

The "Man's Store" Official Weather Report—Fair and warmer to-day.



Looks as if we'd have to shovel coal for a good many days yet. Winter isn't over by any means, and you'll have plenty of time to get the good of these

Splendid Suits and Overcoats we're selling at Honest Half Price.

Act at once. There's no time to lose, for the other fellow may get your suit or coat.

"Money's Worth or Money Back."

D. J. KAUFMAN, 1005-7 Pa. Ave.

An Economical and Dependable Fuel.

You can rely on Coke to give perfect results at all times. It is clean, inexpensive, and thoroughly good fuel. We'll supply you.

Washington Gaslight Co., 413 Tenth Street N. W.

Special for Few Days Only

Fresh Churned Butter, 5 Pounds, \$1.60. Strictly Fresh Eggs, 28c doz. Best 75c Tea, 50c lb. Coffee, 25c lb.

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Margen and Lager Beers of unequalled health value. It will pay you to insist on getting Heurich's. On draught and bottled.

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passed by Congress forbidding railroad operators working more than nine hours a day, has created demand for about 30,000 more telegraph operators than can now be secured.

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Practical Business Colleges. For booklet, "Why Learn Telegraphy?" call or address Jno. F. Draughon, Pres. of WASHINGTON ACADEMY OF MUSIC, ART, 9th & B. W. BUSINESS men say DRAUGHON'S IS THE BEST. THREE months' Bookkeeping by DRAUGHON'S copyrighted methods equals 18 months elsewhere.

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914 14th Street N. W. (Established 1882) College Preparatory School; Primary Department; Special Coaching. WINSLOW HIXSON RANDOLPH, Principal.

The Berlitz School of Languages

Recent awards: St. Louis Exposition, 1904, Grand Prize; Large Exposition, 1906, Grand Prize. French, German, Italian, English, &c. Native teachers. Trial lessons free.

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Largest Morning Circulation.

GAS COMPANY LOSES

Court Halts Plan to Increase Amount of Capital.

VICTORY FOR THE DISTRICT

Court of Appeals Says the Supreme Court Has No Jurisdiction to Ascertain Value of Local Plant—Calls the Law Unconstitutional—Declares Function is Legislative.

"After careful consideration, we are of the opinion that the duty of ascertaining the value of the plant of the Washington Gaslight Company and of its further extensions or enlargements as the basis for increasing its capital stock is a legislative one, involving the exercise of no judicial power in the constitutional sense, and cannot, therefore, be imposed upon the Supreme Court of the District of Columbia."

This is the substance of the opinion of the Court of Appeals, read by Chief Justice Shepard and handed down yesterday, directing that a writ of prohibition issue against Justice Gould, of the Supreme Court of the District of Columbia, and the Washington Gaslight Company to prohibit further proceedings in the company's application to increase its capital stock. Justice Van Orsdel delivered a dissenting opinion.

The court's decision of yesterday will also have the effect of preventing the Georgetown Gaslight Company from increasing its capital stock from \$150,000 to \$300,000.

Beyond the statement that the case would be taken to the Supreme Court of the United States, Attorney Wilton J. Lambert, of counsel for the Washington Gaslight Company, declined to discuss the action of the Court of Appeals.

On November 5 last, the Washington Gaslight Company filed an application in the Supreme Court of the District, under section 5, of act of Congress of June 5, 1896, for the ascertainment of the actual cash value of its plant and the cost of fixtures, extensions, or enlargements of the same, and upon the finding of the auditor, to be allowed to increase its capital stock to the amount which it was found the plant involved. It is variously estimated that the plant would be found to be worth from \$100,000 to \$150,000, which would mean an increase of from approximately \$8,000,000 to \$11,000,000, which would be divided as a bonus among the stockholders.

The action of the court will cause an indefinite, if not a permanent, postponement of the cutting of this tenuous vein. District Opposes Increase. Corporation Counsel Thomas, representing the Commissioners, opposed the contemplated increase, holding that Justice Gould, as a member of the Supreme Court of the District of Columbia, had no jurisdiction, as section 5, of the act referred to, was unconstitutional in that the power conferred by this section was not a judicial power. Justice Gould held, however, that the power conferred was a judicial one, that he had jurisdiction, and that he would entertain the application.

