

## CHAPTER II

### ORGANIZATION OF THE DEPARTMENT OF COMMERCE AND LABOR

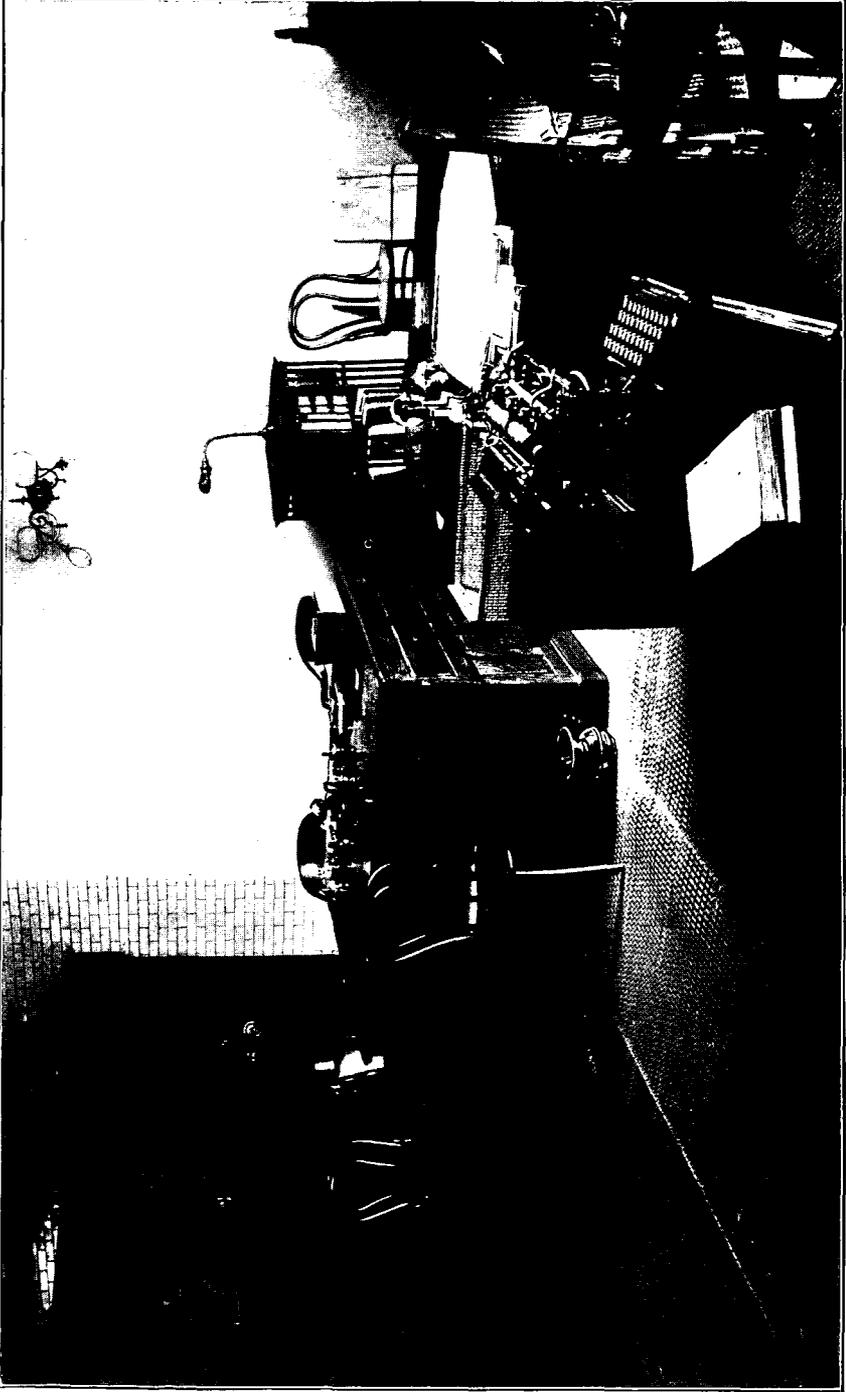
---

The first step in the organization of the new Department was the appointment, by the President, of George B. Cortelyou as the first Secretary of Commerce and Labor on February 16, 1903; the nomination was confirmed by the Senate on the same day, and the Secretary, after taking the oath of office on the 18th, established temporary headquarters at the White House. On February 17, 1903, James Rudolph Garfield was named by the President as Commissioner of Corporations under the provisions of the organic act of the Department; the Senate confirmed the appointment on the 21st, and the oath of office was taken on the 26th. Frank H. Hitchcock was appointed chief clerk of the Department, and William L. Soleau was selected as its disbursing clerk.

