, 1912. He closed that interesting and instructive address in this language:

Authorities responsible for the development of shipbuilding, rivers, maritime canals, and harbors of all kinds who desire to maintain their present relative position in the world will have to face the problem of meeting continuous expansion in the dimensions of future seagoing vessels at rates not less rapid than those indicated either by improvement in existing accommodations or by the creation of new deep-water ports.

To the same effect were the remarks of others at that convention, notably those of Mr. Elmer L. Corthell, of New York, a distinguished engineer, who in the course of his address said:

That the facilities for navigation must be greatly enlarged and improved and that the engineers who design, construct, and enlarge canals and ports should fully appreciate the situation and use their important influence with the governments of the world to build wisely and amply for the future ships of the world, both commercial and naval.

That, Mr. Chairman, is what we have been doing and what we must continue to do if we are to keep step with the progress of the age.

But what of the cost? That is another pertinent question. Of course it is difficult, Mr. Chairman, for us to determine now or for anyone to say just what the future cost will be, and yet I believe that unless we are to embark upon some wild scheme of waterway improvement not connected—or, if connected at all, very remotely—with legitimate river and harbor work—I say unless we are to embark upon some such wild scheme I

believe it is possible to approximate within reasonable bounds the cost of river and harbor improvement in this country within the next 25 years. Of course, if we enter upon other works having no direct or necessary relation to navigation, there is no telling where we will land. Why, there are propositions advanced, some of them now before Congress, advocated and supported by men of national repute, the adoption and the carrying out of which, it is said by competent engineers, would cost billions of dollars. But assuming we are to pursue a safe and sane policy such as we have been pursuing for the past several decades, then I believe it is easy, or at least it is not very difficult, to approximate within reasonable bounds as to what the Government will be called upon to expend in the near future, by which I mean in the next quarter of a century.

We have on the books to-day, including those taken on in this bill, about \$300,000,000 of projects. One hundred and fifty million dollars in round figures, or half of it, being for four rivers—the Mississippi, the Ohio, the Missouri, and the East River in New York, the last named, however, only requiring about \$13,000,000 to complete. The work on these four streams, if the plans laid down by the engineers are followed, is to extend over a period ranging from 8 to 25 years; perhaps a little beyond that. The other \$150,000,000 will likely be required during the next 8 years; that is, if the plans of the engineers are carried out. Of course there will be other projects. There were before our committee about \$50,000,000 of projects submitted within the past two years besides the \$38,000,000 we have adopted in this bill. I do not know that all of those will meet with favorable consideration in the future; the chances are they will not; but if they should all be adopted, the amount, including those adopted and those recommended in this bill, will reach \$350,000,000.

Others will be coming in from time to time—are coming in now—but looking into the future, with the information I have been able to gain as a result of my 17 years of experience in that class of work, I believe it is safe to say that not exceeding \$100,000,000 more will be required during the next 25 years. That would make the total, including the amount of the projects already recommended and adopted, \$450,000,000. If I am correct in this, the House can now see about what the burden will be. You say, however, those are no small figures; and they are not. But let me tell you they are not large when compared with the appropriations we have been making for some other branches of the public service—the Army and Navy, for instance.

Now, I am not one who is opposed to an efficient Army or an adequate Navy. They are, unfortunately, necessary. But there is no harm in calling attention to them and their cost; in fact, I believe that attention can not be directed too often to the great cost of the military arm of this Government. I will submit with my remarks a statement showing the appropriations for rivers and harbors during the past 10 years, as well as the appropriations for several other branches:

*Appropriations for rivers and harbors and six other branches of the public service, 1903-1914.*

Year.	Rivers and harbors.	Post Office.	Navy.	Army.	Fortifications.	Agriculture.	Indian.
1903.....	\$32,540,199.50	\$138,416,598.75	\$78,856,363.13	\$91,730,136.41	\$7,238,955.00	\$5,208,960.00	\$8,986,023.10
1904.....	20,233,150.00	153,511,549.75	81,876,791.43	77,833,752.83	7,188,416.22	5,978,160.00	8,540,406.77
1905.....	10,872,200.00	172,545,998.75	97,505,140.94	77,070,300.88	7,518,192.00	5,902,040.00	9,447,981.40
1906.....	28,726,007.41	181,022,093.75	100,336,679.94	70,396,631.64	6,747,893.00	6,882,690.00	7,923,814.34
1907.....	17,254,050.04	191,695,998.75	102,091,670.27	71,817,165.08	5,053,993.00	9,930,440.00	9,260,599.93
1908.....	43,500,813.00	212,091,193.00	98,958,907.50	78,634,532.75	6,998,011.00	9,447,290.00	10,125,076.15
1909.....	18,092,945.00	222,970,892.00	122,663,885.47	95,382,247.61	9,316,745.00	11,672,108.00	9,263,347.87
1910.....	29,190,264.00	234,692,370.00	130,035,190.05	101,195,883.34	8,170,111.00	12,966,036.00	11,854,982.48
1911.....	49,380,541.50	243,997,020.00	131,350,854.38	95,440,507.55	5,617,200.00	13,457,636.00	9,266,528.00
1912.....	36,883,419.00	259,134,463.00	126,478,338.24	93,374,755.97	5,473,707.00	16,900,016.00	8,842,136.37
1913.....	40,559,370.50	271,429,599.00	123,225,007.76	90,958,712.98	4,096,235.00	16,651,498.00	8,920,970.66
1914.....	51,118,889.00	285,376,271.00	140,800,643.53	94,266,145.51	5,218,250.00	17,988,945.00	9,486,819.67
Total.....	372,351,848.95	2,560,704,047.75	1,311,079,481.64	1,038,155,882.55	78,537,708.22	133,042,815.00	111,998,671.79

From this statement it will be seen that during the past 10 years we have appropriated for rivers and harbors \$372,351,000, while for the Army and the Navy we have furnished \$2,300,000,000, more than six times as much for the Army and the Navy as for rivers and harbors. If we continue that for the next 25 years, as we are likely to do—even assuming that it will not be increased, and it is likely to be increased—the sum will aggregate nearly \$6,000,000,000, as against \$450,000,000 fixed by me as the probable limit of river and harbor requirements during that period. And what do we get, Mr. Chairman, for the larger amount? Protection, security, perhaps; but with that great expenditure there will be no monuments erected, unless it be to military heroes, while the improvements in our rivers and harbors, to be made by the smaller expenditure, will, with relatively small amounts from year to year for maintenance, endure for the use of our grow-

ing commerce as the centuries come and go. [Applause.] The billions poured into this great sea of military preparation will be swallowed up with not a single physical monument erected on its shores for the benefit of mankind, while with the money we may expend on our rivers and harbors we will furnish the country and its commerce 30,000 miles of inland waterways, rivers, canals, and intracoastal channels, besides more than 300 harbors, large and small, the whole making the grandest system of navigable waterways in the world, and accommodating by that time perhaps more than 2,000,000,000 tons of commerce. [Applause.]

Now, Mr. Chairman, but few object, I think, to the Army or the Navy and the provisions that we are making for them. We need both, and will continue to need them, perhaps, to protect our flag from insult and our shores from hostile invasion. But whilst we are contributing billions for the Army and the

Navy and in the preparation for possible wars let us not begrudge the relatively few millions necessary to fit our rivers and harbors for the growing commerce of our country. [Applause.] We have been repaid many times over for the money we have expended on our navigable waterways. I have heard it said that for every net ton of water-borne commerce in this country there is a saving of \$1 to the shippers, the producers, and the consumers throughout the land. Now, consider, Mr. Chairman, that not a single river or harbor in its natural state would have been capable of accommodating modern commerce, and that many of them even now can not fully meet modern commercial requirements, and it is easy to appreciate the great benefits that have accrued, and will continue to accrue, to the people by reason of this great work. Why, Mr. Chairman, with three years of such a saving and estimating this tonnage at 300,000,000, a conservative figure, the American people would be more than repaid the \$700,000,000 expended on waterway improvement since the beginning of our Government. Let us then, Mr. Chairman, not strike down, or even retard, this great work; but rather let us carry it on conservatively but steadily to completion, assured as we may well be of the approval of an intelligent and progressive constituency. [Applause.]

Mr. Chairman, I will be glad now to yield for any questions gentlemen of the committee may see proper to propound.

Mr. MANN. Mr. Chairman—

The CHAIRMAN. Will the gentleman from Florida [Mr. SPARKMAN] yield to the gentleman from Illinois?

Mr. SPARKMAN. I will.

Mr. MANN. In reference to the Mississippi River improvement, which the gentleman has explained so fully, what benefit is there to anybody by making the improvement?

Mr. SPARKMAN. The Mississippi River?

Mr. MANN. Yes.

Mr. SPARKMAN. To what part does the gentleman refer? Does he refer to any particular part, or to the river as a whole?

Mr. MANN. The gentleman referred to the expenditure of \$150,000 within the next eight years, and \$100,000,000 more after a while. That is the improvement I am referring to.