Corporation Counsel Thomas thereupon, on December 11, applied to the Court of Appeals for a writ of prohibition, and the case issued a rule for the Washington Gaslight Company and Justice Gould to show cause why the writ should not issue. Attorneys R. Ross Perry & Son, Wilton J. Lambert, and Edward H. McLean, who appeared upon behalf of the gas company, maintained that the act was constitutional, and that the court below had jurisdiction, and cited numerous authorities.

Justice Gould answers. Justice Gould, in his answer, denied the power of the Court of Appeals to issue such a writ, because it had no appellate jurisdiction in the premises, and that if it had, the remedy of the Commissioners was by appeal. He also affirmed the constitutionality of the act.

The opinion of the majority of the court held that section 5, of the act referred to, is unconstitutional, because it attempts to delegate a legislative function to the Supreme Court of the District of Columbia. "Congress has unlimited power," the court holds, "to amend the charter of the Washington Gaslight Company. If it preferred, instead of making its own inquiry into the value of the property, and issuing a rule for the district judge to inquire to the municipal officers of the District, it would have that power.

Delegates Power to Court. "Instead of delegating it to municipal officers, it has undertaken to convert one of the courts of the United States into such an agency. No judicial power is involved in the execution of the law. The determination to be made does not involve an asserted and contested right, and when made, is not a final and conclusive one that may be given effect to by the power of the court. The petitioner is not bound to act upon the determination, nor is Congress bound by it. Should the petitioner desire to act upon the determination, Congress would probably have to pass an act amending the charter to that end, or else provide for the amendment upon a general law."

The court also held that the proceedings were ex parte, and that it failed to perceive any substantial difference between the statute under consideration, and one that would require the same court to hear evidence relating to all the conditions of the business of the gas company, and thereupon to ascertain and declare its rate of charges to consumers in the District. No one pretends, it holds, that this power could be conferred upon the court.

Constitutional, Says Van Orsdel. Justice Van Orsdel, in his opinion dissenting from the majority opinion, held that the power conferred under section 5 was constitutional, and the proper delegation of a duty upon the Supreme Court of the District, concluding his opinion by saying:

"Considering the plenary powers reposed in Congress by the constitution to legislate for the government of the District of Columbia, I am of the opinion that the power conferred by the act in question upon the Supreme Court of the District is a constitutional delegation of judicial authority."

Corporation Counsel Thomas was the recipient of numerous congratulations by fellow members of the bar yesterday on account of the notable victory he won in securing the writ of prohibition from the court.

Macfarland Pleased. Commissioner Macfarland, discussing the decision, said:

"The decision is naturally very gratifying, because it sustains the contention of the Commissioners which Corporation Counsel Thomas so ably presented. It is to be hoped that it will be confirmed upon appeal. At all events, it gives us what is desired for the present."

"Now, if Congress will grant the request of the Commissioners to clothe them with the powers of a public-utilities fellow members of the bar yesterday on account of the notable victory he won in securing the writ of prohibition from the court.

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REPORT TO COUNCIL

Jewish Women Meet in the Eighth Street Temple.

ATTENTION TO RELIEF WORK

Fourteen Youthful Protoges of the Washington Body in the Atlanta Orphan's Home Making Splendid Progress—Mrs. Sanders Tells of the Marked Improvement of a Boy.

With a large attendance, the Council of Jewish Women conducted its monthly meeting yesterday afternoon in the vestry rooms of the Eighth Street Temple. Reports from the various chairmen of the committees in charge of the charitable and philanthropic work were read. The results of the past month's work, as disclosed in the reports, proved gratifying to the assembled members and were enthusiastically received.

Particular attention was given the relief work for the Atlanta Orphan Home, in Atlanta, Ga., in which institution the council has fourteen of its youthful protegés.

Money Given the Home. The sum of \$1,000 has already been given the home by the local council, and it was decided to make additional bequests, as it was reported the institution was in need.

Mrs. A. Sanders, one of the members of the council interested in the Atlanta Home, told of a supposedly incorrigible boy she had caused to be sent there, and who had since reformed and developed into a fine, manly youth. Mrs. Sanders read a letter from her protegee, describing his life at the home and acknowledging his indebtedness to Mrs. Sanders, for having sent him to the institution. It was decided to give an entertainment of some character to raise a fund to be sent to the institution.

Mrs. Charles Goldsmith, president of the council, was in the chair. Mrs. L. Neuman, treasurer, reported the result of two recent benefit entertainments held under the auspices of the council, and through which the sum of nearly \$1,000 had been raised.