The temporary headquarters were moved to the building known as the "Builders' Exchange," on Thirteenth street, where, in a large room divided by partitions, the work of organization was begun on March 16, 1903. The new Willard Building, on Fourteenth street, was selected as the headquarters of the Department, and the Secretary, with as much of his force as was organized, moved in as soon as the building was completed. On the morning of June 17, 1903, under the auspices of the Grand Army of the Republic, the nation's flag was raised for the first time over the new Department, and its headquarters was formally placed in commission. The entire personnel of the Department assembled at the flagstaff on the roof with the committee of the Grand Army of the Republic to witness the ceremony. The brief address of Judge I. G. Kimball, department commander, G. A. R., on this occasion, was as follows:

"On behalf of the Grand Army and of my old comrades of the war, I want to thank you for the invitation you have given to us to be present at this ceremony, the hoisting of the flag over the new Department. It shows your appreciation of the old soldiers; it shows your appreciation of the flag and all that it means. And it is especially appropriate to-day, just after Flag Day, and to-day the anniversary of the first great battle of the Revolutionary war—the battle of Bunker Hill—that the old soldiers should assist in this inauguration of the service of putting up the flag over this Department, which is not a department of war, but a department of peace—one that we hope will take into all the world the commerce of our country and reap those

Organization of Department of Commerce and Labor



TEMPORARY OFFICE OF THE SECRETARY, BUILDERS' EXCHANGE BUILDING, MARCH 16 TO JUNE 16, 1903

results which the soldiers by their fighting helped to accomplish; I mean the placing of this country in the forefront, not only in war, but in peace."

Secretary Cortelyou replied as follows:

"COMMANDER: It is altogether fitting that under such auspices as these the flag should be raised on the new Department. In asking you to participate in this simple ceremony we were influenced very largely by the reasons you have given in the very appropriate address you have just made. I thank you for being here, with your staff and others, representing the Grand Army of the Republic, and I need hardly assure you that in the work of this Department it will be our constant hope and purpose that nothing shall be done unworthy of that flag."

In this building, besides the Secretary, the Assistant Secretary, the Solicitor, the Chief Clerk, and the Disbursing Clerk, are the Bureau of Corporations, the Bureau of Immigration, and the Department library. The other offices of the Department are located as follows: Bureau of Navigation, Light-House Board, and Steamboat-Inspection Service in the Builders' Exchange, Thirteenth street; Bureau of Statistics in the Adams Building, 1333 F street; Coast and Geodetic Survey and Bureau of Standards at corner of New Jersey avenue and B street SE.; Bureau of the Census, First and B streets NW.; Bureau of Labor, corner of New York avenue and Fifteenth street, and the Bureau of Fisheries at its headquarters in the Mall, Sixth and B streets SW. At the time of printing this volume, the organization of the Bureau of Manufactures has not been completed.

The law creating the Department transferred to it on July 1, 1903, its subdivisions which had theretofore been independent offices or under the older Executive Departments, and this important date in the life of the new Department was marked by the assembling in the office of the Secretary of its general officers and distinguished guests.

The speakers on this occasion were: The Rev. Franklin Noble; the Rev. D. J. Stafford; Secretary Moody, of the Navy Department; S. N. D. North, Director of the Census, and H. B. F. Macfarland, Commissioner of the District of Columbia.

Secretary Cortelyou made an address in which he recounted the work of preliminary organization, and stated that in four months and a half the personnel of the Department had grown from one official, the Secretary, to a total of 10,125 persons in Washington and the country at large; he spoke of the great opportunities before the Department in aiding and guiding the commerce and industries of the country, and of the principles upon which the Department would administer the laws defining its powers. In closing, he said:

"To-day the new Department moves forward, and as it takes its place by the side of the other great Executive establishments it will catch the step and the swing of their onward movement in the nation's progress and prosperity.

“No other Department has a wider field, if the just expectations of the framers of the legislation are realized. None will have closer relations with the people or greater opportunities for effective work. While we can not dedicate a new and imposing structure to the uses of the Department, we can at least, and I am sure we all do, dedicate ourselves to the work which Chief Executives have recommended and Congress in its wisdom has set apart to be done. In this spirit I have thought it altogether fitting and proper that we should have these brief exercises, and that in them we should emphasize the fact that if we are to have the highest success as a nation in our commercial and industrial relations, whether among ourselves or with other peoples, we must keep ever to the front and dominant always those sturdy elements of character and the dependence upon Divine guidance which were so signally shown by the founders of the Republic, and to which we can not too often revert in these busy and prosperous times which make memorable for us the opening years of the new century.”