Mr. SPARKMAN. Mr. Chairman, I think the people will reap a very great advantage from the improvement of that river.

Mr. MANN. What people?

Mr. SPARKMAN. The whole people. There are several stretches of that river. I suppose it is the lower reaches to which my friend is referring more particularly?

Mr. MANN. No. I am referring to the whole river. Will it be an improvement to commerce, or is it a local improvement for the benefit of the people?

Mr. SPARKMAN. So far as the Government is concerned, the improvement is solely in the interest of navigation, because in the item for the improvement of the lower river, which is under the jurisdiction of the Mississippi River Commission, extended by a provision in this bill to Rock Island, Ill., there is a provision prohibiting the engineers from spending any money on levees or revetments unless they are satisfied it will be in the interest of navigation.

Mr. MANN. If we are to spend \$250,000,000 or \$350,000,000 on the Mississippi River for the benefit of navigation, does the gentleman think we ought to pass tolls for the benefit of the river?

Mr. SPARKMAN. I do not.

Mr. MANN. I hope the gentleman will remember that later.

Mr. SPARKMAN. I do not believe we should charge tolls on any harbor or waterway on the Continent of America.

Mr. MANN. I agree with the gentleman as to that.

Mr. SPARKMAN. It is not necessary now to go into another discussion in regard to that matter, and—

Mr. MANN. The gentleman stated "on the Continent of America." I suppose he understands that the Isthmus of Panama is included in that designation.

Mr. SPARKMAN. I said "the Continent of America." I meant by that the continental domain of the United States.

Mr. MANN. There is no distinction in principle, so far as commerce is concerned.

Mr. SPARKMAN. I think there is.

Mr. MANN. The gentleman has a proposition up for consideration that involves the question whether we shall spend \$250,000,000 on the Mississippi River in the interest of commerce, yet everybody knows that the interest on the money would pay the freight on every ton of commerce that will go on the Mississippi River, or you could send it by rail. The question is whether or not we should do that and charge tolls. I do not think we ought to.

Mr. SPARKMAN. Does the gentleman know what the tonnage on the Mississippi River is?

Mr. MANN. No; I do not know just what it is, but I know it is now far less than it used to be.

Mr. SPARKMAN. It is about 6,000,000 tons on the lower river, and—

Mr. MANN. That is about half as much as comes into a little harbor in my district.

Mr. SPARKMAN. And with 2,000,000 tons more on the upper reach makes eight or nine million in all. That is a very respectable tonnage.

Mr. MANN. I say that is half as much as comes into a harbor in my district.

Mr. HARDY. Mr. Chairman, will the gentleman allow me to ask him a question?

The CHAIRMAN. Does the gentleman from Florida yield to the gentleman from Texas?

Mr. SPARKMAN. Yes; I yield to the gentleman.

Mr. HARDY. Would not that tonnage on the Mississippi River be many times multiplied if the railroads were forbidden by a statutory law from adopting cutthroat competitive methods and if that river were allowed to carry its natural tonnage?

Mr. SPARKMAN. I think that would make considerable difference.

Mr. MANN. That would raise the freight rates. However, I believe in the principle of improving the Mississippi River.

Mr. MOORE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Florida yield to the gentleman from Pennsylvania?

Mr. SPARKMAN. Yes.

Mr. MOORE. No tolls are charged on the commerce that navigates the Mississippi River?

Mr. SPARKMAN. None.

Mr. MOORE. And none, I believe, are charged anywhere else, except on the Delaware & Raritan Canal, which is owned by the Pennsylvania Railroad Co., and on the Chesapeake & Delaware Canal, which is owned by a private corporation.

Mr. SPARKMAN. There is little tonnage on the Raritan Canal, but a good deal on the Chesapeake & Delaware Canal.

Mr. Chairman, I ask unanimous consent to extend and revise my remarks in the RECORD. There are a good many papers I wanted to read here, but time will not permit. I would like to include them.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SPARKMAN. Mr. Chairman, how much time have I consumed?

The CHAIRMAN. The gentleman has consumed 47 minutes.

Mr. SPARKMAN. Will the gentleman from Washington [Mr. HUMPHREY] use some of his time now?

Mr. HUMPHREY of Washington. Yes. Mr. Chairman, I yield 40 minutes to the gentleman from California [Mr. KAHN].

The CHAIRMAN. The gentleman from California [Mr. KAHN] is recognized for 40 minutes.

#### AGAINST REPEAL OF CANAL-TOLLS EXEMPTION.

Mr. KAHN. Mr. Chairman, on March 5, just a year and a day after his inauguration, the President appeared before a joint session of Congress in this Chamber and made an astounding plea for the repeal of that provision of the Panama Canal act of August 24, 1912, which exempts vessels engaged in the coastwise trade of the United States from payment of tolls. In fact, it was not a plea—it was a supplication.

In that address he used this remarkable language:

We ought to reverse our action without raising the question whether we were right or wrong, and so once more deserve our reputation for generosity and the redemption of every obligation without quibble or hesitation.

I ask this of you in support of the foreign policy of the administration. I shall not know how to deal with other matters of even greater delicacy and nearer consequence if you do not grant it to me in ungrudging measure.

Mr. Chairman, the President and his official advisers in the Department of State alone are responsible for the foreign policy of the administration. They alone have formulated and administered that policy. If there has been any ineptitude in the administration of that policy, they alone are responsible. What have been the fruits of that policy? Misunderstanding, distrust, vacillation, humiliation. This greatest of all the world's Republics has grown to be, in one brief year of Democratic administration, the pariah of the nations. [Applause on the Republican side.] Under the blight of its foreign policy we stand to-day isolated, deserted, alone. It is a humiliating confession, but its truth can not be gainsaid.

We are calmly told not to consider whether we be right or wrong in our interpretation of the Hay-Pauncefote treaty. As

a matter of expediency, and in order to save the face of the administration, we ought to forego our rights—so says the President—no matter what great economic or governmental principles may be involved—principles that may vitally affect the prosperity and the welfare of the American people.

We have expended \$375,000,000 and sacrificed many lives in the accomplishment of the greatest of the world's engineering feats; but, according to the President, we should be generous and abjectly yield our rights in support of the foreign policy of the administration. We ought not to exercise rights of ownership; we should be content to become a simple caretaker, a mere guardian.

Mr. Chairman, it is my firm belief that no people on earth that have a due regard for the opinions of mankind would be willing to sell their birthright for such an unpalatable mess of pottage. England herself would not do it. Her history is replete with instances in which she has firmly and vigorously refused to yield her inalienable rights. Let me cite two concrete cases which illustrate that fact. In 1815, at the city of London, she entered into a convention with us to regulate the commerce and navigation between our respective countries, territories, and people, in such a manner as to render them reciprocally beneficial and satisfactory.

A paragraph of article 2 of that convention provides:

No higher or other duties or charges shall be imposed in any of the ports of the United States on British vessels than those payable in the same ports by vessels of the United States; nor in the ports of any of His Britannic Majesty's territories in Europe on the vessels of the United States than shall be payable in the same ports on British vessels.

That language is certainly clear and unequivocal, and yet neither England nor the United States ever held that provision to apply to the coastwise trade of the respective countries. Thus the port charges at Bristol, England, for an American ship entering and departing is 56 cents per ton, while a British ship in the coastwise trade of that country pays only 20 cents a ton for such charges. At Liverpool the harbor rates for entering and leaving port to an American ship in the oversea trade are 33 cents per ton, while for British coastwise vessels the charges are 9 cents per ton. At the port of London the tonnage dues for entering and clearing are likewise in favor of British coastwise vessels and against trans-Atlantic vessels. In fact, every maritime country in the world gives a preference to its own nationals engaged in its coastwise trade. And not alone have we acquiesced in England's construction of the rule under the treaty of 1815, but England on her part has never challenged our right to differentiate in favor of our coastwise vessels, notwithstanding the mandatory language used in the paragraph of article 2 of that convention which I have quoted. And comparatively recently our rights in that behalf have been distinctly and positively upheld in the case of *Olsen v. Smith* (195 U. S., 344), Mr. Justice White, now Chief Justice of the Supreme Court of the United States, having rendered the opinion of the court. I will not trespass upon your time by reading that decision. The principles involved in that case are similar in character to the principles involved in the Hay-Pauncefote treaty. So much for the convention or treaty of 1815.

But there is another instance that exhibits England's unyielding attitude when the rights of her citizens in the shipping industry are involved. In his note to Ambassador Bryce, dated November 14, 1912, Sir Edward Grey, the secretary of state for foreign affairs of Great Britain, refers to article 27 of the treaty of Washington, 1871, and says:

Your excellency will no doubt remember how strenuously the United States protested, as a violation of equal rights, against a system which Canada had introduced of a rebate of a large portion of the tolls on certain freight on the Welland Canal, provided that such freight was taken as far as Montreal, and how in the face of that protest the system was abandoned.

