

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

A bill (S. 762) granting a pension to Mrs. Elsie Alden McCawley;

A bill (S. 3882) granting a pension to Honora Shea; and

A joint resolution (S. R. 159) authorizing the loan, for exhibition at the World's Columbian Exposition, of certain paintings therein stated.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 3d instant, approved and signed the following acts and joint resolutions:

An act (S. 3473) to authorize the Interoceanic Railway Company to construct and operate railway, telegraph, and telephone lines through the Indiana Territory;

An act (S. 3882) granting a pension to Honora Shea;

An act (S. 3711) granting the right of way through the Arlington reservation for railroad purposes;

An act (S. 762) granting a pension to Mrs. Elise Alden McCawley;

An act (S. 204) in relation to the pay of Rear-Admiral James E. Jouett;

An act (S. 3881) relating to copyrights;

Joint resolution (S. R. 148) authorizing the secretary of the Smithsonian Institution to send articles illustrative of the life and development of the industries of women to the World's Columbian Exposition; and

Joint resolution (S. R. 159) authorizing the loan, for exhibition at the World's Columbian Exposition, of certain paintings therein stated.

SWEARING IN OF VICE-PRESIDENT.

The Vice-President-elect (Hon. ADLAI E. STEVENSON, of Illinois) entered the Chamber, accompanied by Mr. TELLER, Mr. RANSOM, and Mr. MCPHERSON, members of the Committee of Arrangements for the inauguration.

The VICE-PRESIDENT. Senators, the time fixed by the Constitution for the termination of the Fifty-second Congress has arrived, and I shall soon resign the gavel of the President of the Senate to the honored son of Illinois who has been chosen as my successor.

I can not, however, take my leave of this distinguished body without offering my most grateful acknowledgments for the honor conferred by the resolution just adopted, declaring your approval of the manner in which I have discharged the duties of the Chair, and expressing my deep sense of the uniform courtesy and kindness, even in critical and complicated situations, extended to me as the presiding officer by every member of this body.

If I have committed errors, you have refrained from rebuking them, and I have never appealed in vain to your sense of justice and have ever received your support.

My association with the representatives of the forty-four States of this great nation in this Chamber will be among the most cherished memories of my life, and I can express no better wish for my successor than that he may enjoy the same relations of mutual regard, and that the same courtesy and kindness that have never been limited by party lines or controlled by political affiliations, and which have so happily marked my intercourse with Senators, may be extended to him.

And now, Senators and officers of the Senate, from whom I have received so many good offices in the discharge of my duties, accept a feeble expression of my grateful appreciation of your kindness, with my heartfelt wishes for your future welfare and happiness in life.

The Vice-President-elect is ready to take and subscribe to the oath of office.

Thereupon Mr. STEVENSON took and subscribed the oath prescribed by law, and was conducted to a seat at the right of the Vice-President.

The VICE-PRESIDENT. The Chair declares the Senate adjourned without day.

NOMINATIONS.

Executive nominations received by the Senate March 3, 1893.

ASSISTANT SURGEONS IN THE NAVY.

Alfred Brown Pusey, a resident of Kentucky, and Edward Mansfield Shipp, a resident of Virginia, to be assistant surgeons in the United States Navy, both to fill vacancies in that grade.

TRANSFER IN THE ARMY.

Second Lieut. Charles P. Summerall, First Infantry, to be sec-

ond lieutenant, February 24, 1893, to rank from June 11, 1892, vice Stevens, Fifth Artillery, promoted.

PROMOTIONS IN THE NAVY.

Lieut. (junior grade) Herbert O. Dunn, to be a lieutenant in the Navy from the 17th of February, 1893, vice Lieut. Lovell K. Reynolds, deceased.

Ensign Joseph Beale, to be a lieutenant (junior grade) from the 17th of February, 1893, vice Lieut. (junior grade) Herbert O. Dunn, promoted.

HOUSE OF REPRESENTATIVES.

FRIDAY, March 3, 1893.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

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

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, announced that the Senate had passed with amendments the bill (H. R. 10258) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1893, and for prior years, and for other purposes; in which the concurrence of the House was requested.

GENERAL DEFICIENCY BILL.

Mr. SAYERS. Mr. Speaker, I ask unanimous consent that the House nonconcur in the amendments of the Senate to the general deficiency bill, and ask a conference with the Senate on the disagreeing votes thereon.

Mr. DINGLEY. That should be done, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. BUNN. I object, Mr. Speaker.

Mr. SAYERS. Then, I move to suspend the rules and nonconcur in the amendments of the Senate to the general deficiency bill, and ask a conference thereon.

Mr. BUNN. On that I demand a second.

The SPEAKER announced as tellers Mr. SAYERS and Mr. BUNN.

The House divided; and the tellers reported—ayes 168, noes not counted.

So a second was ordered.

The SPEAKER. The Chair will recognize the gentleman from Texas to control the time in support of the motion and the gentleman from North Carolina in opposition.

Mr. SAYERS. Mr. Speaker, I have only to state to this House that it is now a matter of exceeding importance that the general deficiency bill should go into conference. The Senate have added two hundred or more amendments to the bill, and they will require some hours of careful consideration before it is likely that an agreement can be reached with regard to them. There are items of appropriation involved in this bill which concern pensions, the Census Office, the Department of Justice and, in fact, every department of the Government. The bill ought to be passed before Congress adjourns.

I reserve the remainder of my time.

Mr. BUNN. Mr. Speaker, at this late hour in the session it is very far from any purpose of mine to prevent the passage of this bill or to throw any unnecessary or unreasonable obstructions in the pathway of legislation. I had the purpose only in view in making this demand of gaining to one of the States of our sisterhood a right to be heard. I desired the House to understand fully the question that is presented by one of the Senate amendments to this bill.

The State of Florida has long been knocking at the doors of the House of Representatives for a simple act of justice from the Government of the United States. A bill has passed this House time and again and has also passed the Senate, and an act of the Senate is now on the Speaker's table which we desire to have considered, and have labored in vain for recognition. In the press of business we do not know how it can be considered except as an amendment of the Senate to this bill. The Senate has placed that amendment on this bill directing the payment of the claim of the State of Florida.

I need not stop here, Mr. Speaker, to argue the justice of that claim. Nobody who understands the question has denied it so far as I know. The only thing we ask or desire is that this House should be allowed simply to have a vote on this question. That right has been denied us. We have petitioned time and again for the simple right to have a vote and that has been denied us, and the only purpose I had in insisting upon a second to this motion was to ask consent of the House to give us a sepa-

rate vote on this amendment in the interest of the people of the State of Florida.

If the House of Representatives refuses that right I will have done my duty respecting the Committee on Claims, from which committee this bill comes. That is all I have asked.

I do not stand here, sir, on the floor of this House as an obstructionist. All I desire is simply a vote on this proposition. I am told that the purpose of the motion of the gentleman from Texas is to get this matter into conference, reject the amendment, and shut out the State of Florida from a right to which that State is absolutely entitled. It is only in view of this condition that I have demanded a second. I call on the House now and ask the members present to give to this State of Florida a right to a vote on this question, to be decided one way or the other, and not to shut the doors, as it is proposed to do by this motion of the gentleman from Texas.

I reserve the balance of my time, yielding to the gentleman from Florida [Mr. MALLORY] such of my time as he may desire.

Mr. MALLORY. Mr. Speaker, like the gentleman from North Carolina, I have no object or desire to interpose any obstruction whatever to the progress of business at this late day in the session. But, sir, I feel and believe as sincerely as it is possible to feel and believe anything that the claim which the State of Florida has against the United States is an eminently just one, and one to which careful consideration is due from this body.

That claim, as is well understood by gentlemen who were present at the last discussion of it, which occurred in this session of Congress, is one which is due to the State of Florida by reason of moneys actually expended by her in protecting herself against the invasion of a savage foe.

It is a well-known fact, concerning which there is no dispute, that the State of Florida had to issue bonds for the purpose of raising the money wherewith to pay her volunteers, and that she has been paying interest on those bonds since 1857 to the present day, at the rate of 8 per cent per annum. It is a fact which is known to every member of this House that it is the constitutional duty of the United States Government to protect the States against invasion. It is a well-known fact, not only in law, but established by precedent time and again, that the United States Government has refunded to different States the money which they have expended in defending themselves in Indian wars. At least eight or ten States have received such payment.

Now, Mr. Speaker, the amendment referred to by the gentleman from North Carolina [Mr. BUNN] is one which simply proposes to reimburse the State of Florida for the moneys which she expended in the Indian war of 1856, 1857, and 1858. That bill passed this House in the Fiftieth Congress. It failed to become a law because it did not pass the Senate at that session.

That bill passed the Senate early in the first session of this Congress, and has been upon the Speaker's table from that time to the present. A similar bill, introduced by myself in this House, received a unanimously favorable report from the Committee on Claims; and all that we have been able to do here, knocking at the door of this Congress to obtain a hearing if nothing else, has been simply to obtain a portion of a day here when there was no quorum present, and when, the question of no quorum having been raised, its further consideration was prevented.

Now, the Senate, looking into this matter, has put upon this deficiency appropriation bill a provision requiring the payment of this claim, and it comes into this House in that shape. We do not ask for anything but a hearing. We think it is but right and proper and worthy the dignity and honor of a sovereign State of this Union that a claim of this magnitude and character should receive from this House and from each body in Congress the consideration which the claim of a State is entitled to. For that reason we are unwilling to submit this matter to a conference committee consisting of six gentlemen representing the two bodies of this Congress.

We simply ask that this House be permitted to have a vote upon this subject; and if in the opinion of a majority of this body the claim is one which should not be paid, then no one will more promptly acquiesce in that decision than I. But, sir, I do claim and insist that it is proper, that it is due to this Congress, that it is due to the State of Florida, that that State should at least have an opportunity to obtain the voice of this House upon this its just claim.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. SAYERS] to suspend the rules and non-concur in the Senate amendments, and ask for a conference on the disagreeing votes of the two Houses.

The question being taken, the Speaker announced that the ayes seemed to have it.

Mr. BUNN demanded a division.

The House divided: and there were—ayes 120, noes 37.

Mr. MALLORY demanded the yeas and nays.

The yeas and nays were refused, only 17 members voting in favor thereof.

The SPEAKER. Two-thirds having voted in favor thereof, the rules are suspended and the motion of the gentleman from Texas to nonconcur in the Senate amendments to this bill and ask for a conference is agreed to.