The members of the immigrant aid committee were given a chance to report on their work. Mrs. Dave Sanger spoke on the condition of the alley dwellers, and appealed to the council to lend their aid to the branch of the work.

World Not Pauperize. Mrs. Alexander Wolf, assistant chairman of the committee, reported on the work of those who visit the homes of the needy, and laid emphasis on the fact that in this work the effort was to instruct and not to pauperize by making donations of money.

Mrs. Adolph Kalin, chairman of the committee, dwelt on the work of the night classes in English conducted by the council, and in speaking of the good done through this instruction she mentioned the case of a middle-aged woman who had lived for years in Washington, but who only recently, through attendance at these night classes, had been enabled to read "the signs on Seventh street," as she told Mrs. Kalin.

Announcement was made of a lecture to be given in the vestry rooms of the temple next Monday evening by Dr. Lee R. Frankel, of New York City. Mrs. Kitty Thompson Berry Burton will sing, and Mrs. Florence Herman will be the accompanist. The council adjourned, and refreshments were served.

It was said yesterday that the convention will not adjourn before Friday or Saturday.

The following temporary officers will probably be permanently seated: William D. Huber, president; James Kirby, vice president, and W. J. Spencer, secretary.

HEAR POLICEMAN'S APPEAL

Private Brown's Case Taken Up by the Commissioners. Policeman T. B. Brown, of the First precinct, recently found guilty of having talked to a woman for a period of an hour while on duty, and of having visited her apartments, was given a hearing by the Commissioners yesterday, as the result of an appeal from the police trial board.

In addition to Brown's attorney, Wilton T. Lambert, Gen. Andrew S. Burt, commander of Barry Garrison, of the Army and Navy Union, pleaded for leniency because of the military record of the accused. Brown was a sergeant in the Ninth United States Infantry in the Spanish-American war, under Gen. Burt.

Under these considerations, and in view of the other evidence forwarded in the defense of Brown by his counsel, the Commissioners have decided to give the case further consideration.

DEMAND SELF-GOVERNMENT

Independent Suffrage League Takes Action at Meeting. At a meeting of the members of the Independent Suffrage League, Monday night, 132 W street northwest, it was decided to co-operate with, and ask the co-operation of all bona fide citizen residents and citizens' associations of the District, for the purpose of accomplishing the right of local self government, for, and by the people of the District.

A committee was appointed to make arrangements for a meeting to be held next Wednesday for the purpose of taking counsel and advice, with a view to co-operative action among the citizens of the District. The committee is composed of Messrs. William A. Hutson, Edwin K. Lee, and Samuel M. Marks.

Giving Bible Talk Series. Rev. J. A. Ramsey, of Norfolk, Va., a well-known Bible teacher in the South, is conducting a series of Bible talks at the Christian and Missionary Alliance Church, 21 Grant place northwest, at 2:30 o'clock in the afternoon, and at 7:30 o'clock at night. He will conclude his week of lecturing Friday night.

Disapprove Opening Ontario Place. The Commissioners disapprove the bill recently introduced in Congress to extend Ontario place from Adams Mill road to Calvert street. The proposed extension would necessitate the destruction of one large apartment house, and several first-class brick dwellings.

Floral Valentines Are Appreciated. Most. Violets, roses, &c. Shaffer, 14th & I.

THE HOME OF PURE WHISKY. FINEZA—a Whisky of—Honest Quality.

It'll please you and prove most beneficial. Bottle, \$1. CHAS. KRAEMER, 735 7th St. N. W., Phone M. 2739

PLACES OF INTEREST.

Library of Congress—Open 9 a. m. to 10 p. m. on regular days; from 2 p. m. to 10 p. m. on Sundays and on certain holidays.

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Southwest Cottage, 361st and Prospect ave. IN THE SUBURBS.

Zoological Park—Open all day. Rock Creek Bridge and Park. Chevy Chase, Kensington, and Chesapeake Beach.

Naval Observatory—Open 9 a. m. to 5 p. m. Fish Commission—Open 9 a. m. to 4:30 p. m. Arlington National Cemetery—Open all day.

United States Soldiers' Home—Open 9 a. m. to 2 p. m. Catholic Grounds, Tenallytown road—Open 9 a. m. to 4 p. m.

Cabin John Bridge, Catholic University, and Alexandria. Great Falls of the Potomac.

OPPOSING SUNDAY FUNERALS

The Interdenominational Ministers' Meeting Takes Action. Adopt Resolutions Declaring the Practice Is Hurtful to the Churches.

