

Proposed Oregon Tax Law

(Continued from last week)

(Tax collector to make weekly statements—To keep funds separate.)

Section 19. It shall be the duty of the tax collector to make a statement on the last business day of each week of the exact amounts of the cash and county orders by him collected for taxes and penalties and interest, and what amounts thereof are to be credited to the several funds for which they are respectively collected, one of which statements shall be furnished with the county clerk and one furnished to the school district, town, city, port, or other municipal taxing agency for which each such amount is so paid in, and one of which statements he shall retain on file in his office; and shall exhibit to the county clerk for examination and comparison his collection register and his stub book containing copies of the receipts by him given for the taxes so collected. The tax collector shall keep the moneys received by him in separate funds, and shall pay the same over to the several school districts, towns, cities, ports, or other municipal taxing districts or agencies entitled thereto, upon demand made by them, paying them the amount thereof to which they are respectively entitled, taking their receipts therefor. Provided, special road funds shall be retained in the hands of the county treasurer, and expended by him upon the warrant of the county clerk as by law provided.

(Supersedes B. & C. Comp., section 3105 (except first two lines, which are included in the preceding section 18 of this act), merely changing to conform to the plan of making the county treasurer the tax collector. Portions as to separate funds is taken from B. & C. Comp., section 3101, adding ports and other agencies. The provision is in analogy to Laws of 1903, page 284, section 24.)

(Applying money collected for one object to another—Penalty.)

Section 20. When any moneys shall have been collected or received by any officer for any distinct and specified object, no portion of them shall be paid or applied to any other object or purpose without due authority, but shall be kept a separate fund for such specified object; and any officer failing to comply with the provisions of this section shall be liable to a fine not exceeding \$500, or to imprisonment in the county jail not exceeding six months.

(B. & C. Comp., section 3150, no change.)

(Tax collector to receive and receipt for moneys and county orders collected—Penalty.)

Section 21. The tax collector shall receive and receipt for all moneys and county orders collected by him for taxes in the manner prescribed in the following section hereof, and any tax collector failing to comply with any of the provisions of the following section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than \$100 nor more than \$1,000, and the court before whom said tax collector is tried shall declare his office as treasurer and tax collector vacant for the remainder of his term.

(B. & C. Comp., section 3102, no change.)

(Tax collector's record of tax collectors.)

Section 22. The tax collector shall receive and receipt for all moneys and county orders collected by him for taxes, and shall note on the tax roll against the property paid on, in columns provided therefor, the date of each payment and number of receipt. He shall keep such stub receipt books, in which shall be kept by him a copy of each and every receipt by him issued, and such receipts and stubs shall be arranged and numbered consecutively for each year, and shall show exactly the amount paid in cash and the amount paid in county orders, and shall show the place and date of collection, the purpose for which and the property on which the taxes were paid; but the matters shown upon the tax roll may be omitted from the stub if it contains a reference to the volume, page and line of the tax roll wherein such matters are set forth. Such stubs or copies of the receipts issued by the tax collector shall also in every case contain the postoffice or residence address of the taxpayer, which may be ascertained at the time of the payment of the tax and then entered on the stub or copy of the receipt retained by the tax collector. No tax collector shall receive a larger amount in county orders from any person for taxes than the amount of such person's county taxes for the year or years for which the payment is made. It shall be the duty of the tax collector to note upon each receipt and copy thereof the number and amount of each county order he shall receive, the amount of the taxes for which such receipt shall be given, and also to write the date of the receipt upon the back of each county order paid in for taxes, and at the same time write or stamp across the face thereof "Received for Taxes," and no county order shall draw any interest after such date. He shall keep, as a part of the records of his office, a collection register, in which he shall make proper entries, showing the various amounts collected by him, the amounts thereof collected for each and every separate fund, the year in which the tax so collected became due, and the numbers and dates of the respective receipts given by him therefor.

(B. & C. Comp., section 3103, as amended by Laws of 1905, chapter 53.)

(Duty of officer having possession of roll—Proceedings on failure to act.)