The SPEAKER announced as conferees on the part of the House Mr. SAYERS, Mr. HOLMAN, and Mr. DINGLEY.

PERSONAL EXPLANATION.

Mr. COGSWELL. Mr. Speaker, I desire to make a personal explanation. I was unavoidably absent last night when the yeas and nays were had upon the adoption of the resolution for clerk hire to members. Had I been present I should have heartily supported the resolution, for I think it is one of the wisest measures this Congress has passed.

Mr. TAYLOR of Illinois. I simply desire to reiterate what the gentleman from Massachusetts [Mr. COGSWELL] has said.

MESSAGE FROM THE PRESIDENT.

The SPEAKER laid before the House the following message from the President of the United States:

To the Senate and House of Representatives:

I transmit herewith the fifth special report of the Commissioner of Labor. This report relates to the so-called "Gothenburg system" of regulating the liquor traffic, the system prevailing in Norway and Sweden.

BENJ. HARRISON.

EXECUTIVE MANSION,

Washington, D. C., March 2, 1893.

The message and accompanying documents were ordered to be printed, and referred to the Committee on Labor.

COST OF THE PRODUCTION OF GOLD AND SILVER.

The SPEAKER laid before the House the following resolution of the Senate; which was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 6,000 copies of the report of the Committee on Mines and Mining on the cost of the production of gold and silver, 2,000 copies of which to be for the use of the Senate, and 4,000 copies for the use of the House.

Mr. RICHARDSON. Mr. Speaker, the Committee on Printing of the House has favorably reported that resolution, and I ask that the House agree to the Senate resolution. It is to show the cost of the production of gold and silver.

The Senate resolution was agreed to.

On motion of Mr. RICHARDSON, a motion to reconsider the vote by which the Senate resolution was agreed to was laid on the table.

BRIDGE ACROSS THE CALUMET RIVER.

The SPEAKER laid before the House the bill (S. 3890) to authorize the Lake Shore and Michigan Southern Railroad Company to renew its railroad bridge across the Calumet River upon or near the site of its present bridge and upon a location and plans to be approved by the Secretary of War, and to operate the same.

Mr. TAYLOR of Illinois. Mr. Speaker, I ask unanimous consent for the present consideration of this bill.

The SPEAKER. The Clerk will read the bill, after which the Chair will ask if there be objection.

Mr. TAYLOR of Illinois. This is one of those regular bridge bills.

The SPEAKER. It is a very short bill.

The bill was read, as follows:

Be it enacted, etc., That the Lake Shore and Michigan Southern Railroad Company, a corporation existing under the laws of the States of Illinois and Indiana, and now operating a railroad therein, be, and it is hereby, authorized to renew its railroad bridge across the Calumet River upon or near the site of its present bridge, upon such location and plans as may be approved by the Secretary of War, and to operate the same.

SEC. 2. That said bridge shall be so kept and managed at all times as to afford proper means and ways for the passage of vessels, barges, or rafts, both by day and by night, and the draw of said bridge shall be opened promptly upon reasonable signals for the passage of boats, vessels, or other water craft, and in no case shall unnecessary delay occur in opening said draw; and there shall be displayed on said bridge from sunset to sunrise, by the owners thereof, such lights or other signals as the Light-House Board may prescribe. And any changes in the structure of said bridge which the Secretary of War may hereafter require in the interest of navigation, shall be made by the owners thereof at their own proper cost and expense.

SEC. 3. That the right to alter or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection to the request for the present consideration of this bridge bill? [After a pause.] The Chair hears none, and the question is on ordering the bill to a third reading.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

WASHINGTON, ALEXANDRIA AND MOUNT VERNON ELECTRIC RAILWAY COMPANY.

The SPEAKER laid before the House the bill (S. 3880) to authorize the Washington, Alexandria, and Mount Vernon Elec-

tric Railway Company to construct a bridge across the Potomac River opposite Observatory Hill.

Mr. WISE. I ask, Mr. Speaker, unanimous consent for the immediate consideration of this bill.

Mr. OUTHWAITE. I object.

The SPEAKER. The gentleman from Ohio [Mr. OUTHWAITE] objects, and the bill will be referred to the Committee on Interstate and Foreign Commerce.

CUMBERLAND FEMALE COLLEGE, M'MINNVILLE, TENN.

The SPEAKER laid before the House the bill (H. R. 2122) for the relief of Cumberland Female College, McMinnville, Tenn., with Senate amendment.

Mr. SNODGRASS. Mr. Speaker, I move to agree to the conference asked by the Senate.

The SPEAKER. Without objection, that order will be entered.

There was no objection.

The SPEAKER. The following conferees are appointed on the part of the House: Mr. ENLOE, Mr. STONE of Kentucky, and Mr. HOUK of Tennessee.

LEAVE TO PRINT.

Mr. JOSEPH D. TAYLOR, by unanimous consent, obtained leave to print remarks on the sundry civil appropriation bill.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. HOLMAN. Mr. Speaker, I submit the report of the conferees on the sundry civil appropriation bill.

The SPEAKER. The Clerk will report the title of the bill. The Clerk read as follows:

A bill (H. R. 10233) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes.

The SPEAKER. The Clerk will read the statement.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the sundry civil appropriation bill, submit the following written statement in explanation of the action agreed upon and recommended in the accompanying conference report, namely:

On amendment numbered 86: Strikes out the appropriation of \$25,000 proposed by the Senate for the entertainment of guests of the United States at the World's Columbian Exposition.

On amendment numbered 87: Strikes out the appropriation of \$25,000 proposed by the Senate for the entertainment of representatives of foreign Governments at the World's Columbian Exposition.

On amendment numbered 189: Strikes out the provision proposed by the House concerning expenditures in the execution of laws relating to the election of members of Congress.

On amendment numbered 193: Strikes out the appropriation of \$8,745 proposed by the Senate for payment to the widow of the late Chief Justice Waite.

On amendment numbered 194: Strikes out the appropriation of \$7,419 proposed by the Senate for payment to the widow of the late Justice Miller.

The committee of conference have been unable to agree upon the following amendments, namely:

On amendment numbered 67, 68, 69, 70, and 71, making further appropriations for the World's Columbian Exposition.

On amendment numbered 104, striking out the provision proposed by the House concerning timber-culture laws.

W. S. HOLMAN,
JOSEPH D. SAYERS,
WILLIAM COGSWELL,
Managers on the part of the House.

Mr. HOLMAN. Mr. Speaker, the effect of the action of the conferees of the two Houses is as follows: The Senate recedes from amendment numbered 86, which appropriates \$25,000 for the entertainment of guests of the United States at the World's Fair. The Senate recedes from amendment numbered 87, which appropriates \$25,000 for the entertainment of the foreign representatives at the World's Exposition. The Senate recedes from amendment numbered 193, which proposes to appropriate \$8,745 to the widow of Chief Justice Waite. The Senate also recedes from amendment numbered 194, which proposes to appropriate \$7,419 for the widow of Judge Miller. These four propositions, amendments of the Senate, are yielded by the Senate and go out of the bill.

The House yields as follows, and I desire to call the attention of the House especially to this. The House yields to the Senate amendment numbered 189, in regard to Congressional elections and deputy marshals. Gentlemen will all understand exactly what that is, without its being read.

The conferees of the two Houses disagree as to amendments numbered 67, 68, 69, 70, and 71. These are the World's Fair items appropriating \$1,009,005. I move this report be adopted; and on that I demand the previous question.

The SPEAKER. This is a partial agreement only.

Mr. HOLMAN. That only applies to the matters we have agreed to, and not to the World's Fair.

The SPEAKER. That is all. The gentleman demands the previous question on the conference report.

The previous question was ordered, and under the operation thereof the report of the committee of conference was agreed to.

The SPEAKER. The Clerk will report the first amendment.

Mr. HOLMAN. Mr. Speaker, I have omitted one matter of

disagreement, and that is on amendment numbered 104, in regard to the timber-culture laws, that comes up later.

Mr. HENDERSON of Iowa. Will the gentleman explain the point involved in that matter?

The SPEAKER. There is no question before the House.

Mr. HENDERSON of Iowa. But the gentleman is explaining a disagreement.

The SPEAKER. But there is no question before the House.

Mr. HOLMAN. I will do that later.

The SPEAKER. The committee has agreed on the report; and the question is now upon the first amendment, which the Clerk will read.

The Clerk read as follows:

On page 33, after line 16, insert:

"WORLD'S COLUMBIAN EXPOSITION.

"Government exhibit: For the selection, purchase, preparation, transportation, installation, care, and custody, and return of such articles and materials as the heads of the several Executive Departments, the Smithsonian Institution and National Museum, and the United States Fish Commission may decide shall be embraced in the Government exhibit, and such additional articles as the President may designate for said exhibit, and for the employment of proper persons as officers and assistants to the Board of Control and Management of the Government exhibit, appointed by the President, of which not exceeding \$10,000 may be expended by said Board for clerical services, \$301,750, of which sum \$50,000 shall be immediately available: *Provided*, That the sum of \$8,000, or so much thereof as may be necessary, may be expended under the supervision of the Board of Control of the United States Government exhibit in the collection, preparation, packing, transportation, installation, and care while exhibited of articles loaned or donated by the colleges of agriculture and mechanic arts in the several States for the display, in the agricultural building of the Exposition, of the means and methods of giving instruction in the so-called land-grant colleges of the United States, and for repacking and returning this property at the close of the Exposition, the same to be taken from the sum apportioned to the Agricultural Department; and \$10,000 additional for special expenses attending the naval exhibit of the model of a battle ship.

Mr. HOLMAN. Mr. Speaker, before yielding to the gentleman from Illinois [Mr. DURBOROW], I desire to have read amendment 104. That and the World's Fair amendments are all that remain unsettled.

The amendment (104) was read, as follows:

Provided further, That there be added to section 7 of "An act to repeal the timber-culture laws, and for other purposes," approved March 3, 1891, the following proviso: *Provided further*, That nothing in this section shall be construed to apply in its provisions to or affect any case where a contest was pending in the Land Department prior to the date of the passage of said act, or to in any manner impair rights which had been acquired under the pre-emption, desert-land, or timber-culture laws prior to March 3, 1891.