At a session of the Interdenominational Ministers' Meeting of the District of Columbia the question of Sabbath observance was discussed, and the following resolutions were unanimously adopted:

Whereas the practice of holding funerals on the Lord's Day is on the increase in the churches of our city in the District of Columbia, and whereas this practice is hurtful to the churches, and is a violation of the Sabbath, and is a source of Sabbath desecration in that it causes undertakers and hack drivers to do work that is not absolutely necessary on the Lord's Day, and keeps large numbers of people from the regular church services;

Whereas the laws of the District of Columbia forbid the burial of persons on Sunday, and whereas the holding of funerals causes the pastors and members of our churches to be unnecessarily absent from church;

Therefore, be it resolved, That we, the members of the Interdenominational Ministers' Meeting of the District of Columbia, do condemn said practice as being contrary to the plain teaching of God's word, harmful to the spiritual and eternal welfare of our churches, and persons in its effect upon the deceased and minds of our people.

Resolved also, That we, the members of the Interdenominational Ministers' Meeting of the District of Columbia, do hereby urge upon the members of our churches and pastors in the District of Columbia, that a copy of these resolutions be sent to every minister's meeting among us in the District, and that a committee of five be appointed by the president to visit said ministers' meetings and urge them to take similar action in this matter.

Resolved also, That the Interdenominational Ministers' Meeting on Monday, February 13 A. D. 1906, be held at the residence of Rev. Dr. J. Milton Waldron, Sterling M. Brown, W. H. Davenport, J. W. Smith, and Dr. Wiseman were appointed a committee to lay these resolutions before the other ministers' meetings of the District of Columbia and to urge their adoption.

DUNLOP LEAVES BIG ESTATE.

Will of Late Traction President Filed for Probate. The will of George T. Dunlop, late president of the Capital Traction Company, was filed for probate yesterday.

It is dated December 13, 1907, and its exact value is not disclosed, although its exact value is not disclosed by any papers filed with the instrument.

The testator appointed his wife, Mrs. Emily Reed Dunlop, and his son, G. Thomas Dunlop, as executors.

The will provides that the widow shall receive \$500 monthly, and each of the six children of the testator \$200 monthly, pending the preliminary settlement of the estate.

To the widow is devised premises No. 3102 Q street, with the furniture therein, and to G. Thomas Dunlop the farm known as Hayes, in Montgomery County, Maryland.

The following cash bequests are made to nieces and nephews: Henry D. Crampton, \$5,000; Ellen D. Crampton, \$2,000; Martha K. Crampton, \$2,000; Katherine Thompson, \$2,000; Helen Crampton, \$2,000; Benjamin P. Crampton, \$2,000. The sum of \$1,000 is devised to the American Security and Trust Company, in trust, to apply the income to the care of the family burial plot in Oak Hill Cemetery.

When the preliminary settlement of the estate is finished the widow is to be paid \$8,000 annually, and a sister of the testator, Catherine E. Crampton, is to receive \$2,000 in cash. Upon the death of the widow the estate is to be divided equally among the six children—G. Thomas Dunlop, Emily Redin Simms, Helen Dunlop, Trouhard, John Dunlop, Grace G. Dunlop, Ecker Dunlop, and Walter Grafton Dunlop.

Want a Street Widened. The Commissioners have been petitioned by residents of Georgetown to request that an appropriation be asked of Congress for the widening and extension of Brown street, in square 129. Insofar as the signers of the petition have been assessed for improvements to be provided by the proposed extension and widening, they feel the improvements should be carried out.

Reports on Ketcham School. Maj. Morrow, Engineer Commissioner, has reported that an inspection of the Ketcham School, in Anacostia, has been made, and that the plastering and plumbing were found unsatisfactory. The Commissioner recommended the building be accepted as completed on January 23, provided the contractor improves the plastering and makes the plumbing satisfactory.

Club Indorses Foraker. The Foraker Republican Club, of the District of Columbia, held a meeting Monday night, and indorsed the candidacy of Senator Joseph B. Foraker for President of the United States. Sidney W. Belber and Richard Homers were the principal delegates to the national convention. The officers of the club are: James H. Matthews, president; Louis Garnette, vice president; William Thomas, secretary; and J. Kennedy, treasurer.