Section 23. Whenever any officer described in the preceding section shall discover credible information, or have reason to believe that real or personal property has from any cause been omitted, in whole or in part, from assessment for taxation for the years specified in the preceding section, or such credible information shall be furnished to such officer, it shall be the duty of the officer having possession of said assessment or tax roll to take the steps provided for in the preceding section to place such omitted property on the assessment or tax roll. If such officer shall fail or refuse on the discovery by himself, or on credible information being furnished him by another person, that property has been omitted from taxation, the state, on the relation of any state officer or of any taxpayer of the county in which such failure or refusal occurs, shall have the right to proceed against such officer in any court of competent jurisdiction by mandamus to compel such officer to comply with the provisions of the preceding section. In the trial of such a suit the question of what constitutes credible information as herein mentioned shall be a question of fact to be determined by the court trying the case in the same manner other issues of fact are determined. If judgment shall be rendered to the effect that credible information has been discovered by or furnished to such officer, or that he has reason to believe that property has been omitted from taxation, it shall then be the duty of such officer to forthwith place such omitted property on the assessment and tax roll in accordance with the provisions of this and the preceding section, and such officer shall be liable for all costs of such mandamus suit, and for a reasonable attorney's fee

(New; see note to section 25.)

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Section 25. Whenever any officer described in the preceding section shall discover credible information, or have reason to believe that real or personal property has from any cause been omitted, in whole or in part, from assessment for taxation for the years specified in the preceding section, or such credible information shall be furnished to such officer, it shall be the duty of the officer having possession of said assessment or tax roll to take the steps provided for in the preceding section to place such omitted property on the assessment or tax roll. If such officer shall fail or refuse on the discovery by himself, or on credible information being furnished him by another person, that property has been omitted from taxation, the state, on the relation of any state officer or of any taxpayer of the county in which such failure or refusal occurs, shall have the right to proceed against such officer in any court of competent jurisdiction by mandamus to compel such officer to comply with the provisions of the preceding section. In the trial of such a suit the question of what constitutes credible information as herein mentioned shall be a question of fact to be determined by the court trying the case in the same manner other issues of fact are determined. If judgment shall be rendered to the effect that credible information has been discovered by or furnished to such officer, or that he has reason to believe that property has been omitted from taxation, it shall then be the duty of such officer to forthwith place such omitted property on the assessment and tax roll in accordance with the provisions of this and the preceding section, and such officer shall be liable for all costs of such mandamus suit, and for a reasonable attorney's fee

(B. & C. Comp., section 3107, adding provision for charging personal property taxes on real estate, which is borrowed from Washington, Consolidated B. & C. Comp., section 3137.)

(To be continued next week)

Uncle Abner's Idea.

City Nephew—Uncle Abner, some of the city people accuse country folks of eating with their hands. You don't eat with your hands, do you?

Uncle Abner—Wal, I should say not, my boy. I always make the hired men eat out in the kitchen.

Misunderstood.

"So, you're a journalist, be ye?" said Uncle Joshua, who had come to town to see his nephew.

"You bet I am," answered the cub reporter, mentally contrasting his own magnificent and expensive attire with the homely garb of the farmer. "You bet I'm a journalist—and with a big J, too!"

He always wondered why the old man got mad.—Cleveland Leader.

Frankness and Honesty.

"Of course your constituents want a man who is perfectly frank and honest."

"Yes," answered Senator Sorghum. "At the same time most of them have no objections to my working through river and harbor appropriations for places that never see two feet of water except when it rains."—Washington Star.

The streets of Tokio will soon have trolley cars.

(Double assessments and other errors tax collector may correct.)

Section 23. Whenever the tax collector discovers that any property has been assessed more than once for the same year, he shall collect only the tax justly due thereon, and shall make return to the county court of the balance as double assessment, and shall be properly credited therefor; and whenever, at any stage in the collection of taxes, the officer having charge of the rolls shall discover errors or omissions of any kind therein he may properly correct the same to conform to the facts in whatever manner may be necessary to make such assessment, tax, or other proceeding whatsoever regular and valid, such correction to be made in red ink, or otherwise distinguished, and to be signed with the initials of the officer making the same and the date of such correction.