Mr. PICKLER. Mr. Speaker—

The SPEAKER. This amendment is read only for information. It is not before the House.

Mr. DURBOROW. Mr. Speaker, I suggest to the gentleman from Indiana that we ought to have some agreement regarding the limit of debate on this subject, but pending that I desire to move to concur.

The SPEAKER. The gentleman from Indiana has the floor. Mr. HOLMAN. Mr. Speaker, I enter a motion that the House insist on its disagreement.

Mr. DURBOROW. I move that the House recede from its disagreement. Now, Mr. Speaker, I suggest that we have an arrangement for two hours of debate, an hour on each side.

Mr. HOLMAN. Mr. Speaker, the gentleman from Illinois [Mr. DURBOROW] proposes two hours' debate on this World's Fair amendment. The condition of the public business is such that we are not compelled to deprive the gentleman of an opportunity for fair debate—

Mr. TAYLOR of Illinois (interposing). Mr. Speaker, I suggest that we proceed under the five-minute rule, with the right in the chairman to call the previous question at any time.

Several MEMBERS. That is right.

Mr. DOCKERY. That will not do.

Mr. DURBOROW. I think we must insist on the two hours, Mr. Speaker.

Mr. HOLMAN. I think the gentleman's proposition is not unreasonable, and I therefore ask unanimous consent that debate may be had on these World's Fair provisions not to exceed two hours. For my part, I do not think I shall occupy any time.

Mr. HENDERSON of Iowa. And that the previous question be then considered as ordered.

Mr. DE ARMOND. Mr. Speaker, I object to the previous question being considered as ordered.

Mr. HOLMAN. I yield an hour to the gentleman from Illinois.

Mr. DURBOROW. Mr. Speaker, at the time the vote was taken last night on these provisions it was hoped that some arrangement would be reached.

Mr. BAILEY. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BAILEY. I understood the gentleman from Indiana [Mr. HOLMAN] to yield his hour to the gentleman from Illinois [Mr.

DURBOROW]. In conversation this moment the gentleman from Indiana has said that he did not yield his hour, and I desire to ask the Chair if he recognizes the gentleman from Illinois [Mr. DURBOROW] in his own right?

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. DURBOROW] in his own right, on his motion to recede from the disagreement of the House to the amendment of the Senate.

Mr. TAYLOR of Illinois. Mr. Speaker, there is certainly some misunderstanding here.

The SPEAKER. The gentleman from Illinois [Mr. DURBOROW] has the floor.

Mr. DURBOROW. Mr. Speaker, the items now before the House in the sundry civil bill are those providing for the support of the Board of Control and Management of the Government Exhibit, also the appropriation for the support of the World's Columbian Commission; which amount is \$236,375, of which sum \$98,000 is for the support of the Board of Lady Managers. Amendment No. 70 provides for the payment of the committees and jurors of awards who are to decide upon and bestow the medals which are provided for by Congress under the act approved August 5, 1892.

These items that I have called attention to are exclusively for the support of the governmental agencies of this World's Columbian Exposition. They have no connection, except as provided through the Government, with the local corporation at Chicago. Not one penny of the amounts carried in this bill can be used for any purpose connected with the Illinois corporation. The money is to be controlled and disbursed by Government agencies, for the benefit of the Government functions connected with this Exposition.

These items are based upon estimates most carefully made, the result of economical administration for the past three years. They are certainly necessary for the purposes for which they are sought, and the honor of the Government is at stake in providing for the support of the bodies which it has called into being in connection with the Exposition. I now yield ten minutes to my colleague from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, I wish to call the attention of the House to the fact that since this Exposition was authorized by Congress, more than two years ago, the conditions upon which the Exposition was to be held have entirely changed. It was then supposed that \$10,000,000 at the outside limit would be sufficient to furnish all the buildings that would be required for the purpose of holding the Exposition.

A national commission was appointed, consisting of two members from each State and Territory and from the District of Columbia, and eight appointed by the President from the country at large. This Commission was appointed for the purpose of conducting the Fair; and the city of Chicago and the local corporation have nothing to do in the premises except to furnish the buildings and the grounds in which and upon which the Exposition is to be held. That city has complied with all the requirements of this Commission, notwithstanding the expenditures required have been more than double what was estimated in the beginning.

The President of the United States was authorized and required by the law providing for the Exposition to communicate to the diplomatic representatives of foreign nations copies of the act of Congress authorizing the Exposition, together with such regulations as might be adopted by the Commission, for publication in their respective countries, and in behalf of the Government and people to invite the nations to take part in the Exposition and to appoint representatives thereto. This invitation has been made and has been accepted by all the civilized nations of the world. These nations are now requiring, even demanding, space far beyond that which can possibly be furnished in the time allowed.

So that this Fair which was launched upon the idea of costing \$10,000,000 will cost over \$20,000,000; and the Government exhibits which were estimated to cost \$1,500,000 will cost more than double that amount unless the Government of the United States after having set this Fair in motion deserts it, withdraws its Commission and allows the enterprise to become a failure.

I hold, Mr. Speaker, that the faith of this Government is pledged to make this Fair a success. And I want every gentleman to understand that the State of Illinois, and especially the city of Chicago, disclaims any responsibility for holding this Fair and making it a success beyond the furnishing of the buildings and the grounds. The Exposition is to be conducted entirely through representatives appointed by the President of the United States, only two of whom come from the State of Illinois. The rest of them are your constituents, gentlemen, not mine.

These commissioners have proceeded in the discharge of their duty and have caused to be erected, or have required the local corporation to erect, buildings to accommodate this Fair, buildings the like of which have never been seen or known anywhere.

And when this Fair is held, as it will be held, under the auspices of the Government of the United States, it will be the greatest exposition of the kind ever known. No city, no government will attempt to repeat this experiment in the next hundred years.

After gentlemen have visited that Fair during the coming months and have seen what has been produced they will return to their homes with the same feeling as the Queen of Sheba when she visited Solomon, saying "the half had not been told." You will be proud of this Exposition, not as a Chicago fair, not as an Illinois fair, but as a grand National and International Exhibition. It is not a local fair; the city of Chicago and the State of Illinois have no more to do with it than New York or Pennsylvania or any other State of the Union.

I would be doing injustice to my colleagues on this floor if I should claim for the State of Illinois any participation in the holding of this Fair which is not shared by every State and Territory in the Union. It is not ours; it is yours; and you must maintain the pledges of the public faith; you must maintain the honor of this Government in making this Fair a success.

The State of Illinois has appropriated out of its treasury \$800,000 for its own exhibits; other States have appropriated large sums of money, and foreign nations have appropriated over \$5,000,000 for buildings and exhibits. So that this Government which is holding the Exposition has itself made nothing like the contributions that have been made outside and beyond our jurisdiction.

Let not any gentleman on this floor assume that this Fair is local in any respect whatever. It is national and international; and when it has been held it will be the judgment of this country and of the world that it has contributed more to the advancement of civilization and to the upbuilding of the industries of the world than any affair of the kind that has ever been witnessed.

After this Exposition has been held, after its results have become known to the world, every nation will go forth through its representatives, with the best knowledge of the productive processes known to mankind; so that hereafter it will not be necessary for any of them to pursue the old systems of production now in existence, but all of them may adopt the processes which are the best in the world for supplying the wants of man. Hence the benefits of this Fair can not be estimated either here or elsewhere.

Mr. Speaker, the appropriations in this bill are for the purpose of paying the expenses of a Government exhibit, and of this National Commission—not a dollar for the State of Illinois, not a dollar for the Illinois corporation, which has already furnished over \$15,000,000 for the purpose of preparing for this Fair. And the stock which has been subscribed locally will never realize 25 cents on the dollar to those who have invested in it. It is a contribution to that extent to the success of this enterprise. The city of Chicago would gladly make greater sacrifices and impose larger burdens on its people to make this Fair a success than would the people anywhere in the United States. But that ought not to be required of them. Therefore I hope gentlemen will not persist in saying that Illinois and Chicago are asking alms of this Congress, that we are begging favors of you.

This is your Fair. It is the people's Fair, the country's Fair, and we ask you only to make it a success. It is possible that these estimates are too large. If so, that is the business of the Appropriations Committee, and the conference committees appointed by this House, to bring them down to a proper level.

Mr. DOCKERY. Oh, we intend to bring them down to the proper level. We will reduce them to nothing.

Mr. SPRINGER. It is right that they should be brought to the proper level if too large, and I will cooperate with the gentleman from Missouri to that extent, if necessary, if they are regarded as too high.

A MEMBER. But he says they will strike them out altogether.

Mr. SPRINGER. That is a question for the House. It is a question for the House to determine what they should be to bring them to a proper level if they are too high, so that nothing will be appropriated in excess of what is necessary and what is required under your own action to make this Fair a success. The country can not do less. It is compelled to do that much.

Suppose the Government of the United States invites foreign nations, as it has done, to a fair, and after it has gone on and invited the world, its invitations being accepted, it refuses to take any steps or do anything in the matter, what would be the common judgment of mankind on such an action? Will you have in this case the United States to withdraw its support after extending these invitations, and leave this great Exposition on the hands of a local corporation, which has contributed all in its power to make it a success, and at the same time let Congress go on and do all it can to make it a failure?

Gentlemen, I hope you will not take such a step. In the name of common sense, in the name of fair dealing, in the name of the

people of this country interested in this Fair, and in the name of your constituents, especially you gentlemen who have projected it, who have organized it upon the scale on which it is organized, on this large, this magnificent scale, I ask you to come forward and make it a success, that success which your civilization and which the countries of the world have reason to expect it to be. [Here the hammer fell.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the conference asked by the House of Representatives on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10258) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1893, and for prior years, and for other purposes, and had appointed Mr. HALE, Mr. ALLISON, and Mr. COCKRELL as the conferees on the part of the Senate.

A further message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed without amendment joint resolution authorizing members to certify monthly the amount paid by them for clerk hire and directing the same to be paid out of the contingent fund of the House.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. O'NEIL of Massachusetts. Mr. Speaker—

Mr. POWERS. Will the gentleman from Illinois in charge of this bill yield for a question?

Mr. DURBOROW. Certainly.

Mr. POWERS. I desire to ask the gentleman from Illinois if it is proposed by the friends of this appropriation to repeal the laws, now in existence, closing the gates of that Exposition on Sunday?