PROBERS ARE SILENT

G. P. O. Investigation Proceeds with Secrecy.

INVENTORY OF SUPPLIES MADE

Messrs. Fowler, Burch, and Schmeckelber Working to Get a Complete Line on What Has Been Purchased for the Office Under Stillings and The Audit System Regime.

Profound secrecy surrounds the investigation at the Government Printing Office by W. S. Rossiter and his corps of five assistants. The President's chief probers was too busy yesterday to be interviewed, but sent word that the investigation was progressing at a satisfactory rate of speed, considering the immensity of the task.

It is understood that a complete inventory of the supplies and machinery recently purchased has been made by the three supply experts, Messrs. Fowler, Burch, and Schmeckelber, who are giving this phase of the G. P. O. affairs their particular attention.

Going Over the Contracts. These three experts are carefully going over the contracts for all the supplies bought through Mr. Stillings and The Audit System, but if they have found anything of a suspicious character it has not leaked out as yet. It is said that they are experiencing difficulty in ascertaining the total cost of many items, owing to the system of bookkeeping installed under the Audit System.

It seems that under the old system the totals could be found at a glance, but that now each item is separated and has to be picked out.

Too much red tape in the installation and operation of the mechanical equipment of the office is said to be the cause of this difficulty. For instance, bolts used in repairing a press would be charged as hardware, and if the wooden supports of the press were replaced with new ones they would be charged as woodwork and charged to the carpenter shop.

MANY CONVERSIONS MADE.

Revival Services at Hamline Methodist Church Successful. At the continued revival meetings at Hamline M. E. Church many conversions were reported last night as the result of Mr. Harrison's exhortation. Rev. Harrison's text was "The hand of God is with them for good that seek Him." Rev. Harrison said that there are many who have a professional but not experimental religion, and do not enjoy the comfort of God's love.

Rev. Charles Guthrie, pastor of Hamline Church said: "It would have been a mistake to close these meetings when there was such an overwhelming power and manifestation for good. It is, indeed, gratifying and inspiring to see such splendid results continue. God himself is helping this fruitful sowing of souls abroad."

"One of the chief values of an awakening, such as the present one, is the object lesson it furnishes to those of younger years. Great revivals are rare things these days, and when one occurs it is worth while to dwell upon its features and its meaning for the benefit of those who have never witnessed such a work. In this sense there is no doubt that in addition to the numbers converted, and the greater number restored to divine favor, that Mr. Harrison has been preparing the way for real revivals of religion in the next generation. It is also a fact that a revival like the present one is of great value. It is really surprising the numbers of Christian people in a city like this who are adrift from their churches. And in many instances one may fear that they have become satisfied in their present condition. On the whole, the effort has more than justified itself, and its fruitfulness through the present week promises to justify every expectation entertained by our people."

THE "CENTURY" SALE.

Notable Ten Days' Distribution in Washington Closes To-night. There are many Washington homes that are to be congratulated upon the wisdom displayed in their latest acquisition of libraries that really give reference value, the Century Dictionary and Cyclopaedia and Atlas, and a few more homes may lay claim to the same wisdom if they at once proceed to make sure of a set of the work before the distribution closes this evening.

All these have also made a substantial saving for they have obtained the Century sets at a price far below the date, and enlarged and improved, at only \$2.50, payable in a convenient way, and easy, whereas former purchasers have always been obliged to pay from \$95 to \$150, according to the style of binding selected.

Small wonder, then, that the sets allotted Washington and vicinity have been so eagerly claimed that the distribution ends this evening. Those who have hesitated or delayed too long will be disappointed.

Until the hour named, however, the offer remains open, so there is still time for those who act at once by calling at the book department of Woodward & Lothrop, 14th & K, or by ordering by mail, in arrangement with the Cosmopolitan Magazine as a means of adding names to the subscription list of that well-known periodical, the \$3.50 price including a full year of the Cosmopolitan.

The Best Floral Specimens.

Guid's home-grown American Beauties always win approval. 1214 F.

Indorsed as Delegates.

At the meeting of the District of Columbia Republican Campaign Club, in Murphy's Hall, Fourth and O streets northwest, last evening, Lyman Roulach and T. A. Richardson were indorsed for election as delegates to the national Republican convention to be held in Chicago next June. T. A. Walker presided.

CHECK FOR \$1 GIVEN

To fill who by the famous Golden Rod Sausage. Save 20 of the coupons, then bring them here and get the check. This check is to be used to open a Savings account with the United States Trust Company.

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