And thereupon his excellency makes the statement that the principle of equality is repeated in article 3 of the Hay-Pauncefote treaty.

Mr. Chairman, the fact is, Sir Edward Grey has forgotten or did not fully investigate the circumstances that compelled his Government to abandon the system of rebates that had been granted Canadian shippers and shipowners in violation of section 27 of the treaty of Washington. He is entirely mistaken when he asserts that the system was abandoned in the face of our protests. I shall show that it was retaliatory legislation on our part that compelled Great Britain to abandon her untenable position. And even in abandoning it, she reiterated her positive right to do what she had been doing under her construction of a reciprocal provision of a solemn treaty.

It is true that the Government of the United States had repeatedly protested against these rebates referred to by him in his note to the English ambassador. But did England yield,

"right or wrong"? Did she exercise that spirit of generosity which our President commends so highly to our people? Did she abandon her policy "in the face of that protest," as Sir Edward claimed in his note to the British ambassador at Washington? Not at all. Let me recite briefly the facts that led to the change of heart that came over the British Government.

Under the treaty of 1871 certain canals in Canada and the United States were to be opened reciprocally to the ships and citizens of the two countries upon equal terms. The Canadian tolls were fixed annually by orders in council. Wheat and other grains passing through the Welland Canal paid a rate of 20 cents per ton. But for many years the Canadian Government allowed a rebate of 18 cents per ton when the wheat was carried eastward as far as Montreal. This made the net rate to the Canadian shipper only 2 cents per ton to that port, while the Oswego and Ogdensburg shippers paid the full 20-cent rate. These American ports naturally protested against the discrimination in favor of Montreal. Our Government sustained them and claimed it was a violation of the treaty, in that it was a denial of the equal treatment provided for therein. That was the principal cause of protest on the part of our Government, although there were several minor collateral discriminations that were also objected to.

On August 23, 1888, President Cleveland sent a powerful message to Congress upon the subject, in which he specifically called attention to Great Britain's constant discrimination against American shippers and shipowners. Did England yield and abandon her position in consequence of that message and our repeated protests? Did her Government advise Canada "we consented to the treaty; its language we accepted, if we did not originate; and we are too big, too powerful, too self-respecting a nation to interpret with too strained or refined a reading the words of our own promises just because we have power enough to give us leave to read them as we please"? Were the Canadians told that "the large thing to do is the only thing we can afford to do—a voluntary withdrawal from a position questioned and misunderstood" by the people of the United States? Did England point out to her colony that whether "right or wrong," she ought to reverse her action without question, in order that she once more might deserve a reputation for generosity and the redemption of every obligation without quibble or hesitation?

Sirs, she did none of these. She felt she was clearly within her rights under the treaty. She still continued to secure advantages for her own nationals. To our repeated demands she made repeated denials or shifted her position in some trifling particular. Nor was any attempt made by the British ministry to stampede the people of England into a withdrawal from their position on the score that the national honor was involved in her strained interpretation of the terms of the treaty. She simply allowed rebating to continue to the great detriment of American ships and shippers. For years we constantly claimed our rights. For years our claims were constantly denied.

And then Congress, in a spirit of retaliation, passed "an act to enforce reciprocal commercial relations between the United States and Canada, and for other purposes." This law, approved July 26, 1892, by President Benjamin Harrison, 21 years after the ratification of the treaty, enabled the President, because of the continued discrimination against citizens of the United States in the use of the Welland Canal, to issue his retaliatory proclamation of August 18, 1892, placing a toll of 20 cents per ton on all freight passing through the St. Marys Falls Canal in transit to any port of the Dominion of Canada. Up to that time the St. Marys Falls Canal had been free of tolls to the vessels of that country. Of course Canada could not stand the strain of this punitive legislation, and the former retaliatory proclamation was soon suspended by a second proclamation of President Harrison, dated February 21, 1893, in which he withdrew the tolls for use of the St. Marys Falls Canal upon satisfactory assurances having been given that equality with British subjects had been secured to the citizens of the United States in regard to the use of the Welland Canal. That is how the system of Canadian rebates under the treaty of 1871 was abandoned. It was not done, as Sir Edward Grey stated, in the face of our repeated protests.

Canada has never to this day admitted that her grant of rebates was inconsistent with her treaty obligations. Quite the contrary. For the British ambassador presented notes to our Secretary of State just prior to the close of the incident, and after the abandonment of the system of rebates by Canada, in which he claimed that "every obligation of the treaty has been fully and unreservedly met." His statement also holds firmly to their "contention that they were justified in adopting the tolls and rebates," and adds "the difference of opinion which exists as to the treaty rights of the two countries is to

be regretted, but it forms no ground for a charge that either country in maintaining its own views proceeds with a disregard of solemn obligations."

I commend that language to those among you who are so fearful that our national honor will be tarnished if we refuse to follow the lead of the President in abandoning an American policy adopted by a former Congress, approved by a former President of the United States, promulgated by a former Secretary of State, and fully justified by an overwhelming majority of our countrymen.

Mr. Chairman, the President himself, when he was pleading for the votes of his countrymen, approved the soundness of our position on the question of tolls exemption in the Panama Canal for American vessels engaged in the coastwise trade. Speaking to a gathering of New Jersey farmers at Washington Park in that State on August 15, 1912, he said:

One of the great objects in cutting that great ditch across the Isthmus of Panama is to allow farmers who are near the Atlantic to ship to the Pacific by way of the Atlantic ports, to allow all the farmers on what I may, standing here, call this part of the continent, to find an outlet at ports of the Gulf or the ports of the Atlantic seaboard, and then have coastwise steamers carry their products down around through the canal and up the Pacific coast or down the coast of South America.

Now, at present there are no ships to do that, and one of the bills pending—passed, I believe, yesterday by the Senate as it had passed the House—provides for free toll for American ships through that canal and prohibits any ship from passing through which is owned by any American railroad company. You see the object of that, don't you? [Applause.] We don't want the railroads to compete with themselves, because we understand that kind of competition. We want water carriage to compete with land carriage, so as to be perfectly sure that you are going to get better rates around the canal than you would across the continent.

The farmers of this country are, in my judgment, just as much concerned in the policy of the United States with regard to that canal as any other class of citizens of the United States. Probably they are more concerned than any other one class, and what I am most desirous to see is the farmers of the country coming forward as partners in the great national undertakings and take a wide national, nay, international, view of these great matters, feeling all the pulses of the world that beat in the great arteries of their own life and prosperity. Everything that is done in the interest of cheap transportation is done directly for the farmer as well as for other men. So that you ought not to grudge the millions poured out for the deepening and opening of old and new waterways.

Our platform is not molasses to catch flies. It means business. It means what it says. It is the utterance of earnest and honest men, who intend to do business along those lines and who are not waiting to see whether they can catch votes with those promises before they determine whether they are going to act upon them or not.

They know the American people are now taking notice in a way in which they never took notice before, and gentlemen who talk one way and vote another are going to be retired to very quiet and private retreat.

Surely he does not want his words to be understood as having been only "molasses to catch flies"? And yet when we contrast his prelection utterances upon this subject with his address of March 5 we can come to no other conclusion. Surely the President of the United States would not stoop to play the rôle of a mere opportunist? Surely he was sincere when, in speaking of the free-tolls plank of the last Democratic national platform, he said:

Our platform is not molasses to catch flies. It means business. It means what it says. It is the utterance of earnest and honest men, who intend to do business along those lines and who are not waiting to see whether they can catch votes with those promises before they determine whether they are going to act upon them or not.

They know the American people are now taking notice in a way in which they never took notice before, and gentlemen who talk one way and vote another are going to be retired to very quiet and private retreat.

And yet the manner in which the planks of that platform are being ripped up, one by one, might well give rise to the suspicion that they were indeed intended as "molasses to catch flies." We have seen the civil-service plank badly shattered in the provision in the urgent deficiency bill, approved by President Wilson October 22, 1913, exempting deputy internal-revenue collectors and deputy marshals from the civil-service laws and regulations. We have seen the plank compelling the publication of the names of indorsers of appointees to the Federal courts chopped into kindling wood. We are now witnessing the attempt of the President and his followers to completely destroy the plank for the exemption of coastwise ships from the tolls provision of the Panama Canal act. And all, all despite the fact that prior to the presidential election of 1912 the present Chief Executive emphatically and positively proclaimed that his party "platform is not molasses to catch flies. It means business. It means what it says. \* \* \* And gentlemen who talk one way and vote another are going to be retired to very quiet and private retreat."

In his recent address to Congress the President said:

Whatever may be our own differences of opinion concerning this much-debated measure, its meaning is not debated outside the United States. Everywhere else the language of the treaty is given but one interpretation, and that interpretation precludes the exemption I am asking you to repeal.

He is evidently forgetful or unmindful of the fact that some noted English authorities have asserted the absolute soundness of our position. But even if all the world held we were in the wrong and we still believed we were in the right, it ought to be our proud boast that knowing the right we dare maintain it. [Applause.]