#### BIBLIOGRAPHY OF ORGANIC LAWS OF THE DEPARTMENT

Official designation.	Organic acts, etc.
Department of Commerce and Labor. Light-House Board (including Light-House Establishment).	See next page. Federal jurisdiction of aids to navigation first assumed by act of Aug. 7, 1789. Light-House Service reorganized and placed on its present footing by act of Aug. 31, 1852 (10 Stat., 119).
Bureau of the Census <sup>a</sup> .....	First census taken under act of Mar. 1, 1790. Present status of Bureau established by act of Mar. 6, 1902 (32 Stats., 51.)
Coast and Geodetic Survey .....	Survey first authorized by act of Feb. 10, 1807. Reorganized and placed on present footing under act of Mar. 30, 1843 (5 Stats., 640). Name authorized by sundry civil act of June 20, 1878.
Bureau of Statistics .....	First law authorizing statistics by Treasury Department, act of Feb. 10, 1820. Bureau of Statistics organized and placed on its present footing by act of July 28, 1866 (14 Stats., 330).
Bureau of Foreign Commerce .....	Organized as a statistical office in the State Department by act of Aug. 16, 1842 (5 Stats., 507). Organized as Bureau of Statistics, State Department, by act of June 20, 1874. Name changed to Bureau of Foreign Commerce in consular appropriation act for year 1898, effective July 1, 1897.
Bureau of Standards <sup>a</sup> .....	Work of this office first authorized by Senate resolution of May 29, 1830. Name "Office of Construction of Standard Weights and Measures" first used in appropriation act of Aug. 5, 1882. Organized as at present by act of Mar. 3, 1901 (31 Stats., 1449).
Steamboat-Inspection Service .....	First steamboat-inspection law, July 7, 1838. Service reorganized and placed on present footing, practically, by act of Feb. 28, 1871 (Title 52, R. S.).
Seal and Salmon Fisheries .....	Regulation of these fisheries first established by joint resolution of July 27, 1868; sections 1954 et seq., Revised Statutes, and acts approved Dec. 29, 1897 (30 Stats., 226), and Mar. 3, 1899 (Alaskan code) (30 Stats., 1280).
Bureau of Fisheries <sup>a</sup> .....	First Commissioner of Fish and Fisheries appointed by act of Feb. 9, 1871. Commission reorganized under act of June 20, 1888 (25 Stats., 1). "United States Fish Commission" first used in act of Dec. 15, 1877.
Bureau of Labor <sup>a</sup> .....	Organized by act of June 27, 1884, as a bureau of the Interior Department. Reorganized as the Department of Labor by act of June 13, 1888 (25 Stats., 182).
Bureau of Navigation .....	Established by act of July 5, 1884 (23 Stats., 118). Shipping Commissioners placed under Bureau of Navigation by Treasury Department order of July 18, 1884.
Bureau of Immigration .....	Federal control of immigration assumed by act of Mar. 3, 1891 (26 Stats., 1084). Immigration laws codified by act of Mar. 3, 1903. "Bureau of Immigration" first used in act of March, 1895.
Bureau of Corporations .....	Authorized by act of Feb. 14, 1903 (32 Stats., 825).
Bureau of Manufactures .....	Authorized by act of Feb. 14, 1903 (32 Stats., 825).

<sup>a</sup>This name adopted by Secretary's order of July 1, 1903.

Organization of Department of Commerce and Labor



TEMPORARY OFFICE OF THE CHIEF CLERK, BUILDERS' EXCHANGE BUILDING

## LAW PERTAINING TO THE DEPARTMENT

Congress shall have power to regulate commerce with foreign nations and among the several States.

*Constitution.*  
*Art. I, sec. 8.*

There shall be at the seat of government an executive department to be known as the Department of Commerce and Labor, and a Secretary of Commerce and Labor, who shall be the head thereof, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary of eight thousand dollars per annum, and whose term and tenure of office shall be like that of the heads of the other Executive Departments; and section one hundred and fifty-eight of the Revised Statutes is hereby amended to include such Department, and the provisions of title four of the Revised Statutes,<sup>a</sup> including all amendments thereto, are hereby made applicable to said Department. The said Secretary shall cause a seal of office to be made for the said Department of such device as the President shall approve, and judicial notice shall be taken of the said seal.

Secretary of  
Commerce and  
Labor.  
*Feb. 14, 1903.*  
*(32 Stat., §25.)*  
*Sec. 1.*

Revised Stat-  
utes amended.

Seal.

There shall be in said Department an Assistant Secretary of Commerce and Labor, to be appointed by the President, who shall receive a salary of five thousand dollars a year. He shall perform such duties as shall be prescribed by the Secretary or required by law. There shall also be one chief clerk and a disbursing clerk and such other clerical assistants as may from time to time be authorized by Congress; and the Auditor for the State and other Departments shall receive and examine all accounts of salaries and incidental expenses of the office of the Secretary of Commerce and Labor, and of all bureaus and offices under his direction, all accounts relating to the Light-House Board, Steamboat-Inspection Service, Immigration, Navigation, Alaskan fur-seal fisheries, the National Bureau of Standards, Coast and Geodetic Survey, Census, Department of Labor, Fish Commission and to all other business within the jurisdiction of the Department of Commerce and Labor, and certify the balances arising thereon to the Division of Bookkeeping and Warrants and send forthwith a copy of each certificate to the Secretary of Commerce and Labor.

Assistant Sec-  
retary of Com-  
merce and Labor.  
*Sec. 2.*

Clerks.

Auditing of ac-  
counts.

It shall be the province and duty of said Department to foster, promote, and develop the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, the labor interests, and the transportation facilities of the United States; and to this end it shall be vested with jurisdiction and control of the departments, bureaus, offices, and branches of the public service hereinafter specified, and with such other powers and duties as may be prescribed by law. All unexpended appropriations, which shall be available at the time when this Act takes effect, in relation to the various offices, bureaus, divisions, and other branches of the public service, which shall, by this Act, be transferred to or included

Province of  
the Department.  
*Sec. 3.*

Jurisdiction  
vested.