Mr. DURBOROW. That, I will state to the gentleman, is not a matter which the friends of this corporation have anything whatever to do with. It is a matter for Congress to deal with as it sees proper.

Mr. DOCKERY. I hope the gentleman will answer that question fairly.

Mr. POWERS. I desire an affirmative answer to that question, for my vote on this proposition depends on that answer.

Mr. DURBOROW. I decline to yield to the gentleman.

Mr. O'NEIL of Massachusetts. I would like to answer the question if the gentleman from Illinois would yield to me.

Mr. DURBOROW. I will yield to the gentleman from Massachusetts for five minutes.

Mr. POWERS. I desire a distinct answer, if the gentleman pleases.

Mr. O'NEIL of Massachusetts. I will answer the question of the gentleman from Vermont, that if I have an opportunity I propose to offer an amendment to one of these propositions opening the gates of the Fair on Sunday.

Several MEMBERS. That is right.

Mr. PICKLER. And we will vote it down.

Mr. MORSE. The Legislature of your own State of Massachusetts has unanimously resolved against Sunday opening.

Mr. O'NEIL of Massachusetts. And, Mr. Speaker, I desire to have the amendment read which I propose to offer at the proper time.

The SPEAKER *pro tempore* (Mr. RICHARDSON). It will be read for information.

The Clerk read as follows:

After the word "section," in line 19, on page 44, insert: "Provided, That regulations shall be made by the proper authorities of said World's Columbian Exposition with a view to closing to the public on the first day of the week, commonly called Sunday, the general business of said World's Columbian Exposition, in the sense that all merchandising, unnecessary labor, and machinery shall on that day cease and be stopped. But it may be lawful for the legally constituted authorities to open the gates of Jackson Park, in the city of Chicago, in the State of Illinois, and also the educational hall and horticultural hall and the art galleries of the World's Columbian Exposition, located within the confines of said Jackson Park, to the public on the first day of the week, commonly called Sunday."

Mr. O'NEIL of Massachusetts. I only had this read, Mr. Speaker, for information.

The SPEAKER *pro tempore*. The Chair so understands.

Mr. PICKLER. I would like to ask the gentleman from Massachusetts whether he proposes to charge for admission on Sunday?

Mr. O'NEIL of Massachusetts. I have nothing to do with that.

Mr. PICKLER. You have offered the amendment; you ought to specify whether you do or not.

Mr. O'NEIL of Massachusetts. If the gentleman will let me have the floor for a little while I will be very much obliged.

The SPEAKER *pro tempore*. The gentleman from Massachusetts declines to be interrupted.

Mr. O'NEIL of Massachusetts. Mr. Speaker, I have been told that if this amendment be offered it will kill all of the appropriations asked for for this Fair.

Mr. POWERS. Every single one.

Mr. O'NEIL of Massachusetts. I do not care if it does. I am in favor of having this Fair opened so that the working people of Chicago and the world, who visit that city, shall have a chance to get within the gates and have some opportunity of seeing the Exposition on that day.

Mr. MORSE. They have petitioned against it.

Mr. O'NEIL of Massachusetts. I do not want to be interrupted by my colleague.

Mr. MORSE. But you misrepresent the State of Massachusetts on the subject of Sunday opening.

Mr. O'NEIL of Massachusetts. Mr. Speaker, I repeat I do not want to be interrupted by any colleague of mine, especially when he states that I misrepresent the people of my State.

Mr. MORSE. I say you do on this question. You may represent South Boston, but not Massachusetts on the question of Sunday opening.

Mr. O'NEIL of Massachusetts. I say that when I advocate this, I am representing the best thought and best sentiment of my State of Massachusetts, my native State, and it is not the native State of my colleague [Mr. MORSE]. [Applause.] Why, Mr. Speaker, this is but the same old fight over and over again, when the mossbacks, who would prevent progress in this country, seek to retard every advance demanded by the people.

You who live in the rural districts perhaps view this subject from a very different standpoint from what we who live in large cities view it.

As this law stands to-day, you have closed up one of the great parks in the city of Chicago. If you will come with me to my city—and I represent that city, and when I say if you will come I will see that you are properly cared for, I mean it—I will show you there a system of parks upon which the city of Boston has expended ten millions of dollars; and if you will go there with me on a pleasant Sunday, you will find twenty and thirty thousand of the common people of the city seeking an outing and a breath of fresh air which they could not get before the establishment of those parks.

The SPEAKER *pro tempore*. The time of the gentleman from Massachusetts [Mr. O'NEIL] has expired.

Mr. DURBOROW. I yield to the gentleman five minutes more.

Mr. O'NEIL of Massachusetts. Why, sir, when we tried for years to have our public library in that city opened as a reading room on Sunday we were met by the same cry of a desecration of the Sabbath, and the protest of many of the religious people of that city; but now that it has been opened for years, you could not find a religious denomination calling for its close.

We have our museum opened to the public on Sunday, and we had more people visiting that place on Sunday than on all the other days of the week put together. I want those who live in the rural districts to remember what I say, that the people who are hived up in tenement houses ought to have some place to go on a Sunday. You complain about the crowding of your tenement houses. You complain about corner loafing. This thing is asked in order to do away with that, and the history of the city of Boston has proved that it does away with it. These people must get air and must leave the rooms in which they sleep and live.

When we ask you to give them a chance for an outing in the green fields, when we ask you to give them a chance to visit art galleries and educational institutions, when we ask you to modify this Sunday law in relation to the World's Fair, we are appealing to you in the interest of the working people, in the interest of education, aye, and I say in the interest of religion and morality, too.

Mr. PICKLER. Will the gentleman allow a question?

Mr. O'NEIL of Massachusetts. Will you let me alone? Let somebody alone if you can.

The SPEAKER *pro tempore*. The gentleman from Massachusetts declines to be interrupted.

Mr. O'NEIL of Massachusetts. Now, Mr. Speaker, as I say, this House has been flooded with petitions from the working people of the country. You have been told by the president of the Federation of Labor that when the Centennial Exposition was held in Philadelphia, hundreds of thousands of working people, who could not spare a day during the week to visit that great educational institution, were unable to attend it at all. Now, we ask that the same thing may not be repeated at Chicago. We ask that the people who are obliged to work six days in the week may have one day in the week when they can see the sights that their more favored friends, relatives, and fellow-citizens have a chance to go to see during the six days of the week.

I do not care whether this proposition jeopardizes the appropriation for the World's Fair or not. I offer it because I believe it is right and because I believe it is demanded by the great common people of the country; and when the time comes I will offer this amendment to the section of the bill which I speak of.

[Here the hammer fell].

Mr. DURBOROW. I suggest to the gentleman from Indiana [Mr. HOLMAN] that he use some of his time.

Mr. HOLMAN. I have not really been recognized.

The SPEAKER *pro tempore*. The gentleman from Indiana [Mr. HOLMAN] is recognized to control the time against the motion.

Mr. HOLMAN. I will yield to the gentleman from Alabama [Mr. BANKHEAD] ten minutes.

Mr. DINGLEY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. DINGLEY. I desire to ask, with reference to the remarks just made, if there is pending now a proposition to repeal the Sunday-closing law of last year?

The SPEAKER. The motion was made by the gentleman from Illinois [Mr. DURBOROW] that the House recede from its disagreement. That is pending.

Mr. DURBOROW. It was simply notice that it would be offered in good season.

Mr. DINGLEY. Then, it is not pending?

The SPEAKER *pro tempore*. The Chair has settled the point of order.

Mr. BANKHEAD. Mr. Speaker, I ask the indulgence of the House for a few minutes while I make a statement touching these Senate amendments in reference to the World's Fair. It will be remembered by the House that during the closing days of the first session of the Fifty-second Congress, a struggle was precipitated here by amendments from the Senate upon an appropriation bill of this character that was almost without a parallel in the history of legislation. It will also be remembered, Mr. Speaker, that after that contest had been prolonged for several days, a conference of the opponents of this measure agreed that they would submit the whole question to a conference to be selected from the friends and the opponents of the measure.

I had the honor, Mr. Speaker, to be one of those selected from the number who stood in opposition to those amendments; and after we had labored for a considerable time, an agreement was reached, and it was understood there and then, and it was understood in this House, when that agreement was brought in and submitted to the House, that it was to be final; and the friends of this measure stood pledged not to come into this House and ask for another dollar of appropriation for this purpose.

Mr. DURBOROW. Does the gentleman mean that this—

The SPEAKER *pro tempore*. Does the gentleman from Alabama yield to the gentleman from Illinois?

Mr. BANKHEAD. Not now. I will in a moment.

I want to state further that the distinguished gentleman from Illinois [Mr. DURBOROW], chairman of the Committee on the Columbian Exposition, was also a member of that conference; and I undertake to say that the members will bear me out in the assertion, and that the House will remember, that it was stated on the floor when the report was made that if it should be agreed to it was a settlement of the whole question, and no further appropriation would be asked.

Mr. DURBOROW. Will the gentleman permit me just a minute?

Mr. BANKHEAD. Yes.

Mr. DURBOROW. I desire to admit the truth of your statement, so far as it relates to the Illinois corporation, known as the World's Columbian Exposition; but I want the gentleman and the House to understand that these appropriations have nothing to do with that corporation. They are exclusively for the support of the governmental functions connected with this Fair. We are keeping our word, so far as the Illinois corporation is concerned.

Mr. BANKHEAD. Yes; to the extent of \$1,200,000.

Mr. DURBOROW. Will the gentleman inform us how he makes that out?

Mr. BANKHEAD. That is the proposition in these amendments.

Mr. DURBOROW. That has nothing to do with the Illinois corporation.

Mr. HOLMAN (to Mr. BANKHEAD). One million nine thousand and five dollars.

Mr. BANKHEAD. What has the statement of the gentleman to do with the question in hand? The Illinois corporation, or the show company, or whatever else you may please to call it, are the beneficiaries of these appropriations. There is no question about that.

Mr. WATSON. They ask it.

Mr. BANKHEAD. This House has already appropriated

from the public Treasury for this purpose, including this proposed appropriation, more than \$5,000,000, perhaps six. In the appropriation of a year ago we agreed to make a gift. It was of \$2,500,000, and this appropriation was to be in souvenir coins, the value of which I have no doubt will be about \$5,000,000.