Sirs, the principles of truth and right are eternal. They should not be discarded at the whim of those who occupy lofty stations. We can afford to be generous on occasion. We have always been generous in our treatment of the nations of the earth during all our history. As I pointed out when this exemption question was pending here in 1912, we have performed innumerable acts of altruism during our brief history. But no request of any President, based upon the mere matter of expediency, will ever deter me from doing my duty to my country in accordance with my own conception of duty to my country. [Applause.] Mr. Chairman, if, in the past, men had sacrificed their honest convictions on great principles to expediency, the world's progress would have been seriously retarded.

The patriots of the Revolutionary period could have purchased their peace with England easily, if they had been content to pay a trifling tax on tea, just to acknowledge the right of the mother country to levy such a tax. But they believed in the soundness of their doctrine, that taxation without representation is tyranny, and pledged their lives and their sacred honor to the maintenance of that doctrine. If they had, in a spirit of generosity, and as a matter of expediency, withdrawn from their position, the world might never have known the true value and benefit and glory of government of the people, by the people, and for the people. [Applause.]

Mr. Chairman, generosity is one of the noblest attributes of man; but we are taught in equity we must be just before we are generous. Sirs, that is a good, a safe, a wise rule of action, not alone for individuals but also for nations. But the gift we are now asked to make to mankind is evidently not intended to be a voluntary offering. It is to be given under duress—under coercion. It is not even a gift; it is rather to be in the nature of a fee, a price to buy the friendship of England in order that the administration may have her support in its foreign policy. And we are plainly told that unless we give it in ungrudging measure the Chief Executive shall not know how to deal with other matters of even greater delicacy and nearer consequence. Sirs, friendship thus bought is never worth the cost, for it is never lasting. Does anyone believe that we will be bettering our standing before the rest of mankind by yielding to the President's importunities? Will our action not be a confession that we have heretofore been guilty of an act of national dishonor? I, for one, deny the imputation carried in the President's recommendation. Does he believe that by tamely submitting to the demands of a competing nation for the exaction of a toll from our vessels in the coastwise trade, with which vessels under our laws those of no other country in the world may compete, we will be adding luster to American achievement? Does he believe the relinquishment, "right or wrong," without even a chance to arbitrate the question before a proper tribunal, will tend to dignify us and raise us to a higher station in the family of nations than we have heretofore occupied? If he believes these things, he will awake to a realization of the fact that he has been indulging in fatuous delusions. The real effect of his policy will result in additional demands. "There shall be no fortification of the canal" will undoubtedly be the next command. If those who contend we have no right to exempt American vessels in the coastwise trade under the Hay-Pauncefote treaty be right, I do not see, under their contention, where we get the right to fortify the canal. Fortification is the corollary of exemption. And it will be contended that the Senate, having voted down an amendment to the Hay-Pauncefote treaty providing for fortifications, the action of our Government in constructing fortifications at either end of the canal is in violation of the principles of neutralization as contemplated by the treaty, and must be discontinued.

Mr. Chairman, it is true the Senate did vote down such an amendment. It is also true that the Senate voted down the Bard amendment for the free passage through the canal of American coastwise vessels. But practically every Senator who was present at that time and has discussed the matter admits that action to have been predicated on the understanding that no such amendment was necessary, as the United States had the undoubted right to legislate for such exemption. The late Cushman K. Davis, of Minnesota, then chairman of the Committee on Foreign Relations of the Senate, so stated to his colleagues. He had the undoubted confidence of his fellow Senators. He had been one of the peace commissioners on the part of the United States in negotiating the treaty of Paris of 1898, after the War with Spain. He was regarded as

an expert in matters affecting our foreign relations, and his assurances that we had the right to legislate for free tolls for our coastwise vessels undoubtedly had the effect of causing the defeat of the Bard amendment. So it was in the matter of the canal's fortification. And to fail to properly fortify the approaches to the canal would, in my opinion, prove us guilty of criminal carelessness.

The Panama Canal will change the trade routes of the world, just as did the Suez Canal. The latter was a private enterprise, carried to a successful conclusion by Ferdinand de Lesseps, a French engineer, who had secured a concession for its construction from Saïd Pasha, Khedive of Egypt, in 1854. Subsequently England purchased the stock of Ismail Pasha, who had succeeded Saïd Pasha as Khedive, and thereby acquired an interest, though not a controlling one, in the Suez Canal. In 1882 a revolt against the then ruler of Egypt, Tewfik Pasha, was led by Arabi Pasha, an officer in the Egyptian Army. England sided with the Khedive, Tewfik Pasha. In the whirl of time we are apt to forget these incidents, and I deem it proper and timely to recall them at this moment, when we are nearing the completion of our Government's canal at Panama.

Wilfrid Scaven Blunt, at one time attached to the English diplomatic service, in his book entitled "Secret History of the English Occupation of Egypt," contrasting the English diplomacy of the period immediately succeeding the Crimean War with English diplomacy of more recent date, says:

It was essentially pacific, unaggressive, and devoid of those subtleties which have since earned it a reputation of astuteness at the cost of its honesty.

And I do not doubt that the overwhelming majority of my countrymen will not question English astuteness in that country's dealing with the Panama Canal question. She was equally astute in 1882 in dealing with the Suez Canal question. That great waterway was also supposed to have been neutralized. While there was no specific treaty on the subject in 1882, it was tacitly understood and agreed by all maritime nations that the canal should be free and open to the vessels of commerce and of war of all nations on terms of entire equality. Arabi Pasha, in revolt against his sovereign, and claiming to be the rightful ruler of Egypt, had been urged by his confederates to seize the canal for strategic purposes. This Islamite chief, in response to de Lesseps's appeal against such action, replied:

As I scrupulously respect the neutrality of the canal, especially in consideration of its being so remarkable a work, \* \* \* I have the honor to inform you that the Egyptian Government will not violate that neutrality except at the last extremity and only in the case of the English having committed some act of hostility at Ismailia, Port Said, or some other point of the canal.

All honor to that Mohammedian chief, who respected the rights of its neutrality in refusing to attack or destroy the canal to gain even a military advantage.

England's officers also knew of the canal's neutrality. Capt. Gill, an English officer, kept a diary of his activities during the Egyptian insurrection in 1882. On August 5 he went down the canal with another officer to Suez, but stopped at Ismailia to discuss with a Mr. Pickard the best route to choose for cutting the telegraph. He learned there were three routes, one being from Gisir or Kantara, but scrupulously notes in his diary that this is objectionable as violating the neutrality of the canal. But did England eventually scruple about such a violation of neutrality? Oh, no. When it served her purpose to seize the canal for military purposes, she promptly did so. During Sunday, Monday, and Tuesday, August 20, 21, and 22, respectively, she violently took possession of the Suez Canal, and for those three days refused all vessels, even those of the canal company itself, the right of entering or leaving that waterway. She ordered all shipping tied up at the gates or widenings in the canal, notwithstanding its avowed neutrality. Contrast England's action with that of the Islamite, Arabi Pasha, and ask yourselves whether we would be doing our duty to ourselves, our country, and its future generations if we were to recede from our determination to fortify the canal. The Government of the United States had detailed Lieut. Commander C. F. Goodrich, of our Navy, now rear admiral, retired, to observe the developments and progress of that campaign. He made a long and exhaustive report to the then Secretary of the Navy, Hon. William E. Chandler, in which he quotes a telegram from M. de Lesseps, dated at Ismailia, August 19, 1882. This telegram reads:

The English admiral at Suez informs the company's chief traffic agent that in consequence of orders from his Government he forbids, until the receipt of further orders, any ship, large or small, even the company's boats, to enter the canal, and he will resort to force to prevent any attempt to contravene these orders. The admiral, moreover, has placed a gunboat at the mouth of the canal. I have protested against this act of violence and spoliation.

This telegram was sent on the day before Admiral Hoskins, of the British Navy, despite a vigorous circular of protest from the canal company, took possession of the canal and its dependencies. Lieut. Commander Goodrich, in his report to our Government, made this observation in commenting on England's action in this matter:

The inference to Americans is obvious that the neutrality of any canal joining the waters of the Atlantic and Pacific Oceans will be maintained, if at all, by the nation which can place and keep the strongest ships at each extremity.

In order to impress our Navy Department with the importance of this suggestion our representative italicized every word embraced in this comment.

Mr. Chairman, it seems to me that our duty is plain. We must not recede from our position, either as to free tolls for American ships in the coastwise trade or as to the fortification of the canal.

It would be much easier and far more desirable for the administration to change its foreign policy than for us to abandon our undoubted rights in the canal which we have built without foreign assistance, financial or otherwise, for the benefit of the world's commerce. It is conceded by all that we have the undoubted right to pass our ships of war through the canal free of tolls, even though we charge tolls on the warships of every other nation. In my opinion, that concession determines the entire controversy. If we can, under the treaty, favor our own ships of war, we can also favor our own ships of commerce, for the very paragraph relied on by our opponents to uphold their position speaks jointly of "the vessels of commerce and of war of all nations."