Unexpended  
appropriations.

<sup>a</sup>Title four includes Sec. 158 and contains the provisions of law governing Executive Departments.

in the Department of Commerce and Labor, or which may hereafter, in accordance with the provisions of this Act, be so transferred, shall become available, from the time of such transfer, for expenditure in and by the Department of Commerce and Labor and shall be treated the same as though said branches of the public service had been directly named in the laws making said appropriations as parts of the Department of Commerce and Labor, under the direction of the Secretary of said Department.

Bureaus transferred to Department.  
Sec. 4.

The following-named offices, bureaus, divisions, and branches of the public service, now and heretofore under the jurisdiction of the Department of the Treasury, and all that pertains to the same, known as the Light-House Board, the Light-House Establishment, the Steamboat-Inspection Service, the Bureau of Navigation, the United States Shipping Commissioners, the National Bureau of Standards, the Coast and Geodetic Survey, the Commissioner-General of Immigration, the commissioners of immigration, the Bureau of Immigration, the immigration service at large, and the Bureau of Statistics, be, and the same hereby are, transferred from the Department of the Treasury to the Department of Commerce and Labor, and the same shall hereafter remain under the jurisdiction and supervision of the last-named Department; and that the Census Office, and all that pertains to the same, be, and the same hereby is, transferred from the Department of the Interior to the Department of Commerce and Labor, to remain henceforth under the jurisdiction of the latter; that the Department of Labor, the Fish Commission, and the Office of Commissioner of Fish and Fisheries, and all that pertains to the same, be, and the same hereby are, placed under the jurisdiction and made a part of the Department of Commerce and Labor; that the Bureau of Foreign Commerce, now in the Department of State, be, and the same hereby is, transferred to the Department of Commerce and Labor and consolidated with and made a part of the Bureau of Statistics, hereinbefore transferred from the Department of the Treasury to the Department of Commerce and Labor, and the two shall constitute one bureau, to be called the Bureau of Statistics, with a chief of the bureau; and that the Secretary of Commerce and Labor shall have control of the work of gathering and distributing statistical information naturally relating to the subjects confided to his Department; and the Secretary of Commerce and Labor is hereby given the power and authority to rearrange the statistical work of the bureaus and offices confided to said Department, and to consolidate any of the statistical bureaus and offices transferred to said Department; and said Secretary shall also have authority to call upon other Departments of the Government for statistical data and results obtained by them; and said Secretary of Commerce and Labor may collate, arrange, and publish such statistical information so obtained in such manner as to him may seem wise.

Bureau of Foreign Commerce consolidated with Bureau of Statistics.

Statistical work under Secretary.

That the official records and papers now on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service in this Act transferred to the Department of Commerce and Labor, together with the furniture now in use in such bureau, office, department, or branch of the public service, shall be, and hereby are, transferred to the Department of Commerce and Labor.

Official records,  
furniture, etc.

There shall be in the Department of Commerce and Labor a bureau to be called the Bureau of Manufactures, and a chief of said bureau, who shall be appointed by the President, and who shall receive a salary of four thousand dollars per annum. There shall also be in said bureau such clerical assistants as may from time to time be authorized by Congress. It shall be the province and duty of said bureau, under the direction of the Secretary, to foster, promote, and develop the various manufacturing industries of the United States, and markets for the same at home and abroad, domestic and foreign, by gathering, compiling, publishing, and supplying all available and useful information concerning such industries and such markets, and by such other methods and means as may be prescribed by the Secretary or provided by law. And all consular officers of the United States, including consuls-general, consuls, and commercial agents, are hereby required, and it is made a part of their duty, under the direction of the Secretary of State, to gather and compile, from time to time, useful and material information and statistics in respect to the subjects enumerated in section three of this Act in the countries and places to which such consular officers are accredited, and to send, under the direction of the Secretary of State, reports as often as required by the Secretary of Commerce and Labor of the information and statistics thus gathered and compiled, such reports to be transmitted through the State Department to the Secretary of the Department of Commerce and Labor.

Bureau of Man-  
ufactures.  
Sec. 5.

Its province.

Reports from  
consular officers  
through Secre-  
tary of State.

There shall be in the Department of Commerce and Labor a bureau to be called the Bureau of Corporations, and a Commissioner of Corporations who shall be the head of said bureau, to be appointed by the President, who shall receive a salary of five thousand dollars per annum. There shall also be in said bureau a deputy commissioner who shall receive a salary of three thousand five hundred dollars per annum, and who shall in the absence of the Commissioner act as, and perform the duties of, the Commissioner of Corporations, and who shall also perform such other duties as may be assigned to him by the Secretary of Commerce and Labor or by the said Commissioner. There shall also be in the said bureau a chief clerk and such special agents, clerks, and other employees as may be authorized by law.

Bureau of Cor-  
porations.  
Sec. 6.

Commissioner.

Deputy Com-  
missioner.

Employees.