The Government of the United States makes no claim upon this corporation, or this company, for the return of a single dollar contained in that appropriation. It is a gift of the people's money to aid in this Exposition; and, if I am correctly informed, Mr. Speaker, the stockholders, or originators, of this Exposition, have made no charge whatever on the receipts of the Fair; and I shall not be surprised if it is a fact that every dollar subscribed by the city of Chicago will be returned to the subscribers at the end of the Fair, and not a cent to the taxpayers of this country.

Now, Mr. Speaker, in view of this statement it does seem to me that the House of Representatives ought not to make this appropriation when they had the assurances I have mentioned by those who immediately represented the Fair and its interests, when they came in here and gave their pledge to this House that if you would adopt the agreement then proposed, if we would make the appropriation, if we would give it to them as a free offering they would not ask for another cent; and yet here, sir, in less than six months from that day they come forward and propose to ask for the further appropriation of \$1,009,000 or more.

Now, sir, there are a great many people in this country who are not very much interested in this World's Columbian Exposition. I for one, as I stated on a previous occasion, do not desire to obstruct it. I do not desire to make it less interesting or less attractive. I understand that, to some extent, the honor of the Government is involved, but I would not forget, and I would not have the House of Representatives forget, that the taxpayers of this country are also interested in this question, and they have been bled enough, in my humble judgment, in the promotion of this scheme.

Mr. SPRINGER. Will the gentleman permit a question?

Mr. BANKHEAD. Certainly.

Mr. SPRINGER. Do you not draw a distinction between the Illinois corporation, which was simply to furnish buildings and grounds for the holding of this Exposition, and the National Commission, which holds the Fair and which is asking these appropriations? I have here the request of the National Commission asking for these sums. Illinois is not asking a cent. The Illinois corporation is not asking anything.

Mr. BANKHEAD. I understand, Mr. Speaker, that Illinois is not asking a cent, and I also understand that my distinguished friend—

Mr. WATSON. Are they not the same men that asked the other?

Mr. BANKHEAD. I have the floor, Mr. Speaker. I undertake to say to my distinguished friend from Illinois that the House will draw the distinction properly, and I undertake to say further that they will not forget the other fact that when this very question was under consideration here, when it was intimated, perhaps broadly charged, by the opponents of this measure that other additional appropriations would be asked, indeed that the Government would be asked at some time to make an appropriation in promotion of this Fair, my distinguished friend from Illinois stood here in his place and gave his pledge that the Congress of the United States would never be asked for a dollar.

Mr. SPRINGER. That was in relation to the buildings and the grounds.

Mr. BANKHEAD. And that his city of Chicago would "run" the Fair if it bankrupted the whole concern.

Mr. SPRINGER. I did not say that.

Mr. BANKHEAD. If it cost \$25,000,000, he said.

Mr. SPRINGER. No, I did not say so.

Mr. BANKHEAD. Yet now he rises here and asks me whether I can not draw a distinction between the request of the corporation and the request of the Commissioners of the Fair. I do not, Mr. Speaker, realize, or admit, that either the corporation, or the Commission, or anybody else, is entitled to further consideration from the American Congress; so far as appropriations are concerned.

Mr. DICKERSON. I would like to know whether the gentleman intends to exclude the ladies from an appropriation?

Mr. BANKHEAD. I intend to exclude everybody.

Mr. HOLMAN. That is right.

Mr. DOCKERY. Let me suggest that I think the gentleman from Alabama has made one distinction very clear, that is, that the city of Chicago has not given one single dollar for this purpose, while the United States Government has made a contribution of \$2,500,000, in addition to its legal liability for \$1,500,000.

[Here the hammer fell.]

Mr. BANKHEAD. Mr. Speaker, I submit that my time has been occupied by other gentlemen without my consent.

Mr. PATTERSON of Tennessee. Mr. Speaker, I will yield the gentleman the five minutes allotted to me.

Mr. HOLMAN. I can not consent to that. I will yield the gentleman two minutes more.

Mr. BANKHEAD. Then I yield the floor, Mr. Speaker.

Mr. HOLMAN. I now yield five minutes to the gentleman from Mississippi [Mr. KYLE].

Mr. KYLE. Mr. Speaker, with reference to this matter we find ourselves, as the legislators of the American people, involved in just such difficulties as logically come as the sequence to this sort of legislation. What is the history of the legislation about the World's Fair business? We found the gentlemen from Illinois [Mr. SPRINGER] when they were driving the entering wedge upon this proposition, standing upon this floor and solemnly pleading that if they could get a million and a half dollars out of the Federal Treasury they would not come to this Congress and ask for more money.

Mr. DURBOROW. Will the gentleman yield to me for a moment?

Mr. KYLE. No, sir; I will not. I have not time.

Mr. DURBOROW. I appeal to the gentleman to be fair.

Mr. KYLE. I am stating a fact which has been stated time and again upon this floor, and the gentleman from Illinois [Mr. SPRINGER] has not only not denied it, but admitted it no longer ago than yesterday.

Mr. TAYLOR of Illinois. What gentleman from Illinois do you refer to?

Mr. KYLE. To Mr. SPRINGER, of course, the leader of the House. Now, when the gentleman from Illinois was here, as I said awhile ago, preparing to drive this entering wedge, he made the promise to this House as I have stated. There were gentlemen here who were endeavoring to get this Fair held at their cities and who proposed to take it and run it without expense to the Government, but these other gentlemen came from the great city of Chicago and told this House, through the gentleman from Illinois [Mr. SPRINGER], that if Congress would contribute \$1,500,000 that no more would be asked. This is not denied. Said they, "We will raise \$10,000,000 with which to carry on this Fair ourselves." [Applause.]

Let us see right here, gentlemen, I have to get along so fast with this matter that I am afraid I shall not make myself understood—let us see just here what was said upon this subject when the matter was under discussion before. There seemed to be some doubt in the minds of some of the gentlemen who were trying to protect the people's Treasury, as to whether there was entire good faith on the part of those who came here and proposed to raise this \$10,000,000. I will not take time to read the discussion, but it is here upon the record. So persistent, so earnest, so determined, were these gentlemen to have this money out of the Federal Treasury that they not only promised to give this \$10,000,000 to the Fair, but they even went further and said "Chicago will make this Fair a success whether the Federal Government does anything for it or not."

That is the record as it is written here, gentlemen, before the American people. Yet, notwithstanding these declarations, made, as this House thought, in good faith, these people have been here from time to time, again and again, and what is the result? What have you been called upon to do? What more have the people of this nation been called upon to contribute to this enterprise? We find that the next "strike" that was made at the Treasury was to take out of it \$1,726,250 as an appropriation to this Illinois corporation, which now seems insatiable and willing to involve this country in the expense of an extra session of Congress if it can only succeed—\$226,250 more than the amount that these gentlemen pledged themselves to be satisfied with.

What do we find next? What is the next disgraceful act with reference to this matter—and I say it was disgraceful when this Congress was held here during the month of July and part of August of last year and forced—yes, I say forced, gentlemen—to contribute two and a half million dollars more to this enterprise. Not only that; but by the law which authorized them to receive this sum of two million and a half of dollars they were authorized to sell these coins at \$1 apiece, which enables this corporation to realize \$5,000,000.

[Here the hammer fell.]

Mr. HOLMAN. I yield the gentleman two minutes more.

Mr. KYLE. Gentlemen, are we to stop here? Not only have we had the business of the American Congress and the wheels of Government clogged by this institution; not only have they already taken from the people's Treasury \$4,389,250; but here again to-day the wheels of this Government are stopped by this enterprise. Here is an institution which has been the beneficiary of these liberal appropriations, that is now willing to stop legislation which affects the interests of the millions of

people of this country, so to speak, and to bankrupt the Treasury if it can only succeed in its own purposes of aggrandizement. In the closing hours of this Congress, when the public business ought to be pressed, the Senate placed upon the sundry civil appropriation bill an amendment to give these people \$1,009,000 more. That is the effect of the proposition.

In my humble opinion it is time to call a halt. I think we ought to stop here. Although it is demonstrated that we have exhausted the public Treasury, those who represent this enterprise come here and show a willingness even to stop the wheels of the Government and if necessary force an extra session of Congress upon the American people which would result in far greater expense than anything we have yet experienced in reference to this enterprise.

[Here the hammer fell.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10331) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. HOLMAN. I yield five minutes to the gentleman from Missouri [Mr. DOCKERY].

Mr. DOCKERY. Mr. Speaker, I do not know that I shall require even so much time as five minutes, because I desire only to invite the attention of the House to the liability of the Government in its relations to the World's Columbian Exposition.

The gentleman from Illinois [Mr. SPRINGER] has challenged attention to the liability imposed upon the Government by the act creating the Commission. Now then, on page 564 of the report submitted to this body by the special committee appointed to investigate the management of the World's Fair, appears the law creating this organization. A proviso to section 17 is in these terms:

Provided, That the United States shall not be liable on account of the erection of buildings, expenses of the Commission or any of its officers or employes or on account of any expenses incident to or growing out of said Exposition for a sum exceeding in the aggregate \$1,500,000.

That statute, Mr. Speaker, fixes the liability of the Government. Now, how has the Government met that liability? By reference to page 552 of the report it will be seen that the entire amount has been appropriated, and that the Columbian Commission has received \$253,971; the Board of Lady Managers, \$97,892; for Government exhibits, \$705,635; Government building, \$400,000; expenses of foreign exhibits, \$40,000; World's Congress Auxiliary, \$2,500, making a total of \$1,500,000.

It thus appears, Mr. Speaker, that the Government has met every dollar of the liability involved by the act creating the Commission. But in addition to that, Mr. Speaker, at the first session of this Congress the Government made an outright contribution of \$2,500,000 to this enterprise. In other words, we have appropriated \$4,000,000 in behalf of the Illinois corporation, \$2,500,000 of which was a gift, notwithstanding the United States was liable for but \$1,500,000.

Now, Mr. Speaker, what has the city of Chicago done? Not one dollar has as yet been donated by any citizen of Chicago to promote this great exposition.

Mr. LIVINGSTON. The gentleman will allow me to suggest that in addition to the amounts he has named we have given \$153,000 as expenses of the coinage of medals and the preparation of diplomas.

Mr. DOCKERY. My friend is correct—that is additional. I wish to repeat that not a dollar has been given by the citizens of Chicago, but stock has been issued by the Chicago corporation to the stockholders; and, barring some providential hindrance, not only will every dollar be returned to the stockholders at the close of the Exposition, but a handsome dividend will be realized on the investment.