(B. & C. Comp., section 3105.)

(Omitted property—Assessment.)

Section 24. Whenever, after the return of the assessment roll to the county clerk by the board of equalization, the officer having the possession of the roll shall discover or receive credible information, or if he has reason to believe that any real or personal property has, from any cause, been omitted, in whole or in part, in the assessment of any year or number of years not exceeding two years prior to the last roll so equalized and returned, or from the assessment roll or the tax roll, he shall proceed to correct the assessment or tax roll in his hands, and add such property thereto, with the proper valuation, and charge such property and the owner thereof with the proper amount of taxes thereon at the rate which the said property would have been taxed had it been properly upon the tax roll for the year or years as to which it was omitted; to enable which officer so to do he is hereby invested with all of the powers of the assessor, board of equalization, and county clerk under the laws in force during such years and thereafter. But before making such correction or addition, if the person claiming to own said property, or occupying it or in possession thereof, resides in the county and is not present, such officer shall give such person notice in writing of his intention to add such property to the assessment or tax roll, describing it in general terms, and requiring such person to appear before him at his office at a specified time, within five days after giving such notice, and to show cause, if any, why such property should not be added to the assessment and tax roll; and if the party so notified does not appear, or if he appears and fails to show any good and sufficient cause why such assessment shall not be made, the same shall be made, and the officer making the correction or addition shall file in his office a statement of the facts or evidence on which he made such correction. The notice in writing so provided may be given and served in the same manner and by the same persons competent to serve subpoenas. Appeal may be taken from the correction or addition by the person aggrieved within ten days after the action of such officer is taken, by giving notice to such officer and otherwise proceeding in the manner provided for appeals from the board of equalization.

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NEWS OF THE WEEK

In a Condensed Form for Our Busy Readers.

HAPPENINGS OF TWO CONTINENTS

A Resume of the Less Important but Not Less Interesting Events of the Past Week.

Governor Swettenham has accepted aid from America.

Slight earthquake shocks continue throughout Jamaica.

A plot to kill the Crown Prince of Serbia has been unearthed.

The pope has a scheme whereby he hopes to continue worship in France.

The jury which will hear the evidence in the Thaw case is not yet complete.

Naval authorities declare the coast of Southern California should be protected.

The revenue to canneries and fishermen of Alaska for 1906 reached nearly \$4,000,000.

An ice machine at Chicago exploded and the ammonia fumes killed four persons and seriously injured sixteen.

Oliver has notified Secretary Taft that he will comply with the conditions regarding the Panama Canal contract.

The Phelps Publishing Company's plant at Springfield, Mass., has been destroyed. The loss is placed at \$1,000,000.

Leading cattlemen of Dakota and Minnesota declare that the loss to livestock by the recent storms will reach more than \$1,000,000 in the states along our northern boundary.

Hill says he has not watered his railway stock.

Ex-Governor Higgins, of New York, is slightly improved.

Twenty miners were killed by an explosion in a West Virginia mine.

The Northwest railroad is changing its locomotives to oil burners.

The powers are already divided on the question of disarmament at the Hague conference.

The Oklahoma constitution provides that 15 per cent of the voters are required to bring an amendment before the people.

President Castro, of Venezuela, has sent a message from his sick bed declaring he will survive his illness and also that he has no intention of becoming dictator.

The Alaska delegate in congress opposes land grants to the companies proposing to build new railroads. He says the trusts have ample capital to do the work without Federal assistance.

George A. Burnham, Jr., has been sent to Sing Sing for two years for grand larceny from the Mutual Reserve Life Insurance company. He was counsel and vice president of the company and his conviction is the result of the recent investigations.

The Panama canal contract will likely be given to Olliver, one of the recent bidders.

Russia has announced her intention of withdrawing all troops from Manchuria except a railway guard.

At a meeting of tariff revisionists at Chicago a special session of congress to revise the tariff laws was advocated.