The said Commissioner shall have power and authority to make, under the direction and control of the Secretary of Commerce and Labor, diligent investigation into the

Duties of Com-  
missioner.

organization, conduct, and management of the business of any corporation, joint stock company or corporate combination engaged in commerce among the several States and with foreign nations excepting common carriers subject to "An Act to regulate commerce," approved February fourth, eighteen hundred and eighty-seven, and to gather such information and data as will enable the President of the United States to make recommendations to Congress for legislation for the regulation of such commerce, and to report such data to the President from time to time as he shall require; and the information so obtained or as much thereof as the President may direct shall be made public.

**Corporations excepted.** In order to accomplish the purposes declared in the foregoing part of this section, the said Commissioner shall have and exercise the same power and authority in respect to corporations, joint stock companies and combinations subject to the provisions hereof, as is conferred on the Interstate Commerce Commission in said "Act to regulate commerce" and the amendments thereto in respect to common carriers so far as the same may be applicable, including the right to subpoena and compel the attendance and testimony of witnesses and the production of documentary evidence and to administer oaths. All the requirements, obligations, liabilities, and immunities imposed or conferred by said "Act to regulate commerce" and by "An Act in relation to testimony before the Interstate Commerce Commission," and so forth, approved February eleventh, eighteen hundred and ninety-three, supplemental to said "Act to regulate commerce," shall also apply to all persons who may be subpoenaed to testify as witnesses or to produce documentary evidence in pursuance of the authority conferred by this section.

**Power and authority of Commissioner.** It shall also be the province and duty of said bureau, under the direction of the Secretary of Commerce and Labor, to gather, compile, publish, and supply useful information concerning corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country, including corporations engaged in insurance, and to attend to such other duties as may be hereafter provided by law.

**Testimony and witnesses.** The jurisdiction, supervision and control now possessed and exercised by the Department of the Treasury over the fur-seal, salmon and other fisheries of Alaska and over the immigration of aliens into the United States, its waters, territories and any place subject to the jurisdiction thereof, are hereby transferred and vested in the Department of Commerce and Labor: *Provided*, That nothing contained in this Act shall be construed to alter the method of collecting and accounting for the head-tax prescribed by section one of the Act entitled "An Act to regulate immigration," approved August third, eighteen hundred and eighty-two. That the authority, power and jurisdiction now possessed and exercised by the Secretary

**Useful information to be compiled.**

**Insurance corporations.**

**Alaskan fisheries. Sec. 7.**

**Immigration.**

**Head tax.**

of the Treasury by virtue of any law in relation to the exclusion from and the residence within the United States, its territories and the District of Columbia, of Chinese and persons of Chinese descent, are hereby transferred to and conferred upon the Secretary of Commerce and Labor, and the authority, power and jurisdiction in relation thereto now vested by law or treaty in the collectors of customs and the collectors of internal revenue, are hereby conferred upon and vested in such officers under the control of the Commissioner-General of Immigration, as the Secretary of Commerce and Labor may designate therefor.

The Secretary of Commerce and Labor shall annually, at the close of each fiscal year, make a report in writing to Congress, giving an account of all moneys received and disbursed by him and his Department, and describing the work done by the Department in fostering, promoting, and developing the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries, and the transportation facilities, of the United States, and making such recommendations as he shall deem necessary for the effective performance of the duties and purposes of the Department. He shall also from time to time make such special investigations and reports as he may be required to do by the President, or by either House of Congress, or which he himself may deem necessary and urgent.

The Secretary of Commerce and Labor shall have charge, in the buildings or premises occupied by or appropriated to the Department of Commerce and Labor, of the library, furniture, fixtures, records, and other property pertaining to it or hereafter acquired for use in its business; and he shall be allowed to expend for periodicals and the purposes of the library, and for the rental of appropriate quarters for the accommodation of the Department of Commerce and Labor within the District of Columbia, and for all other incidental expenses, such sums as Congress may provide from time to time: *Provided, however,* That where any office, bureau, or branch of the public service transferred to the Department of Commerce and Labor by this Act is occupying rented buildings or premises, it may still continue to do so until other suitable quarters are provided for its use: *And provided further,* That all officers, clerks, and employes now employed in or by any of the bureaus, offices, departments, or branches of the public service in this Act transferred to the Department of Commerce and Labor are each and all hereby transferred to said Department at their present grades and salaries, except where otherwise provided in this Act: *And provided further,* That all laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service by this Act transferred to and made a part of the Department of Commerce and Labor shall, so far as the same are not in conflict with the provisions of this

Chinese exclusion.

Annual reports to Congress by Secretary of Commerce and Labor. Sec. 8.

Special reports.

Property of Department. Sec. 9.

Expenditures.

Rented buildings.

Transfer of employes with bureaus.

Previous laws concerning these bureaus.

Act, remain in full force and effect until otherwise provided by law.

Jurisdiction over these bureaus vested in Secretary of Commerce and Labor.  
Sec. 10.

" All duties performed and all power and authority now possessed or exercised by the head of any executive department in and over any bureau, office, officer, board, branch, or division of the public service by this Act transferred to the Department of Commerce and Labor, or any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, officer, office, board, branch or division of the public service, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised by the head of the said Department of Commerce and Labor.