We are manifesting our generosity by charging our vessels of commerce in the foreign trade identically the same tolls that we are charging the vessels of commerce of all the great maritime nations of the world. These nations, under existing law, can not compete with our ships engaged in our coastwise trade. They are therefore not injured financially or otherwise. But the citizens of the United States, in their desire to foster genuine and legitimate competition between the railroads and the waterways of our country are amply justified in demanding that the existing law be not repealed. There must be no abject surrender. There must be no subserviency. There must be notice to the world that while the people of the United States have always stood for fair dealing and honesty in their international relations, they will not yield, under pressure, a principle which they believe to be absolutely right. As was said on another occasion when humiliating propositions were made to the accredited representatives of this Republic when she was but a weak and struggling member of the family of nations, "Millions for defense, but not one cent for tribute." [Applause.]

Mr. HUMPHREY of Washington. Mr. Chairman, I yield 20 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. Mr. Chairman, the President of the United States has asked Congress to repeal that paragraph of the Panama Canal act which provides for free tolls to American ships. In his address the President said, "I shall not know how to deal with other matters of even greater delicacy and nearer consequence if you do not grant it to me in ungrudging measure." It is evident the President's embarrassment arises from his interpretation of the Clayton-Bulwer treaty of 1850 and the carrying over of certain stipulations of that treaty into the Hay-Pauncefote treaty of 1901. As the President reads these treaties the United States will suffer in good repute at home and abroad, if it shall permit the vessels of this country to pass through the canal free of tolls while tolls are levied against the vessels of other nations.

Without citing the findings of great minds that have undertaken to interpret the treaties at variance with the President's views, it is extremely difficult, in the light of such information as the President has submitted to the House, to agree that the Government has reached the limit of its resources in diplomacy and that all doubt is to be resolved in favor of Great Britain.

The United States has undertaken peacefully and with its own money to construct a canal at Panama for the welfare of the nations of the world. That all nations shall use the canal on equal terms may be conceded as the benevolent purpose of the people of the United States in constructing the canal. Are we now to vote them out of their right to regulate and manage their internal affairs through and upon the canal? This apparently will be the effect of favorable action on the question of repeal. Not this only, but we are to concede that it is also our duty to pay the maintenance cost of the canal for the benefit of other nations forever, no matter how great the tax upon our own people may become.

The administration's policy in this regard may be consistent in honor, but, unhappily, it is also consistent in this, that

whereas we appear to have assumed the right to intervene in the internal affairs of the people of Mexico by dictating who shall be their President, therefore Great Britain has the right to intervene in our internal affairs by dictating the kind of treatment the United States shall accord to its own ships. For one, I am not prepared to admit that either policy is right, nor do I believe that up to date, in either of these transactions, the honor of this country has any very great advantage over its humiliation.

What is the duty of Congress with respect to this repeal of the free-tolls provision? So far as the House of Representatives is concerned, it is brought unfairly into this controversy, for it had no part in making the Clayton-Bulwer treaty, nor in continuing its provisions in the Hay-Pauncefote treaty. Yet the House is told by the President that it ought to undo legislation it assisted in enacting for the people whom it directly represents, because a moral obligation was laid upon the Nation in 1850 by diplomatic and senatorial action and was renewed by the same agencies in 1901.

The moral obligation by which the American Nation is supposed to be bound, and in which the Members of the House of Representatives had no voice, appears now to have carried with it the right of Great Britain to estop the representatives of the American people from giving free passage to American merchant vessels and men-of-war through a canal which the people of the United States built with their own money and to whom in the Hay-Pauncefote treaty "the exclusive right of providing for the regulation and management of the canal" was expressly conceded.

In trying to reach a solution of the question presented to us by the President, I do not intend to criticize the motives of Great Britain in holding fast to a good bargain, nor do I intend to concede that American diplomats made a bad one. The United States wanted to build the canal at Nicaragua, or Panama, and did finally build it at Panama with the acquiescence of Great Britain as expressed in the Hay-Pauncefote treaty which "superseded" the Clayton-Bulwer treaty.

We could not build the canal under the Clayton-Bulwer treaty without the consent of Great Britain, but that embargo was lifted in the Hay-Pauncefote treaty, and it was agreed "that the canal may be constructed under the auspices of the Government of the United States," and the United States "shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal."

Great Britain did not object to our "exclusive right" to provide for the regulation and management of the canal, which it agreed we should construct. To that extent it put the entire burden of construction, operation, and maintenance upon the United States. Nor did it object to the acquisition by the United States of the Panama Canal Zone for the purposes of the canal; but it now insists, in effect, that the Congress of the United States has no right to exempt American ships engaged in the coastwise trade from the tolls levied upon the ships of other nations using the canal. It is upon this ground the President invokes the repeal of the free-tolls clause.

What are we going to do about it? Great Britain stands upon the paragraph of the Hay-Pauncefote treaty which says:

The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules, on terms of entire equality, so that there shall be no discrimination against any such nation.

And so forth.

The President puts it up to Congress as a question of honor. It is contended by some that England had a "mortgage" on the United States by virtue of concessions made to the United States at the time of the Clayton-Bulwer treaty, and that the Hay-Pauncefote treaty revived that "mortgage." In a memorandum to Lord Pauncefote, August 3, 1901, Lord Lansdowne, presenting Great Britain's objections to certain of Secretary Hay's amendments, referred to the Clayton-Bulwer convention as "an international compact of unquestionable validity," which he said "could not be abrogated or modified save with the consent of both parties to the contract." Further on in the same memorandum he said that while His Majesty's Government had an "earnest desire to meet the views of the United States, and would sincerely regret a failure to come to an amicable understanding," and so forth, they "preferred, as matters stood, to retain unmodified the provisions of the Clayton-Bulwer convention."

In other words, the Clayton-Bulwer treaty would stand forever, as Great Britain viewed it, whether the canal was constructed or not.

Nevertheless the United States pressed its diplomatic negotiations, and notwithstanding the 50-year-old "mortgage" which Great Britain had recorded against the United States in the Clayton-Bulwer treaty—a mortgage, by the way, which was just

as effective against Great Britain as it was against us—Great Britain, in the Hay-Pauncefote treaty, did finally concede to the United States not only the right to construct the canal but yielded to "the exclusive right of providing for the regulation and management of the canal."

In making that concession, which was the one vital thing the United States contended for, Great Britain may be said to have accepted consideration for the alleged "mortgage" it held in the Clayton-Bulwer treaty, in that it received assurance of the construction without cost to itself of a canal for which it had been waiting for centuries and from which it would derive tremendous benefit. Moreover it left the United States free to provide for the "regulation and management of the canal." It is true there was to be "no discrimination against any such nation," and so forth, but still the United States was to have "the exclusive right of providing for the regulation and management of the canal."

Having thus withdrawn from or been relieved of participation in any expense of construction or operation, Great Britain conceded to the United States "the exclusive right" to regulate and manage the canal. We heard no complaint when the United States conceded to Panama by treaty the right of free passage for its vessels through the canal; neither was there complaint, so far as we know, that the United States had undertaken, at its own expense, to fortify the canal. The only question that has been raised is that of tolls, upon which the President has addressed the Congress.

Shall the bill that has been introduced for the repeal of the free-tolls paragraph be passed? For one I am not now prepared to vote for it. Valuing the honor of my country and believing it should keep its plighted word, I am not yet satisfied that my country is in the wrong or has not kept its word.

The United States in constructing the Panama Canal has accomplished the engineering marvel of the ages. It has expended its treasure and given up the lives of many of its patriotic sons in order that all the nations of the earth shall reap the advantage of it. In providing a canal from ocean to ocean the United States contributes to the commerce of the world a saving of thousands of miles of sailing delay and risk in treacherous seas. It has changed the map of the world so that the nations will be brought into closer relationship, and civilization generally will be vastly improved. In short, the United States, and the United States alone, has brought to a realization the dream of the ages in geography, in commerce, and in human achievement.

Great Britain, it is believed, will share in the advantages of this stupendous work more than will the United States. Germany also will doubtless be a greater beneficiary of commercial results. Germany and England and all other nations will have the protection of the United States in the use of the canal. They will pass through it at the expense of the United States, which constructed and owns it. Is it reasonable that any treaty drafted in the interest of universal peace, as the treaty of 1850 was supposed to have been, should be construed to bar the owner of this the world's greatest engineering undertaking from its own property?

Mr. Chairman, I do not plead for the exemption of American ships because they ought not to pay tolls; perhaps they might be made to aid in bearing the burden of operating the canal. That, however, is not the question. Shall the regulation of the American ships using the canal—ships that do not come into competition with Great Britain or any other nation—be regulated by the United States in its own way? Or, in spite of the "exclusive right of regulation and management" conceded to the United States in the Hay-Pauncefote treaty, shall that right be interfered with or questioned by Great Britain or any other nation?