Attorney General Bonaparte has been asked to bring suit to prevent the formation of a gigantic copper trust extending into Europe.

San Francisco relief work for January is estimated at \$445,470, which amount has been forwarded by the National Red Cross society.

At the Interstate Commerce inquiry at Washington into the coal monopoly it was shown that only favorites were able to obtain cars.

The North Dakota blizzard continues with unabated fury. The temperature ranges from 5 to 45 below zero and all railroad traffic is at a standstill.

Swettenham still obstructs relief work at Kingston. A report in London that he has presented his resignation will be neither denied or affirmed by officials.

Eastern Republicans would grant ship subsidy to South American lines only.

The attorney general of Minnesota has begun suit to cancel the charter of the St. Paul, Minneapolis & Manitoba Railroad company. This is really the parent company of the Great Northern Railroad company and the Great Northern is joined in the suit.

Another blizzard has blocked Dakota railroads.

Shonts denies that friction caused him to resign.

The naval appropriation bill carries \$253,000 for the Puget sound navy yard.

More charges are being made against Senator Bailey, of Texas.

Another bloody battle has occurred between Mexicans and Yaquis.

The British cabinet admits that Swettenham will be recalled.

Chicago has traced much of the scarlet fever epidemic to sweat shops.

Bristol will retain his office as United States attorney for Oregon until the land fraud trials are finished.

POWERFUL CENSORSHIP.

Proposed to Give Postal Authorities Control of Newspapers.

Washington, Jan. 29.—The bill of the Joint Postal commission, just completed, if enacted into law, would create a press censorship in the hands of government employes to determine what information the reading public wants, and extend a paternalistic guardianship over the counting room by limiting the amount of advertising and specifying just how it shall be printed in the pages of daily newspapers.

The joint commission started work on the hypothesis that second class mail matter is carried at a loss to the government, and does not pay its proportionate share in revenue. One of the main results of its pondering is the discovery that the newspaper, especially the Sunday edition, has expanded too much in the direction of the magazine. The members of the commission avow that the miscellaneous matter contained in the Sunday issue of a newspaper lacks the "quality to make it socially and educationally valuable." They would reform everything by abolishing the Sunday supplement or else make it so innocuous that nobody would care to read it.

A glance at the above provisions of the bill will fully convince any one of the radical nature of the law the commission proposes. It would limit the amount of advertising; it would eliminate all legitimate advertising matter from supplements, and it would prevent the publication in the supplement of all fiction, of all matter of general and useful information regarding the affairs of the world, and make the supplement merely an overflow for the news of the main sheet.

CROPS CAUSED SHORTAGE.

Railroads Had So Much Traffic They Could Not Carry Coal.

Washington, Jan. 29.—Representative Marshall, of North Dakota, in an interview tonight declared that while there is a shortage of fuel at some points in North Dakota and danger of shortage at other points, growing primarily out of the so-called car shortage, and later of an unusual snow storm, North Dakota is in no need of financial assistance.

"The shortage of cars," he said, "grew out largely of the enormous crops raised throughout the state and through the expansion of business far beyond all ordinary limits, which literally swamped the railroads, not only with products going out of the state, but also with merchandise and materials coming in. In an attempt to handle this tremendous volume of traffic, the railroad companies were grossly negligent in relation to the fuel supply, so our great prosperity is the real cause of our temporary embarrassed condition. It is not a financial shortage, but a railroad shortage which embarrasses the people of the state at this time."

LAGUNA DAM ENDANGERED.

Rio Colorado Threatening to Destroy Irrigation Project.

Los Angeles, Jan. 29.—The Times this morning says: If the Rio Colorado should not be forced to return to its old channel and remain there, the Laguna dam, constructed by the United States Reclamation service across the river 12 miles above Yuma, will be destroyed and the irrigation of hundreds of thousands of acres in Arizona, California and Mexico will be impossible.