Yet with these facts before him the gentleman from Illinois who pledged the faith of the city of Chicago that her people would maintain this Exposition, comes before Congress invoking the honor of the country and asks us to impose upon the people the people the burdens which in law and equity devolve upon the Illinois corporation.

[Here the hammer fell.]

Mr. HOLMAN. I yield ten minutes to the gentleman from Tennessee [Mr. PIERCE].

Mr. PIERCE. Mr. Speaker, as this Fair was inaugurated during the Fifty-first Congress, I think it but due to members of the House that we should bring afresh to our minds what was said then by the gentlemen who had the matter in charge and who were contesting for the location of this Fair. It is proper

that we should refer to what was said in that contest in respect to the great cities of New York and Chicago, and should recall the pledges which were made respectively by the representatives of those two cities. We may thus see plainly the ways and means by which Chicago secured this Fair.

I want to recur to the language which was employed at that time by gentlemen who were authorized to speak for the city of Chicago. Permit me in the first place to read what was said by Mr. Lawler, then a member from Chicago, who was at that time recognized on this floor as the leader of the movement in favor of locating the Fair at Chicago.

Here is what the gentleman said when the contest had narrowed down for the site of this Fair between the cities of New York and Chicago. I ask you to listen to his promises:

I want the New York people to come beyond the Allegheny Mountains once and see what we have got in the great West. I say that Chicago stands ready to make this a successful enterprise. Chicago does not ask a dollar to bear the expense, but her business men will subscribe twenty-five millions to make this exposition what it ought to be in this country.

There was the pledge of the gentleman from Chicago, Mr. Lawler, when this proposition was pending at that time, and was struggling for the selection of Chicago in conjunction with my friend from Illinois [Mr. SPRINGER], who admitted yesterday evening on this floor that he, in conjunction with others, had made this pledge. He knew he had to make it.

Mr. SPRINGER. Mr. Lawler made that pledge, not I.
Mr. PIERCE. And you backed it up, as you admitted last night.

Mr. SPRINGER. Oh, no.
Mr. PIERCE. Yes. You will find it in the RECORD—your own admission. You said that Chicago would supply the means.

Why, on the very occasion to which I have referred, when this matter was before the Fifty-first Congress, you said:

What do you want? Do you suppose the city of Chicago, which desires this Fair so much, which has made so honorable and stupendous an effort to secure it, is going to let the enterprise lapse into desuetude? Not at all. It will be a success. The gentlemen whose names are subscribed to this paper—

Do you not remember how you flourished that paper over your head with dramatic effect? [Laughter and applause.]

The gentlemen whose names are subscribed to this paper will make it the grandest fair ever held in this or any other country.

[Laughter and applause.]

Now, we ask you that you comply with the letter of your bond and that these conditions be carried out. Do not come here as mendicants in view of your statements when this question was before the House. We want you and your friends to stand up to the pledges you made to the Fifty-first Congress and to the people of the United States, that you would not ask a dollar of this Government. We ask you to comply with your promises—we are going to hold you to them. [Applause.]

Mr. DOCKERY. Just as the gentleman from Illinois [Mr. SPRINGER] held the city of Philadelphia to the promises of their Congressmen as to the Centennial.

Mr. PIERCE. Now, I will refer to the RECORD once more with reference to the passage of this measure, and then I will be done so far as that is concerned. Here is what the gentleman from New York, Mr. Spinola, said, and I read this for the benefit of the many members of this House who did not have the pleasure and the honor of listening to that distinguished gentleman in the Fifty-first Congress:

New York will erect all the buildings of the Fair, including the Government buildings provided for in the bill and reported by the committee. The imperial city of New York will do all that may be necessary without any Government aid of any kind, either in money or Government guaranties.

And here is what that gentleman said you would do if the Fair went to Chicago. Listen to this, and see how true was his prophesy:

In my judgment if it goes on and we give authority to establish this Fair at Chicago, as it stands in the bill if it passes, you will come back to us in the next Congress and say in the most bland and fascinating way, "Gentlemen, you must give us a few millions more just to grease the thing along."

[Laughter.]
If the imperial city of New York had succeeded in securing the Fair I have no doubt but that the pledges made by Gen. Spinola and indorsed by all the New York delegation would have been faithfully carried out.

Gentlemen, you have done exactly what Gen. Spinola charged. You have come here and you have secured "grease" to the extent of two and one-half million dollars out of the pockets of the people of this country as a gift to the men running the establishment in Chicago. [Laughter and applause.]

You have secured that as a gift in absolutely 32-cent silver half dollars—dishonest half dollars of this country. And you gentlemen of Chicago, who have been solidly digging at silver in the ribs all the time, are bulling the market now on silver and asking the people of this country a dollar for a 32-cent silver half dollar. [Laughter and applause.]

Is that right? Is that what you promised? Ah! It shows that you are for the money, gentlemen, and have an eye single on that all the time.

Now, sir, a junketing trip was fixed up under the auspices of the gentlemen from Chicago and those having in charge this association, and a number of members were invited to participate in the hospitalities of the city of Chicago. There is a little paper published out there. Is not this [holding up a paper] the official journal of the Fair Association at Chicago, the Illustrated World's Fair Publishing Company?

Mr. DURBOROW. No, sir; it is not.
Mr. PIERCE. Do you not keep it up and publish it?
Mr. DURBOROW. No, it is not an official organ. It is a private corporation entirely and exclusively.

Mr. PIERCE. A private corporation, kept up at the people's expense.

Mr. DURBOROW. No, sir; it is not.
Mr. PIERCE. Everybody knows it.
Mr. DURBOROW. Well, you do not know it. It is simply a newspaper.

Mr. PIERCE. I want to show the assault made upon honorable members of this House and their families who accepted the invitation to go to Chicago.

Mr. CUMMINGS. Here is one who did not.
Mr. PIERCE. I read from this publication, called the Illustrated World's Fair:

By reference to the March issue of our magazine, to which we have referred, it will be seen that nearly a hundred Congressmen were brought to Chicago in special trains, housed at the best hotels, taken to Jackson Park, fed at the Washington Park horse track—

[Laughter.]
That is the way it reads here—

banqueted by the Commercial Club, honored by the Union League Club, and returned to Washington, all for the purpose of informing them about Chicago and the Fair.

Of course they had no other motive.

These visitors, without exception, expressed themselves warmly in favor of the Exposition. Their names and homes will be found complete in our marked list. Of those visitors, the following changed their minds between February and July, and voted against the appropriation.

I will print this list of names in the RECORD, but will not take time to read it now.

Mr. BLAND. I hope the gentleman will read it.
Mr. PIERCE (reading):

VISITORS WHO OPPOSED THE FAIR.			
Beeman,	Everett,	Long,	Warwick,
Bland,	Hamilton,	McKeighan,	Washington,
Butler,	Hooker, Miss,	Owens,	Willcox,
Caruth,	Kribbs,	Page,	Winn,
Cox, N. Y.	Little,	Simpson,	Wise,
Enloe,	Livingston,	Tarsney,	Youmans—24.

Summary: Democrats, 22; People's party, 2; Republicans, 0.
In February each of these Congressmen was impressed with the grandeur of the affair as a national event. And the record shows that the following of the above recreant Congressmen were accompanied by members of their families—

Mr. WISE. Will the gentleman from Tennessee allow me to interrupt him for one moment?

Mr. PIERCE. Yes.
Mr. WISE. That publication is entirely false, so far as it relates to me, as I was not in Chicago at all.

Mr. PIERCE. That shows you the means that they are taking in order to whip men into line to vote for these amendments.

Mr. WISE. I denounce the statements contained in that paper as infamously false.

Mr. BLAND. I want to say that I never had the pleasure of visiting Chicago in my life.

The SPEAKER *pro tempore*. The time of the gentleman from Tennessee [Mr. PIERCE] has expired.

Mr. HOLMAN. I yield to the gentleman two minutes more.

Mr. PIERCE. It goes on to publish the names of members of this House and their families, insulting the members and their honorable families, and publishing them to the country as recreants.

A MEMBER. Let us have the names.

Mr. BUTLER. Did you read my name as one of those going to Chicago?

Mr. PIERCE. I did.

Mr. BUTLER. I want to say that is a lie. I was not in Chicago.

Mr. PIERCE. This paper goes on to say that these votes were cast at the command of Holman, the great objector. [Laughter.] Nor is that all, Mr. Speaker—

Mr. CARUTH. I would like to ask the gentleman from Tennessee [Mr. PIERCE] a question.

Mr. PIERCE. I have not time to yield.

The SPEAKER *pro tempore*. The gentleman declines to yield.
Mr. PIERCE. It says that in the consideration of this matter

when it was before the House upon the five-million-dollar proposition which was defeated—

HOLMAN at once moved for a reconsideration. BINGHAM of Ohio moved to table. OUTHWAITE moved to adjourn to Friday. BAILEY of Texas amended the motion of adjournment. OATES, a filibusterer as celebrated as Gen. Weaver, joined the leaders, and the further legislation of Congress stood in abeyance.

Now, Mr. Speaker, these men come here and ask at the hands of this Congress again a further appropriation, when we are told by high Democratic authority that we are standing face to face with a depleted Treasury which on to-morrow will pass into the hands of the Democratic Administration. These people are now asking again the sum of \$1,000,000, the profits of which are to go into the pockets of this private Illinois corporation. The people and the Government of the United States have no interest in this matter one way or the other, and the profits of the people's money, that has been voted in the present Congress to these men, is to go to the benefit of this private corporation exclusively. [Applause.]

[Here the hammer fell.]

Mr. HOLMAN. I yield five minutes to the gentleman from Missouri [Mr. BLAND].

[Governor Flower of New York appeared on the floor of the House, and was greeted with loud applause.]

Mr. BLAND. Mr. Speaker, before beginning a discussion of this measure properly, I wish to say that the mendacity of that publication just read to this House is unequalled for want of truth. [Laughter.]

Mr. Speaker, I would not hold gentlemen upon this floor responsible, or those having in charge this Fair Association, for the villainous publication just read. They are honorable gentlemen; but whoever has authority over that paper is certainly wanting in all due regard for decency, as well as for veracity. I did receive an invitation to visit Chicago at the time mentioned, but my business here was such that I was unable to go; nor did my family go. It may be to my disadvantage and discredit, in the opinion of the representatives of Chicago, when I say that never in all my life have I visited that city or been in Chicago.