I do not see how, after giving Great Britain the use of the canal "on terms of entire equality" with those of all nations, we can go further in this instance without acknowledging the right of foreign interference with those ships of Uncle Sam which seek the use of his own great maritime highway. Nor do I believe the American people will tolerate the delegation of that right to any other nation. It is for us to regulate our own ships on our own territory.

Mr. Chairman, in my opinion the administration has not exhausted all the means at its command to settle this controversy without embarrassing Congress. Unless our diplomacy is entirely awry, there is still recourse by which a national humiliation may be avoided. There is something more than "the pound of flesh denominated in the bond."

We have given much to Great Britain as recompense for any consideration she may have yielded us in 1850. We have contributed to the peace of nations in Cuba and the Philippines. We have contented ourselves with home affairs, while Great

Britain and Germany have taken the trade of South America. We have kept the foreign nations from going to war against that business. We have lowered our American tariffs to their great advantage. And, lastly, we have built a canal to link up the Atlantic and the Pacific, more apparently, for their commercial benefit than for our own. Surely we have done something to earn the "exclusive right" to regulate and manage the canal. Surely we have done enough to induce the Department of State to make another effort to relieve the United States of the perpetual obligation it is asked to impose upon itself. If the canal is good for Great Britain or any other nation and is to be subject to the supervision of Great Britain, why should all the expense of construction and maintenance be borne by the United States alone? The best peace arrangement the world has ever known presents itself in the neutralization and joint operation of the Panama Canal. This should appeal to the Department of State as a cause for further diplomatic negotiations.

If the canal is to be a world's enterprise for the use of all nations, and the United States, which owns it at a cost of \$375,000,000 and operates it an annual outlay on one account or another of \$25,000,000, is not to have the use of it for the ships of its own fleet, would it be inconsistent with the honor of other nations who use it to assist in paying for it? Let the Department of State think this over.

Or, if the administration still reads the treaties as binding the United States only to perpetual servitude in a hazardous and expensive enterprise, what may be said of the power of Great Britain under either the Clayton-Bulwer or Hay-Pauncefote treaties to compel the United States to open and operate the canal if it chooses to keep it closed? Here is a phase of the diplomatic situation I have not seen discussed anywhere in the treaties or correspondence. Suppose the resources of the United States should some time be found inadequate to operate the canal. Or suppose, for some other reason, the Congress should determine to close it. Is there anything in the treaties to compel the United States to operate the canal?

Or suppose the United States should undertake to grant its rights in the canal to Germany or some other power having large interests in South America. Is there anything to stop it?

These and other questions that suggest themselves to the lay mind I leave for possible diplomatic consideration, even though it be determined by those who have the power so to do to vote away the one exclusive and patriotic right which most American citizens believed to have been reserved to the United States in its monumental world benefaction—the Panama Canal. [Applause.]

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 13811) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and had come to no resolution thereon.

#### ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 746. An act for the relief of Capt. Frank Parker.

#### SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 4023. An act for the relief of Waldo H. Coffman; to the Committee on Military Affairs.

#### USELESS PAPERS IN THE EXECUTIVE DEPARTMENTS.

Mr. TALBOTT of Maryland, from the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, to which was referred the report of the Secretary of the Treasury (H. Doc. No. 104) and the report of the Postmaster General (H. Doc. No. 576), submitted a report (No. 398) thereon, which was ordered to be printed.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. COOPER, indefinitely, on account of illness.

#### ADJOURNMENT.

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 54 minutes p. m.) the House adjourned until Wednesday, March 18, 1914, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy submitting an estimate of appropriation in the sum of \$400,000 for high-power radio stations (H. Doc. No. 837); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation for salaries, office of Auditor for the Interior Department, for the fiscal year ending June 30, 1915 (H. Doc. No. 838); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, inviting attention to estimates for salaries, office of the Secretary, and recommending an appropriation for an executive clerk in the office of the Assistant Secretary for the fiscal year 1915 (H. Doc. No. 839); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. TAYLOR of Colorado, from the Committee on the Public Lands, to which was referred the bill (H. R. 1633) granting certain coal lands to the city of Grand Junction, Colo., reported the same with amendment, accompanied by a report (No. 399), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 7048) making appropriation for the relief of C. Jensen for injuries sustained from forest team, reported the same without amendment, accompanied by a report (No. 400), which said bill and report were referred to the Private Calendar.

Mr. PETERS of Maine, from the Committee on Claims, to which was referred the bill (H. R. 12778) for the relief of W. D. Stoyer, administrator of the estate of Henry S. Stoyer, reported the same without amendment, accompanied by a report (No. 401), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 1138) for the relief of Helen Wakefield, reported the same without amendment, accompanied by a report (No. 402), which said bill and report were referred to the Private Calendar.

Mr. METZ, from the Committee on Claims, to which was referred the bill (H. R. 7091) for the relief of C. E. Anderson, reported the same without amendment, accompanied by a report (No. 403), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 6420) for the relief of Ella M. Ewart, reported the same without amendment, accompanied by a report (No. 404), which said bill and report were referred to the Private Calendar.

Mr. GARD, from the Committee on Military Affairs, to which was referred the bill (H. R. 5746) for the relief of Marcus L. Pelham, reported the same without amendment, accompanied by a report (No. 405), which said bill and report were referred to the Private Calendar.

Mr. MOTT, from the Committee on Claims, to which was referred the bill (H. R. 4480) to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900, reported the same without amendment, accompanied by a report (No. 406), which said bill and report were referred to the Private Calendar.

Mr. METZ, from the Committee on Claims, to which was referred the bill (H. R. 2667) for the relief of the legal representatives of Parker S. Rouse, deceased, reported the same with amendment, accompanied by a report (No. 407), which said bill and report were referred to the Private Calendar.

Mr. PETERS of Maine, from the Committee on Claims, to which was referred the bill (H. R. 3920) for the relief of William E. Murray, reported the same with amendment, accompanied by a report (No. 408), which said bill and report were referred to the Private Calendar.

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 12166) for the relief of Jennie S. Sherman, reported the same with amendment, accompanied by a report (No. 409), which said bill and report were referred to the Private Calendar.

Mr. METZ, from the Committee on Claims, to which was referred the bill (H. R. 4008) for the relief of Sandy Crawford, reported the same with amendment, accompanied by a report (No. 410), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 6014) for the relief of Serapio Romero, late postmaster at Las Vegas, N. Mex., reported the same with amendment, accompanied by a report (No. 411), which said bill and report were referred to the Private Calendar.

Mr. PETERS of Maine, from the Committee on Claims, to which was referred the bill (S. 54) for the relief of George W. Hoyt, reported the same with amendment, accompanied by a report (No. 412), which said bill and report were referred to the Private Calendar.

#### ADVERSE REPORT.

Under clause 2 of Rule XIII,

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 11218) for the relief of the Doremus Machine Co., reported the same adversely, accompanied by a report (No. 413), which said bill and report were laid on the table.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BURKE of Wisconsin: A bill (H. R. 14690) to increase the limit of cost of Federal building at Fort Atkinson, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. WINGO: A bill (H. R. 14691) to provide for the purchase and equipment of a mine rescue station and car, and for other purposes; to the Committee on Mines and Mining.

By Mr. FAISON: A bill (H. R. 14692) for the erection of a Federal building for the United States post office at Mount Olive, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. FORDNEY: A bill (H. R. 14693) to regulate shipping between ports in the Canal Zone and the United States, certain of its insular possessions, and Alaska; to the Committee on the Merchant Marine and Fisheries.

By Mr. JONES: A bill (H. R. 14694) to provide a civil government for Porto Rico, and for other purposes; to the Committee on Insular Affairs.

By Mr. ROGERS: A bill (H. R. 14695) to amend section 5234 of the Revised Statutes of the United States so as to permit the Comptroller of the Currency to deposit upon interest the assets of insolvent national banks in other national banks of the same or of an adjacent city or town; to the Committee on Banking and Currency.

By Mr. BARTHOLDT: Joint resolution (H. J. Res. 229) providing for a conference in the city of Washington to restore peace and order in the Republic of Mexico; to the Committee on Foreign Affairs.

By Mr. CARY: Resolution (H. Res. 445) directing the Commissioners of the District of Columbia to report by what authority the gaslight companies are furnishing gas to consumers outside of the District of Columbia; to the Committee on the District of Columbia.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 14696) granting an increase of pension to John H. Woodruff; to the Committee on Pensions.

By Mr. ASHEROOK: A bill (H. R. 14697) granting an increase of pension to Thomas M. Hazlett; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 14698) granting a pension to Anna Baird; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: A bill (H. R. 14699) to carry out the findings of the Court of Claims in the case of Guy C. Pierce; to the Committee on Claims.

By Mr. CANTRILL: A bill (H. R. 14700) granting a pension to Crockett Parrent; to the Committee on Pensions.

By Mr. CLANCY: A bill (H. R. 14701) granting an increase of pension to Charles Baxter; to the Committee on Invalid Pensions.