Jurisdiction over matters relating to merchant shipping.

All duties, power, authority and jurisdiction, whether supervisory, appellate or otherwise, now imposed or conferred upon the Secretary of the Treasury by Acts of Congress relating to merchant vessels or yachts, their measurement, numbers, names, registers, enrollments, licenses, commissions, records, mortgages, bills of sale, transfers, entry, clearance, movements and transportation of their cargoes and passengers, owners, officers, seamen, passengers, fees, inspection, equipment for the better security of life, and by Acts of Congress relating to tonnage tax, boilers on steam vessels, the carrying of inflammable, explosive or dangerous cargo on vessels, the use of petroleum or other similar substances to produce motive power and relating to the remission or refund of fines, penalties, forfeitures, exactions or charges incurred for violating any provision of law relating to vessels or seamen or to informer's shares of such fines, and by Acts of Congress relating to the Commissioner and Bureau of Navigation, Shipping Commissioners, their officers and employees, Steamboat-Inspection Service and any of the officials thereof, shall be and hereby are transferred to and imposed and conferred upon the Secretary of Commerce and Labor from and after the time of the transfer of the Bureau of Navigation, the Shipping Commissioners and the Steamboat Inspection Service to the Department of Commerce and Labor, and shall not thereafter be imposed upon or exercised by the Secretary of the Treasury. And all Acts or parts of Acts inconsistent with this Act are, so far as inconsistent, hereby repealed.

Acts repealed.

Bureau of Trade Relations, State Department.  
Sec. 11.

A person, to be designated by the Secretary of State, shall be appointed to formulate, under his direction, for the instruction of consular officers, the requests of the Secretary of Commerce and Labor; and to prepare from the dispatches of consular officers, for transmission to the Secretary of Commerce and Labor, such information as pertains to the work of the Department of Commerce and Labor; and such person shall have the rank and salary of a chief of bureau, and be furnished with such clerical assistants as may from time to time be authorized by law.

<sup>a</sup>In connection with sec. 10, see extracts from opinions of Attorney-General, page 34.

The President be, and he is hereby, authorized, by order in writing, to transfer at any time the whole or any part of any office, bureau, division or other branch of the public service engaged in statistical or scientific work, from the Department of State, the Department of the Treasury, the Department of War, the Department of Justice, the Post-Office Department, the Department of the Navy or the Department of the Interior, to the Department of Commerce and Labor; and in every such case the duties and authority performed by and conferred by law upon such office, bureau, division or other branch of the public service, or the part thereof so transferred, shall be thereby transferred with such office, bureau, division or other branch of the public service, or the part thereof which is so transferred. And all power and authority conferred by law, both supervisory and appellate, upon the department from which such transfer is made, or the Secretary thereof, in relation to the said office, bureau, division or other branch of the public service, or the part thereof so transferred, shall immediately, when such transfer is so ordered by the President, be fully conferred upon and vested in the Department of Commerce and Labor, or the Secretary thereof, as the case may be, as to the whole or part of such office, bureau, division or other branch of the public service so transferred.

President may transfer statistical or scientific work to Department of Commerce and Labor.  
Sec. 12.

This Act shall take effect and be in force from and after its passage: *Provided, however,* That the provisions of this Act other than those of section twelve in relation to the transfer of any existing office, bureau, division, officer or other branch of the public service or authority now conferred thereon, to the Department of Commerce and Labor shall take effect and be in force on the first day of July, nineteen hundred and three, and not before.

Date of taking effect.  
Sec. 13.

"For payment of the salaries and expenses of the Department of Commerce and Labor, established by the "Act to establish the Department of Commerce and Labor," approved February fourteenth, nineteen hundred and three, for the fiscal years nineteen hundred and three and nineteen hundred and four, as follows:

Salaries, etc., Department of Commerce and Labor.  
Mar. 3, 1903.  
(32 Stat., 1081.)

Office of the Secretary: For compensation of the Secretary of Commerce and Labor, at the rate of eight thousand dollars per annum; private secretary to the Secretary, at the rate of two thousand five hundred dollars per annum; Assistant Secretary of Commerce and Labor, at the rate of five thousand dollars per annum; private secretary to the Assistant Secretary, at the rate of one thousand eight

Secretary.