Mr. Speaker, we are appealed to here as Representatives of the American people to preserve the honor of this Government. I admit that the honor of this country is intrusted in our hands, but deny that the honor of this nation is intrusted to the hands of the peculiar representatives of Chicago on this floor, or the lobbyists in these galleries or in these corridors. Are they, sir, to talk to us about the honor of the American nation, and upon questions of honor affecting this legislation? Are we, sir, to be charged with want of patriotism, and wanting in a sense of honor towards the people of this country, by gentlemen who in self-interest supported the bill organizing this Fair Association when it was considered in this House.

I was a member of the House at that time, and well remember its proceedings. I remember that three great cities in this country had organized a plan to raid Congress for the purpose of securing authority to hold a world's fair—the city of St. Louis, the city of Chicago, and the city of New York.

Mr. BLANCHARD. Not to speak of Washington.

Mr. BLAND. Not to speak of Washington.

It did not originate in this House. It did not originate with the taxpayers at all. It originated with interested parties who represented these great cities, and who believed it would be a great enterprise, and especially an enterprise that would redound to their benefit. They came here, Mr. Speaker, and the whole World's Fair was practically put up to the highest bidder in this House. New York was bidding, Chicago was bidding, and St. Louis was bidding. All had promised the House of Representatives that the American people should not be taxed one cent beyond a certain amount mentioned in that bill—\$1,500,000. It seems that the right to hold this World's Fair was practically sold to Chicago, the highest bidder; but it seems to have been a bit of wind, without substantiality.

Mr. PIERCE. It is the "Windy City."

Mr. BLAND. It is a windy city, I am informed.

Mr. WILLIAMS of Massachusetts. They are bidding pretty high now.

Mr. BLAND. Now, Mr. Speaker, we appropriated at the last session \$2,500,000 in the way of subsidiary coinage. We gave to this Fair association the right to have this coined without cost in the mints of the Government. It effected a practical contraction of the currency of this country of \$2,500,000, because the two millions and a half of money that was taken from the Federal Treasury was coin that ought to have gone into the circulation as such. But it went to the mints for the United States, and was recoined into subsidiary coin, half-dollars, called souvenirs; and they have made another \$2,500,000, and probably more, by this operation, amounting to \$5,000,000 altogether.

The SPEAKER. The time of the gentleman has expired.

Mr. HOLMAN. I hope the gentleman from Illinois [Mr. DURBOROW] will consume a portion of his time.

Mr. DURBOROW. Mr. Speaker, I yield three minutes of my time to my colleague from Illinois [Mr. HITT] for the purpose of making an explanation with regard to the original act upon which all these attacks are based. Later I desire to say a few words in regard to this publication which has just been read.

Mr. HITT. Mr. Speaker, when the contest for the location of the World's Fair began in this House the measure went to a committee of which I was chairman. It was afterwards referred to a committee formed of representatives from the four cities contending, and Mr. Candler of Massachusetts, who was supposed to be an impartial man, was made chairman. I was also on that committee. When we drew that bill I moved, and they were inserted, the words that the commission appointed by the President of the United States from all of the States of the Union should "determine the plan and scope of the Exposition." This placed the whole power and the responsibility in the Government of the United States above and beyond the city of Chicago or the State of Illinois.

The gentleman from Illinois [Mr. SPRINGER], and the other gentleman from Illinois, Mr. Lawler, in the subsequent debate on this floor, spoke for themselves, and they are able to answer for themselves. They urged arguments they deemed effective, just as the gentleman from Tennessee [Mr. PIERCE] may have made arguments of his own, before the last election, upon questions of politics. The people of the United States, through Congress, through this House, the Senate, and the President, gave their command and took possession of the active supreme authority over this Exposition. It is here in a statute; and in that it is a declaration that the United States should determine the plan and scope of the Exposition. They then made that plan and scope wider than Chicago had forecast it.

The people of Chicago, in their representations to that committee when it was considering the bill, outlined what they believed would be the plan, and it was far more limited than that since adopted by the representatives of the whole United States—not by the representatives of Chicago or of Illinois, but by the representatives of the whole country. The people of Chicago and of Illinois have more than paid all that was required by the scope and plan first contemplated. The gentleman from Missouri [Mr. HATCH], who sits before me, will bear witness that he assented to that amendment because he thought that the Congress, the people of the United States, should from first to last have their hand upon the scope and plan, and necessarily upon the expenditure. They would ultimately be responsible.

It was with that power that the United States Government Commission went on, and the officers of the United States determined the mighty and magnificent scope of the Exposition which has entailed expenditure which the committees of the House and the Senate have reported here as necessary. That is the proposition before you. It is not to carry out anything ever proposed by the people of Chicago or the people of Illinois. It is for the people's government to keep faith with themselves. It is to maintain high the honor and keep the faith of the people of the United States whose officers have fitly determined on a plan and scope worthy of the great Republic.

Mr. DURBOROW. Mr. Speaker, I desire to say only a word in regard to the publication read here a few minutes ago. I wish to state to the House that this paper is not an official publication of the World's Columbian Exposition. It has no connection with it whatever, and is a private enterprise which simply publishes pictures and gives the news of the great undertaking. The Exposition is not in any way responsible for the publication or its utterances.

I now yield ten minutes to the gentleman from Ohio [Mr. HOUK].

Mr. HOUK of Ohio. I hope, Mr. Speaker, I am not mistaken in supposing that the judgment of this House upon a question so important as that which is involved in this proposed amendment will not be influenced by mere clamor or vehement oratory. I undertake to say in the outset that the statement that Chicago is here making application for another appropriation is entirely without foundation. Chicago is not represented in this proposed amendment. The Chicago corporation has nothing whatever to do with it.

Mr. LITTLE. Why are they advocating it, then?

Mr. HOUK of Ohio. For the reason that I advocate it, because I believe it is right. Now, what is the proposed amendment? It asks an appropriation for what? For the Government exhibit and that alone; and gentlemen may scrutinize this amendment, every word of it, and they will find that it is for nothing but the Government exhibit. Now, let me call the attention of the House to the law which was passed by the Fifty-first Congress three years ago next month, and which has been

in force ever since and will continue in force until this enterprise is ended.

The gentleman from Indiana who sits in front of me [Mr. HOLMAN], and the gentleman from Texas [Mr. SAYERS] and the gentleman from Missouri [Mr. BLAND] have quoted portions of that law, but they have not given the House the benefit of their learning as to the scope of the law itself. Now, I want to read to the House the section of the law under which this Government exhibit is held. It is section 18. What did you provide for three years ago, Representatives of the American people in Congress assembled? You said:

That there shall be exhibited at the said Exposition by the Government of the United States—

Not by the Chicago corporation, but by the Government of the United States—

That there shall be exhibited at said Exposition by the Government of the United States from its Executive Departments, the Smithsonian Institution, the United States Fish Commission, and the National Museum, such articles and materials as illustrate—

What?—

Such articles as illustrate the function and administrative faculty of this Government in time of peace, and its resources as a war power, tending to demonstrate to the nations the nature of our institutions and their adaptation to the wants of the people; and to secure a complete and harmonious arrangement of such Government exhibit a board shall be created to be charged with the selection, preparation, arrangement, safe-keeping, and exhibition of such articles and materials as the heads of the several Departments and the directors of the Smithsonian Institution and National Museum may respectively decide shall be embraced in the Government exhibit.

Mr. LIVINGSTON. Will the gentleman read section 15?

Mr. HOUK of Ohio. Never mind, sir. I am making this speech for myself, not for you. [Laughter.]

The President of the United States may also designate—

The President of the United States may designate. All these things are to be brought into a Government exhibit, and it is for that Government exhibit and for that exhibit alone that this amendment provides.

Such board shall be composed of one person, to be named by the head of each Executive Department. The President shall name the chairman of said board, and the board itself shall select such other officers as it may deem necessary.

Now, Mr. Speaker, it may have been wise or it may have been otherwise to have adopted the system which the Fifty-first Congress did adopt for the purpose of carrying on this Exposition, but that system distinctly was this: A local organization incorporated under the laws of Illinois was recognized as the instrumentality to provide a site and buildings and conduct the details of the Exposition, with the proviso expressed in the section to which I have referred relieving the Government of all pecuniary liability on account of its transactions. That corporation was required to have a fund of ten millions for its purposes before the Government, through the President of the United States, should assume the sponsorship of the enterprise through its incorporated agency, the World's Columbian Commission.

It is the board composed of the heads of the Departments of the Government itself who now ask Congress for the appropriation necessary properly to place the Government exhibit in this great industrial congress of nations. If Congress refuses to respond to this call it will be a virtual repudiation of the law creating the Exposition, and can not fail to cripple the great enterprise, and bring disgrace upon the honor of the United States.

The agency incorporated by this act—called the Columbian Commission, was composed, not of the people of Chicago, or of Illinois, but, having a distinctly national character, composed of two men from every State in the Union, two from the District of Columbia, and eight nominated at large by the President of the United States.

Now, I say, sir, that under the provisions of that law the Commission was given entire control of the whole affair, and that the rules which were to be adopted by the Chicago corporation were to be subject to the supervision and control of the Commission.

The fifteenth section of the act of April 25, 1890, expressly declares that the United States shall not in any manner nor under any circumstances be liable for any of the acts, doings, proceedings, or representations of the said corporation organized under the laws of the State of Illinois, etc., thus emphasizing the distinctive national character of the Columbian Commission, as the only organization entitled to act as a Government agency, and emphasizing, too, the great fact which, seems to be ignored by so many gentlemen on this floor, that this Columbian Exposition was not only created, but was to be conducted to its final consummation by the Government of the United States.

Now, sir, let us see what were the functions of that Commission.

To allow space for exhibitors, to prepare a classification of exhibits, to determine the plan and scope of the Exposition, to award all premiums, if any, and generally to have charge of all intercourse with the exhibitors and the representatives of foreign powers.

Mr. HOOKER of Mississippi. If my friend will allow me to

interrupt him a moment, I wish he would read the proviso to the seventeenth section.

Mr. HOUK of Ohio. I will read it with a great deal of pleasure if the gentleman will wait till I can come to it appropriately.

Mr. HOOKER of Mississippi. I know the gentleman wants to be fair-minded about this matter, and therefore I have taken the liberty to remind him of that proviso.