By Mr. COOPER: A bill (H. R. 14702) granting an increase of pension to Charles Landon; to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 14703) granting a pension to Roscoe City; to the Committee on Pensions.

Also, a bill (H. R. 14704) granting an increase of pension to James E. Speake; to the Committee on Invalid Pensions.

By Mr. DANFORTH: A bill (H. R. 14705) granting a pension to Sarah Cox; to the Committee on Invalid Pensions.

By Mr. DOUGHTON: A bill (H. R. 14706) granting an increase of pension to Roscoe Caudill; to the Committee on Pensions.

By Mr. EDWARDS: A bill (H. R. 14707) granting a pension to Mrs. Robert S. Mell; to the Committee on Pensions.

By Mr. FIELDS: A bill (H. R. 14708) granting an increase of pension to Louise Bendel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14709) granting an increase of pension to Tolos Otis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14710) granting an increase of pension to Caroline Simons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14711) for the relief of Miles A. Hughes; to the Committee on Military Affairs.

By Mr. FORDNEY: A bill (H. R. 14712) granting an increase of pension to Charles Swarthout; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 14713) granting an increase of pension to Caswell York; to the Committee on Invalid Pensions.

By Mr. GARRETT of Tennessee: A bill (H. R. 14714) granting an increase of pension to Sarah J. Dougherty; to the Committee on Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 14715) granting a pension to Peter McLaughlin; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 14716) granting an increase of pension to Richard B. Linville; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14717) granting an increase of pension to Charles Paul; to the Committee on Invalid Pensions.

By Mr. JOHNSON of South Carolina: A bill (H. R. 14718) granting an increase of pension to Mary R. Fowler; to the Committee on Pensions.

By Mr. KETTNER: A bill (H. R. 14719) for the relief of Newton Boughn; to the Committee on Military Affairs.

By Mr. KEY of Ohio: A bill (H. R. 14720) granting a pension to Catharine Reiser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14721) granting an increase of pension to David Henderson; to the Committee on Invalid Pensions.

By Mr. MAGUIRE of Nebraska: A bill (H. R. 14722) for the relief of Ezra T. Vance; to the Committee on Military Affairs.

By Mr. MERRITT: A bill (H. R. 14723) granting an increase of pension to Thomas B. Chilton; to the Committee on Invalid Pensions.

By Mr. NEELEY of Kansas: A bill (H. R. 14724) granting a pension to Harry D. Hogan; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 14725) for the relief of John F. West; to the Committee on War Claims.

By Mr. REED: A bill (H. R. 14726) granting an increase of pension to Levi E. Cross; to the Committee on Invalid Pensions.

By Mr. RUPLEY: A bill (H. R. 14727) granting an increase of pension to Henry C. Demming; to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 14728) granting an increase of pension to Francis M. McCleery; to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 14729) for the relief of the estate of Mary H. S. Robertson, deceased; to the Committee on War Claims.

By Mr. SLAYDEN: A bill (H. R. 14730) to quiet title to lot No. 44 in square 172, in the city of Washington; to the Committee on the Judiciary.

By Mr. SMITH of Maryland: A bill (H. R. 14731) authorizing the Secretary of the Treasury to issue bonds to Albert V. Conway, substituted trustee, for certain registered United States bonds redeemed or assigned by the Government upon forged assignments; to the Committee on Claims.

By Mr. SMITH of Minnesota: A bill (H. R. 14732) for the relief of Clara M. Heaston; to the Committee on Claims.

Also, a bill (H. R. 14733) for the relief of Silas Overmire; to the Committee on Military Affairs.

By Mr. STEPHENS of California: A bill (H. R. 14734) granting an increase of pension to Charles H. Lederar; to the Committee on Pensions.

Also, a bill (H. R. 14735) granting an increase of pension to Salome A. Nelson; to the Committee on Invalid Pensions.

By Mr. WILLIS: A bill (H. R. 14736) granting an increase of pension to James A. Dowden; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 14737) granting a pension to Anna Sorrells; to the Committee on Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of 40 citizens of New York City, protesting against Dillingham-Lodge-Gardner bill, for literacy test; to the Committee on Immigration and Naturalization.

Also (by request), petitions of citizens of Leslie, Mo., protesting against national prohibition; to the Committee on the Judiciary.

Also (by request), petition of certain citizens of Struthers, Ohio, protesting against the practice of polygamy in the United States; to the Committee on the Judiciary.

Also (by request), petition of the Pittsburgh Board of Trade, favoring national prohibition; to the Committee on the Judiciary.

Also (by request), resolution of the San Francisco Democratic Club, indorsing Government ownership of street railway systems in Washington, D. C.; to the Committee on Interstate and Foreign Commerce.

Also (by request), petition of certain citizens of New Castle, Pa., protesting against the practice of polygamy in the United States; to the Committee on the Judiciary.

By Mr. ALEXANDER: Petition of 35 citizens of Hamilton, 20 citizens of Maysville, 150 citizens of Union Star, and 80 citizens of Pattensburg, all in the State of Missouri, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ALLEN: Petitions of sundry citizens of Cincinnati, Ohio, protesting against national prohibition; to the Committee on the Judiciary.

Also, memorial of the Cincinnati Branch of the Railway Mail Association, favoring restoration in grade of certain railway postal clerks; to the Committee on the Post Office and Post Roads.

By Mr. ANSBERRY: Petition of the First Presbyterian Sabbath School, of Bryan, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ASHBROOK: Resolutions of Andrew Crawford Post, No. 6, Grand Army of the Republic, of New Philadelphia, Ohio, against any change in the national flag; to the Committee on the Judiciary.

Also, resolutions of the Glass Bottle Blowers' Association, of Coshocton, Ohio, against nation-wide prohibition; to the Committee on the Judiciary.

Also, evidence to accompany a bill (H. R. 13990) for the relief of Solomon Stricker; to the Committee on Invalid Pensions.

By Mr. BATHRICK: Petitions of various members of the First Baptist Church of Hubbard; the First Congregational Church of Newton Falls; the Wooster Avenue Methodist Episcopal Church, of Akron; sundry citizens of Kenmore and Warren; 30 citizens of Farmdale; 22 citizens of Barberton; and 121 citizens of Burton, all in the State of Ohio, favoring national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Summit County, Ohio, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. BRITTEN: Memorial of the Association of Commerce of Chicago, Ill., favoring repeal of canal tolls exemption; to the Committee on Interstate and Foreign Commerce.

By Mr. BRUCKNER: Petition of the Ex-Union Volunteer Officers' Association, of Pasadena, Cal., favoring passage of Volunteer officers' retired list bill relative to three-fourths pay; to the Committee on Military Affairs.

Also, petitions of Kathryn Fellows Auxiliary No. 28, of David Wilson Camp No. 59, United Spanish War Veterans, and Theodore Roosevelt Camp No. 10, Department of New York, United Spanish War Veterans, favoring passage of House bill 13044,

the widows and orphans pension bill; to the Committee on Pensions.

By Mr. CARY: Petitions of Charles Bradhering, William M. Powers, Theodore Terry, Tim Keppel, Timothy Bremahan, Donald Jonas, Ed. Donovan, Martin Hansen, Thomas Mason, Charles Thilault, John Shara, and N. Zasmussen, all citizens of Milwaukee, Wis., protesting against the passage of House joint resolution 168 and Senate joint resolutions 88 and 50, or any other prohibition measures, which will interfere in the most unwarranted manner with the liberties and privileges as men and citizens, by depriving them of the right and opportunity to habits as American citizens; to the Committee on the Judiciary.

Also, petition of the Boston Store, of Milwaukee, Wis., protesting against passage of House bill 13660 relative to fixing sale price on manufactured goods; to the Committee on the Judiciary.

Also, petition of the Master Steam and Hot Water Fitters' Association, of Milwaukee, Wis., favoring passage of House bill 14223, relative to separating contracts for heating, plumbing, etc.; to the Committee on Public Buildings and Grounds.

By Mr. CLARK of Florida: Petitions of J. H. Rathe and others, of Florida, protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of the Bank of Oviedo, Fla., favoring change in income-tax law, relative to collection at source; to the Committee on Ways and Means.

By Mr. COOPER: Petitions of sundry citizens of Wisconsin, against national prohibition; to the Committee on the Judiciary.

By Mr. CRAMTON: Petitions of 150 citizens of Port Huron, Mich., and 318 citizens of Lum, Mich., favoring national prohibition; to the Committee on the Judiciary.

Also, petition of the Michigan Society of California, protesting against repeal of canal tolls exemption; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Shabbona Grange of Michigan, favoring the rural-credits bill; to the Committee on Banking and Currency.

By Mr. DALE: Petition of F. M. Crouch, of New York City, favoring repeal of canal-tolls exemption; to the Committee on Interstate and Foreign Commerce.

Also, petition of New York Typographical Union, No. 6, of New York City, favoring passage of Bartlett-Bacon anti-injunction bill; to the Committee on the Judiciary.