The Laguna dam is unique in that the danger threatening its existence lurks below instead of above the surface. During the past three years, the Colorado, instead of repairing its breaks by salt deposits, has cut them wider and deeper, and it has formed a gorge 60 feet deep and 1,500 feet wide through the cultivated lands of the Imperial valley. During the period of the highest flood it cut back at the rate of a third of a mile a day. The Laguna dam is said to have cost about \$2,000,000.

Sent Many Goods to Cuba.

Washington, Jan. 29.—Never before in the history of United States commerce with Cuba was the export trade of this country to that island so great as during the past calendar year. American importations from that republic are considerably below that for the preceding year. The total exports from this country to Cuba were valued at \$46,491,944, which is more than \$2,000,000 over the exportations for 1905. The importations from Cuba were valued at \$85,055,295, showing a falling off of about \$10,000,000.

Contract Goes to Oliver.

Washington, Jan. 29.—Following a conference at the White House it was officially announced that the contract for building the Panama canal would be awarded to William D. Oliver, who, with Anson M. Bangs, was the lowest bidder in the recent competition, provided that within the next ten days he and his associates, with at least two independent contractors shall cover the entire field of the work to be performed under the contract.

Capture Desperate Cuban Bandit.

Havana, Jan. 29.—Enrique Mesa, a bandit of the province of Santiago, who for more than two years had terrorized Eastern Cuba and defied the rural guards, and who was wanted for alleged murders, was captured here last night by the secret police.

IN THE NATIONAL HALLS OF CONGRESS

Monday, January 28.

Washington, Monday, Jan. 28.—The Interstate Commerce Commission sent to Congress a report of the investigations made by it under the Tillman-Gillespie resolution concerning the relations of common carriers by rail to the production and distribution of oil. The report covers the distribution of petroleum and its products east of the Mississippi River, and, incidentally, the Kansas and Texas fields. The report points out generally the methods by which the Standard Oil Company "has built up and perpetuated its monopoly." It is asserted that "the ruin of its competitors has been a distinct part of the policy of the Standard Oil Company in the past, systematically and persistently pursued."

Washington, Monday, Jan. 28.—J. J. Hill, E. H. Harriman and the Republican policy of protection are assailed in the minority adverse report on the Litchner compromise ship subsidy bill, which was filed in the House today by Spight of Mississippi. The report is signed by Spight and other members of the committee on merchant marine and fisheries—Goulden, Sherley and Patterson.

Saturday, January 26.

Washington, Jan. 26.—The senate was in session today only for a little more than an hour, the early adjournment being taken to permit attendance at the funeral of the late Senator Alger. A few bills of minor importance were passed, but most of the time the day was devoted to the further discussion of Hale's resolution providing for an inquiry into the personal interest manifested by naval officers in the navy personnel bill. The resolution was ultimately referred to the committee on naval affairs.

Washington, Jan. 26.—The house spent the greater part of the day debating the agricultural appropriation bill, and it was still under consideration when adjournment was taken. The question of the free distribution of garden seeds continued to hold the most prominent place with the speakers, although attention on this provision of the bill, by a vote of 71 to 69, was postponed until Monday. The senate bill incorporating the International Sunday School association of America was passed.

Friday, January 25.

Washington, Jan. 25.—Resolutions to check naval officers from "lighting a fire under senators and representatives to compel the enactment of the naval personnel bill at this session" were presented in the senate today by Hale, and, after causing a snappy debate of short duration, went over for future consideration. Hale's resolution cites the president's order forbidding government employes to "lobby," and directs an inquiry by the secretary of the navy to ascertain whether the order is being violated.

The urgent deficiency appropriation bill, carrying \$279,000 as it came from the house and authorizing by a senate amendment a loan of \$1,000,000 to the Jamestown Exposition company, was passed. The latter part of the day was devoted to the disposition of pension bills.

Washington, Jan. 25.—The house today passed a number of bills of a local nature, including 830 private pension bills. The agricultural appropriation bill was then taken up and, while it was under consideration, Kahn, of California, addressed the house on fire insurance companies and their relation to the city of San Francisco, before and after the earthquake and fire. The question of the free distribution of garden seeds occupied the rest of the day.