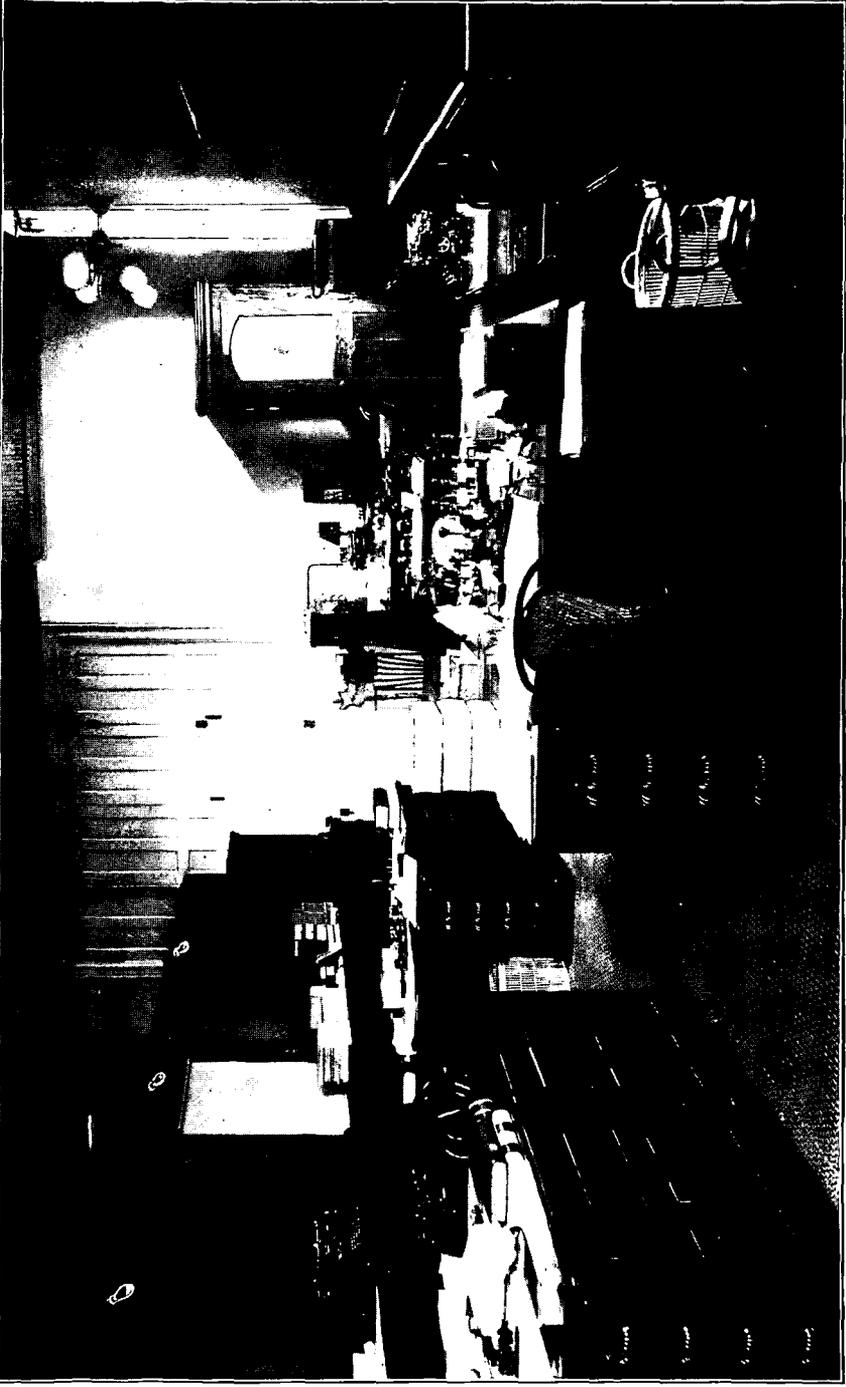
Private secretary to Secretary.

Assistant Secretary.

Private secretary to Assistant Secretary.

<sup>a</sup> Appropriation acts are not included in this volume except where they contain general legislation. This act is given on account of its historical value, being the first appropriation made for the Department of Commerce and Labor; and also on account of its usefulness in the work of organization.

- Chief Clerk. hundred dollars per annum; chief clerk, at the rate of three thousand dollars per annum; disbursing clerk, at the rate of two thousand five hundred dollars per annum; chief of the Bureau of Manufactures, at the rate of four thousand dollars per annum; Commissioner of Corporations, at the rate of five thousand dollars per annum; Deputy Commissioner of Corporations, at the rate of three thousand five hundred dollars per annum; chief clerk to the Bureau of Corporations, at the rate of two thousand dollars per annum; in all, fifty thousand dollars, or so much thereof as may be necessary.
- Clerks, messengers, etc. For such number of clerks of class four, clerks of class three, clerks of class two, clerks of class one, clerks at the rate of one thousand dollars each per annum, clerks at the rate of nine hundred dollars each per annum, clerks at the rate of seven hundred and twenty dollars each per annum, messengers, assistant messengers, and for the services of such other persons, at a rate of compensation not exceeding one thousand dollars each per annum, as the Secretary of Commerce and Labor may deem to be requisite and necessary in his office and in the Bureaus of Manufactures and Corporations, in addition to the employees that may be transferred hereunder from the office of the Secretary of the Treasury, not exceeding fifty thousand dollars.
- Contingent expenses. For contingent expenses of the office of the Secretary of Commerce and Labor, and the Bureaus of Manufactures and Corporations, namely:
- Books. For the purchase of professional and scientific books, law books, books of reference, periodicals, blank books, pamphlets, maps, newspapers (not exceeding two thousand five hundred dollars), stationery, furniture and repairs to the same, carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges, fuel, lighting and heating; for the purchase, exchange, and care of horses and vehicles, to be used only for official purposes; freight and express charges, postage, telegraph and telephone service, typewriters, and adding machines, and all other miscellaneous items and necessary expenses not included in the foregoing, fifty thousand dollars.
- Rent. For rent of necessary quarters for the offices of the Secretary of Commerce and Labor, and the Bureaus of Manufactures and Corporations, sixteen thousand dollars.
- Printing, etc. For printing and binding for the offices of the Secretary of Commerce and Labor, and the Bureaus of Manufactures and Corporations, to be executed under the direction of the Public Printer, seventy-five thousand dollars.
- Special agents. For compensation, to be fixed by the Secretary of Commerce and Labor, of such special agents in the Bureau of Corporations, and for per diem, subject to such rules and regulations as the Secretary of Commerce and Labor may prescribe, in lieu of subsistence at a rate not exceeding four dollars per day to each of said special agents, while absent from their homes on duty, and for actual necessary