By Mr. DAVIS: Petition of the Minneapolis Civic and Commerce Association, of Minneapolis, Minn., favoring passage of House bill 2966, relative to disposal of hydroelectric power developed by the dam between St. Paul and Minneapolis; to the Committee on Rivers and Harbors.

By Mr. DONOVAN: Petition of the Bakers and Confectioners' Local Union, of Norwalk, Conn., and other citizens of Connecticut, against national prohibition; to the Committee on the Judiciary.

Also, petition of the Brainard & Wilson Corporation, of Danbury, Conn., against Underwood anticoupon bill; to the Committee on Ways and Means.

By Mr. DOOLITTLE: Petitions of 19 citizens of Harveyville, Kans., and 460 citizens of Emporia, Kans., favoring national prohibition; to the Committee on the Judiciary.

By Mr. DRISCOLL: Petitions of sundry citizens of Buffalo, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. GARDNER: Petition of the Georgetown (Mass.) Grange, Patrons of Husbandry, favoring passage of Bathrick farm-credits bill; to the Committee on Banking and Currency.

Also, memorial of Division 13, Ancient Order of Hibernians, of Hamilton, Mass., protesting against "One hundred years' peace celebration"; to the Committee on Foreign Affairs.

By Mr. GRAHAM of Illinois: Petitions of sundry citizens of Staunton, William L. Ensel, of Springfield, and others of Illinois, protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Springfield, Ill., protesting against national prohibition; to the Committee on the Judiciary.

Also, petitions of sundry citizens of Staunton, Ill., protesting against the present Federal game laws; to the Committee on Agriculture.

By Mr. JOHNSON of South Carolina: Affidavits to accompany a bill (H. R. 10195) granting a pension to Francis M. Cooper; to the Committee on Pensions.

By Mr. KINKEAD of New Jersey: Petitions of 26 citizens of Nutley, N. J., and the First Methodist Episcopal Church of Arlington, N. J., favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of the United Irish Societies of Newark and Essex County, N. J., protesting against repeal of canal-tolls

exemption; to the Committee on Interstate and Foreign Commerce.

Also, petitions of sundry citizens of the eighth congressional district of New Jersey, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LANGLEY: Petition of sundry citizens of Kentucky, favoring national prohibition; to the Committee on the Judiciary.

By Mr. LEE of Georgia: Papers to accompany a bill (H. R. 14681) for the relief of Francis L. Snell; to the Committee on War Claims.

By Mr. LIEB: Petitions of Mark N. Gross, Julius Niednagel, Henry W. Naas, William L. Berndt, David S. Bernstein, Isidor Kahn, J. P. Haymaker, George Andreae, Harry Joseph, Charles F. Artes, Arnold Elmendorf, F. W. Griese, John C. Weber, Aug. C. Wessel, Gotlieb Wessel, and C. E. Schutz, all of Evansville, Ind., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. LONERGAN: Petition of R. D. Comstock, of Rockyhill, Conn., protesting against any change in the American flag; to the Committee on the Judiciary.

Also, petition of Mr. A. E. Wilson, of East Hartford, Conn., in favor of the passage of House bill 5139, the Hamill bill, relative to retirement of civil-service employees; to the Committee on Reform in the Civil Service.

Also, petition of citizens of the third Iowa district, protesting against House joint resolution 168 and Senate joint resolutions 88 and 50, relative to national prohibition; to the Committee on the Judiciary.

Also, petition of S. McCullough, of Hartford, Conn., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. MARTIN: Petition of the Hot Springs (S. Dak.) Commercial Club, relative to considering the merits of the Angosture project for irrigation; to the Committee on the Public Lands.

Also, petition of Jack Foster Camp, No. 3, Department of South Dakota, United Spanish War Veterans, favoring the passage of the widows and orphans pension bill; to the Committee on Pensions.

Also, petition of the South Dakota Society of California, protesting against the repeal of canal tolls exemption; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Hot Springs (S. Dak.) Commercial Club, favoring passage of bill extending to settlers of South Dakota the privileges of the enlarged homestead; to the Committee on the Public Lands.

By Mr. MOON: Petition of various members of Epworth League, Chapter No. 7428, of East Chattanooga, Tenn., favoring national prohibition; to the Committee on the Judiciary.

By Mr. J. I. NOLAN: Memorial of the Sailors' Union of the Pacific, of San Francisco, Cal., favoring passage of House bill 12743, for appropriation for erection of marine hospital at San Francisco; to the Committee on Public Buildings and Grounds.

Also, memorial of the Cooks', Helpers', and Waitresses' Unions, of San Francisco, Cal., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. O'LEARY: Petitions of sundry citizens of the second congressional district of New York, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. PAYNE: Petitions of sundry citizens of Wayne County, N. Y., favoring national prohibition; to the Committee on the Judiciary.

By Mr. RAKER: Resolutions by the Sailors' Union of the Pacific of San Francisco, Cal., favoring House bill 12743, appropriating \$500,000 for the erecting of a marine hospital building in San Francisco; to the Committee on Public Buildings and Grounds.

Also, letter from the San Francisco Labor Council, of San Francisco, Cal., favoring House bill 11522, relative to increasing salaries of Federal civil-service employees; to the Committee on Reform in the Civil Service.

By Mr. REILLY of Connecticut: Petition of the State Business Men's Association of Connecticut, protesting against Senate bill 2232, amending the postal savings bank law; to the Committee on the Post Office and Post Roads.

By Mr. SABATH: Petitions of various Spanish War veterans of Illinois, favoring House bill 13044, providing pensions for widows of Spanish War soldiers; to the Committee on Pensions.

Also, petition of the Chamber of Commerce of the State of New York, favoring repeal of exemption clause in Panama Canal act; to the Committee on Interstate and Foreign Commerce.

By Mr. SCULLY: Petitions of A. P. Haviland and others of Monmouth County, N. J., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. SMITH of Idaho: Petitions of various banks and trust companies of Twin Falls, the Bannock National Bank of Pocatello, Bank of Emmett, and Bank of Hansen, all in the State of Idaho, favoring change in income-tax law relative to collection at source; to the Committee on Ways and Means.

By Mr. STAFFORD: Petitions of sundry citizens of the fifth congressional district of Wisconsin, protesting against national prohibition; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of Xaver Wambach and other citizens of Mahanomen County, Minn., against national prohibition; to the Committee on the Judiciary.

By Mr. STEVENS of Minnesota: Petition signed by members of the German Roman Catholic Benevolent Society, of Pierz, Minn., protesting against passage of House joint resolution 168, Senate joint resolutions 88 and 50, relative to national prohibition; to the Committee on the Judiciary.

By Mr. TAVENNER: Petition of various members of the Ninth Avenue United Presbyterian Church of Monmouth, Ill., favoring national prohibition; to the Committee on the Judiciary.

By Mr. UNDERHILL: Petitions of C. M. Dean and others, of Steuben County, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

By Mr. VARE: Petitions of 2,012 citizens of Philadelphia, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. VOLLMER: Petition of 122 citizens of Iowa against national prohibition; to the Committee on the Judiciary.

By Mr. WALLIN: Memorial of various churches of Schenectady, N. Y., favoring law establishing a national board of censors for motion-picture films; to the Committee on the Judiciary.

By Mr. WHITACRE: Petition of sundry citizens of Youngstown, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WHITE: Petition signed by Mr. C. M. Donley, of 349 Woodlawn Avenue, Cambridge, Ohio, and 13 others, protesting against the adoption of House joint resolution 168 and Senate joint resolutions 88 and 50, relative to national prohibition; to the Committee on the Judiciary.

Also, petition signed by Rev. C. E. Dickinson, of Belpre, Ohio, and some 80 others, favoring the adoption of the constitutional amendment for nation-wide prohibition; to the Committee on the Judiciary.

By Mr. WILLIS: Petition of J. H. Streeb and other citizens of Wyandot County, Ohio, in favor of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of N. M. Crawford and other citizens of Wyandot County, Ohio, against House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of George W. Vorhis and 28 other citizens of Upper Sandusky, Ohio, in favor of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of L. F. Dudley and 28 other citizens of Marengo, Ohio, in favor of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

Also, petition of Rev. F. J. Reinbarth and 25 other citizens of Wharton, Ohio, in favor of House joint resolution No. 168, relating to national prohibition; to the Committee on the Judiciary.

## SENATE.

WEDNESDAY, *March 18, 1914.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee for life, for the life that is more and more abundant, the life that has its center and source in Thyself. We bless Thee for the wild joy of just living, for Thou hast so adapted us in Thy providence to the world Thou hast given to us that there is joy and gladness in living the life that Thou hast committed to us. We thank Thee for intimations of the life beyond, so full, so rich, so abundant, and that so find answer in the universal heart, that there is the universal longing after immortality. We bless Thee that above all the ministries that come to us, luring us onward and upward, there is the final, highest revelation in Him who came that we might have life, and have it more abundantly. He hath said, As I live ye shall live also. So do Thou lead us to the fullest life. In His name's sake. Amen.

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