There was a general debate on the committee provision appropriating \$238,000 for the purchase and testing of new, rare and uncommon seeds, bulbs, trees, shrubs and vines, and omitting the usual appropriation for the purchase of ordinary flower and garden seed for distribution.

Thursday, January 24.

Washington, Jan. 24.—The session of the senate today was held entirely with reference to the death of Mr. Alger. Dr. Edward Everett Hale delivered a special prayer, and after the reading of the journal of yesterday's completed Senator Burrows presented resolutions expressing regret and sorrow at the sudden death and providing for a special committee of 12 senators to represent the senate at the funeral in this city and attend the body to Detroit. The resolutions were agreed to.

McCaskin to Be Major General.

Washington, Jan. 23.—It is semi-officially announced that Brigadier General William McCaskin, commanding the department of Texas, will be promoted to the grade of major general on the statutory retirement April 14 next of Major General James F. Wade. The present understanding is that Colonel Charles B. Hall, thirteenth infantry, in command of the infantry and cavalry school at Fort Leavenworth, Kas., will be appointed to the vacancy in the list of brigadier generals, which will occur early in March.

Gold Production Increases.

Washington, Jan. 22.—The Geological survey announced today the total production of gold and silver in the United States for 1905, aggregating \$1,222,402,636. Production of gold aggregated 4,265,742 fine ounces, valued at \$88,180,700, an increase of \$7,716 over the previous year. Total production of silver was 56,101,600 fine ounces, valued at \$34,221,976, a decrease of 1,581,200 ounces in actual output.

and on motion of Senator Burrows the senate at 12:17 adjourned as a further mark of respect.

Washington, Jan. 24.—The house today voted to abolish all the pension agencies throughout the country, 18 in number, and centralize the payment of pensions in the City of Washington. This action was taken on the pension appropriation bill after spirited opposition on the part of those having pension agencies in their states.

The pension appropriation bill, carrying \$138,000,000 in round numbers, was passed.

Wednesday, January 23

Washington, Jan. 23.—The senate today accepted the proposition of the house of representatives to increase the salaries of senators, representatives and territorial delegates to \$7,500 annually and those of the vice president, the speaker of the house and members of the president's cabinet to \$12,000. This action was taken by a vote of 53 to 21 and followed a discussion of nearly three hours.

Senator Albert J. Beveridge, of Indiana, addressing the senate today on his bill to prohibit the transportation in interstate commerce of the products of child labor, declared that the census shows that nearly 2,000,000 child bread winners under 15 years of age are now at work.

Washington, Jan. 23.—The river and harbor appropriation bill, which was reported to the house today by the committee on rivers and harbors, carries an appropriation aggregating \$53,466,188. Of this sum \$34,601,612 is appropriated in cash, to be available between July 1, 1907, and July 1, 1908, and \$18,864,576 is authorized for continuing contracts, no time limit being fixed as to when it shall be expended. The bill will probably not be considered by the house until next Monday.

This bill is a record breaker in amount, exceeding by many millions the amount allowed for river and harbor improvements in any previous congress.

Tuesday, January 22.

Washington, Jan. 22.—The senate today passed the compromise Foraker resolution authorizing the committee on military affairs to investigate the facts of the affair at Brownsville on the nights of August 13 and 14 last, without questioning "the legality or justice of any act of the president in relation to or connected with that affair." This action came after the subject had been under consideration almost daily since the first day of the present session of congress, and every phase of the question had been discussed on all sides.

Washington, Jan. 22.—The house today passed the diplomatic consular appropriation bill, which carries a total of \$3,138,000, and the military academy appropriation bill, carrying \$1,954,483. During the consideration of the diplomatic bill, speeches were made by Sherley of Kentucky, on the "treaty making power;" by Sladen, of Texas, who urged a more liberal recognition of the South in the matter of diplomatic appointments, and by Longworth, of Ohio, who spoke in favor of the United States owning the residences of its foreign representatives. Cosins, of Iowa, made his opening speech in explanation of the measure.

Eight-Hour Law Violated.

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