TEMPORARY OFFICE OF THE DISBURSING CLERK, BUILDERS' EXCHANGE BUILDING

traveling expenses for said special agents including necessary sleeping car fares, sixty thousand dollars.

That all appropriations made for the fiscal year nineteen hundred and four for the Department of Labor, Fish Commission, bureaus, offices, or other divisions of whatever designation or character, transferred or that may be transferred from any executive department to the Department of Commerce and Labor under the act approved February fourteenth, nineteen hundred and three, shall be available for expenditure in and by the Department of Commerce and Labor, and shall be treated the same as though said branches of the public service had been directly named in the laws making said appropriations as parts of the Department of Commerce and Labor, under the direction of the Secretary of the Department: *Provided*, That as to all general appropriations for printing and binding, rent, and contingent or miscellaneous expenses, the amounts that shall be transferred hereunder, except where the same are specifically fixed by law, shall in the case of each bureau, office, or other division be not less than the average amount expended on account of or allotted for expenditures to each of the same during the fiscal years nineteen hundred and two and nineteen hundred and three.

Appropriations heretofore made to bureaus, etc., transferred.

That the Secretary of the Treasury is hereby authorized and directed, as soon as may be practicable and before the first day of July, nineteen hundred and three, to transfer to the Department of Commerce and Labor all chiefs of division, assistant chiefs of division, clerks, messengers, assistant messengers, watchmen, charwomen, and laborers now employed in the divisions of his office who are wholly engaged upon the work relating to the business of the bureaus and offices of the Treasury Department transferred or to be transferred to the Department of Commerce and Labor under the Act of February fourteenth, nineteen hundred and three; and in proportion to the number of persons in the divisions of his office whose time and labor are partially devoted to the work of said bureaus and offices he shall transfer approximately an equivalent number of clerks and other employees to said Department of Commerce and Labor, and the appropriations made for the compensation of all persons transferred hereunder shall be credited to and disbursed by the Department of Commerce and Labor.

Transfer of Treasury Department employees.

That the Secretary of Commerce and Labor shall submit to Congress for the fiscal year nineteen hundred and five, and annually thereafter, estimates in detail for all personal services and for all general and miscellaneous expenses for the Department of Commerce and Labor.

Annual estimates.

That all bureaus, offices, and divisions transferred to the Department of Commerce and Labor after July first, nineteen hundred and three, occupying quarters in any building owned by the United States shall continue therein

Quarters for bureaus, etc., hereafter transferred.

until otherwise provided for by Congress, except the Bureau of Immigration and the Steamboat-Inspection Service, which may be removed from the Treasury building to the Builders' Exchange building, numbers seven hundred and nineteen to seven hundred and twenty-one Thirteenth street northwest, premises now rented in part by the Treasury Department.

Bureau of  
Trade Relations.

To enable the Department of State to comply with the requirements of section eleven of the Act to establish the Department of Commerce and Labor, approved February fourteenth, nineteen hundred and three: Chief of Bureau, two thousand two hundred and fifty dollars; one clerk of class two, one thousand four hundred dollars; one clerk of class one, one thousand two hundred dollars; one assistant messenger, seven hundred and twenty dollars; in all, five thousand five hundred and seventy dollars.

---

#### EXTRACTS FROM OPINIONS OF THE ATTORNEY-GENERAL

The following paragraphs from opinions rendered by the Attorney-General, on certain questions of law submitted to him by the Secretary of Commerce and Labor, demonstrate the broad and comprehensive view taken by the law officer of the Government in defining the powers and duties of the Secretary of Commerce and Labor:

Congress has transferred to and made part of your Department a number of branches of the public service, some of which have been parts of other Departments and others independent. They will acquire new relations to each other and with regard to you and the Department as a whole. They are placed under your control. (June 22, 1903.)

The act of Congress with regard to your Department was doubtless conceived in the same spirit as the acts of a hundred years ago providing for the formation of other Executive Departments, and should be interpreted accordingly. (July 2, 1903.)

It can not be doubted that the business intrusted to you was intended to be mapped out on broad lines and separated from that of other Departments. (July 2, 1903.)

The general line of cleavage established by the act creating your Department between it and the Treasury Department leaves "navigation" with you and little with the Treasury Department which does not concern the collection, keeping, minting, and disbursing of the public treasure. (August 3, 1903.)