Mr. HOUK of Ohio. I will read it in a few moments.

These were the functions prescribed by that law. I suppose the gentleman who has just addressed me was a member of the Fifty-first Congress, and is familiar with powers authorized by Congress to be exercised by this Columbian Exposition. I suppose I am right in saying that any discussions that may have occurred in that Congress either in regard to Chicago or New York or St. Louis, had nothing at all to do with this question as I am treating it—nothing whatever.

Gentlemen from Chicago may have made any representations they chose; but when the Congress of the United States enacted this law which I now hold in my hand, passed three years ago, I take it that it is to be regarded as the conclusion of the people of the United States as expressed through their legally constituted and constitutional authorities.

Now, the gentleman from Mississippi, as well as the gentleman behind me, Mr. LIVINGSTON of Georgia, to whom I did not intend to be discourteous, has called my attention to the proviso of the seventeenth section. A great deal has been said, Mr. Speaker, about the amount of the appropriations that have been made for this Exposition. Why, sir, the city of Chicago, in the subscriptions that it has made to the capital stock of this corporation and to this enterprise, has subscribed already \$5,000,000 more than has been contributed by anybody outside or by the Government of the United States. The proviso referred to is as follows:

Provided, That the United States shall not be liable on account of the erection of buildings, expenses of the Commission or of any of its officers or employees, or on account of any expenses incident to or growing out of said Exposition for a sum exceeding in the aggregate \$1,500,000.

[Here the hammer fell.]

Mr. HOUK of Ohio. Can I not have more time? [A pause.] I am willing to submit to the rules of the House, under which the amount of time given for discussion seems to be in inverse proportion to the importance of the subject to be considered. [Laughter.]

Mr. DURBOROW. I yield five minutes to the gentleman from Ohio [Mr. JOSEPH D. TAYLOR].

Mr. JOSEPH D. TAYLOR. Mr. Speaker, I regret very much that the gentleman from Massachusetts [Mr. O'NEILL] has seen fit to notify the House that he proposes to offer an amendment which provides that the World's Fair shall be open on Sunday. That question was settled during the last session of Congress; and I have been informed by the friends of the World's Fair that there is no disposition whatever on their part to reopen this question. The conclusion reached last session when two millions and a half of dollars were appropriated, with the understanding that the Fair should be closed on Sunday, should not be disturbed, and it is very unfortunate that this question is agitated just now.

It is a question that was passed upon after full consideration, and all parties are bound by the conclusion reached. Great as this Fair is, I should prefer to see it abandoned a thousand times rather than to see the Christian Sabbath desecrated and discarded.

Grover Cleveland, the President-elect, who will be inaugurated to-morrow, did a great thing last fall during the campaign when he declined the invitation to go to Chicago to participate in the dedication of the World's Fair buildings because the White House at that time was draped with emblems of mourning on account of the death of the wife of President Harrison. He did another great thing when he left his home in New York a few weeks since and went to Fremont, Ohio, to attend the funeral of ex-President Hayes.

In both these instances he touched the hearts of the people, but he did a greater thing two days ago when he telegraphed to Secretary Noble to close the Pension building on Sunday next and prevent the Sunday promenade concert that had been arranged for that day. [Applause on the floor and in the galleries.] No man in this country holds his hand closer to the pulse of the American people than Grover Cleveland, and we will do well to profit by the example he has set us. [Renewed applause.]

The fact that Secretary Noble had previously issued a like order does not lessen the credit to which President Cleveland is entitled.

The SPEAKER. The Chair will state to the occupants of the galleries that they are here by the courtesy of the House; and that the rules of the House forbid any manifestation of approval or disapproval. The Chair hopes that this suggestion will be

sufficient to induce the occupants of the galleries to refrain from any demonstration.

Mr. JOSEPH D. TAYLOR. Now, Mr. Speaker, I have been present during the consideration of all the legislation pertaining to the World's Fair. I have voted for every dollar that has been appropriated. I voted for Chicago when a site was being chosen because I thought it was the best place. And I think the members of the House from the city of Chicago, and the people who live in Chicago, have acted fairly and honorably in this whole matter, and deserve the praise of the country for the manner in which they are managing this great enterprise, for it is an immense undertaking.

I think it is an obligation, an honest patriotic obligation that the American people and the American Congress owe to every State of this Union that has made an appropriation and appointed commissioners, an obligation to every country in the world that is making like appropriations and sending its delegates to this country, that the necessary money to carry out successfully this great Exposition shall be appropriated. I was not on the junketing trip to Chicago that gentlemen have referred to, nor do I think those who were are to be censured upon this floor; but I believe it to be the duty of the House, a duty which it should discharge faithfully and fairly, to appropriate the money which is provided in this bill for the purpose of making this great Fair a success. This is not a Chicago Exposition or a local enterprise, but a great national anniversary, which will reflect honor upon our great country. It will open up new fields to commerce and trade, will bring us in touch with foreign nations, and lay the foundation for great prosperity.

It will increase our wonderful resources, stimulate the growth of all our industries, mark an era of progress that has no parallel in the world's history, and besides, sir, we have gone too far now to stop or to recede from the position which we have taken before the world. We must make the World's Fair a success. The honor of the nation and the faith of the country are pledged to these people who have undertaken the great work that it shall be a success. The four hundredth anniversary of the discovery of America is to be celebrated. It is to be celebrated under the auspices of the American Stars and Stripes. The pride of our country and the honor of our flag appeal to our sense of duty, and I hope that we will make no mistake in this matter.

[Here the hammer fell.]

Mr. DURBOROW. Mr. Speaker, I now yield five minutes to the gentleman from Maine [Mr. REED].

Mr. REED. Mr. Speaker, this Exposition, some of the details of which we are undertaking to discuss to-day, was an enterprise set in motion by the Congress of the United States itself. The Congress of the United States, for its own purposes and for reasons of its own, placed upon that Exposition a dual condition.

So far as it was to be an Exposition for the pleasure and educational profit of the people of the United States at large, it was intrusted to a local corporation of the city of Chicago, in order that the United States might neither have the advantage of its pecuniary success nor the disadvantage resulting from its pecuniary loss. But at the same time, inasmuch as it was a World's Columbian Exposition, and it was necessary for the United States as a Government to figure as the intermediary between this Exposition and the people of foreign lands who might participate in it, it became absolutely essential to the dignity of the position occupied by the United States in this regard, that we should assume control of the Exposition in certain directions. Hence it was determined to appoint commissioners.

We determined also that the Commission so appointed should have control of the plan and scope of the Exposition. We also determined that in our hands should rest the giving of the awards in order that no local jealousies or local littlenesses of any kind should prevent the Exposition, in its aspect which regarded other nations, from being a fair representative of the civilization, culture, and advancement of the United States.

That Commission, acting within the sphere of its duties, has adopted a plan of operations and has given to the Exposition a scope for which Congress is now called upon to provide. Having acted within the sphere of its duties as prescribed by law, having acted as I believe reasonably and properly, it seems to me that it only comports with the dignity and honor of this country that appropriations should be made to defray the expenses of that part of the Exposition which belongs to the United States.

To refuse to make the awards, to refuse to pay for the machinery for making the awards, to refuse to sustain the first item of this appropriation would be to denationalize the Exposition and make it a mere show with results dependent solely upon the success of the mere local corporation.

I must say, Mr. Speaker, whatever complaints can be made of the city of Chicago, the appearance of that region which is to be

the scene of the future Exposition is something which amazes me in its splendor and magnificence. [Applause.] I am proud of the imperial city of the West and its magnificent endeavor, and I believe that the people of the United States will stand by its representatives on this floor in making this an exhibition and a spectacle suitable to be a living sign to the nations of the world of the grandeur of the United States of America. [Applause.]

Mr. HOLMAN. I yield now five minutes to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. Mr. Speaker, it may be well enough for us to let our gaze rest upon the magnificent city on the shores of the western lake. It may be well enough for us to contemplate the grandeur of the approaching Exposition, and well enough for us, too, to dwell on the glory of the American people, and to be jealous of their honor, not only in this, but in all other things; but at the same time, sir, we ought not to lose sight of the taxpayers all over the land who are to furnish the money which we to-day are asked to give to this Exposition.

Gentlemen talk about the dual character of this Exposition, and about the dual relation assumed in the passage of the law by this Government under which it is to be held.

There is in that law, as check and balance, as part and parcel of it, as stay and bound, for the protection of the taxpayer, the provision that, however great it may be, however far its functions may extend, however lofty may be the grandeur, and however untarnished the glory of the Union, there shall not by any pretense, for any cause, be taken out of the Treasury of the United States to exceed the sum of \$1,500,000. There was the mark which the American people put. There was the line beyond which, in justice to the taxpayer, beyond which, in honor to the most honorable thing in the American character, the plain, honest, taxpaying citizen, extravagance could not go and generosity, if you please, might not extend. That far, the people said in their law, you may go if necessary to advance the cause of this Exposition; but beyond it not a solitary penny.

And yet at the last session of this Congress we donated to the Chicago corporation—an apparently mythical thing now, a thing seemingly far off and disinterested—the sum of \$2,500,000, made so valuable by the special designs and the historic memories connected with them that they are really worth \$5,000,000. And I note, Mr. Speaker, that the same gentlemen are promoting this proposition to take an additional million out of the Treasury who were here in the last session asking for five millions, and who grudgingly retired to muster anew their forces after receiving \$2,500,000.

Here they are, with other devices on their banner, it is true, coming here and assuming to speak in the name of the people of the United States, as especially charged to protect the reputation of the people of the United States, as especially jealous of the honor and glory of this great country; but all their roads lead to the same place, all their arguments culminate in the same object. The whole design is to take more and more of the people's money and put it into the coffers of those who get the benefit of the gate receipts of this corporation.

Gentlemen say the Chicago corporation has retired. Well would it be, Mr. Speaker, for the reputation of some gentlemen if they had retired with the Chicago corporation.

[Here the hammer fell.]

Mr. HOLMAN. I yield five minutes to the gentleman from Wisconsin [Mr. BABBITT].

Mr. BABBITT. Mr. Speaker, no member of this House who remembers the position I took when the great struggle was on will accuse me of being an enemy to this Columbian enterprise.

It will be remembered that in that struggle, after the previous question had been ordered in the caucus which decided its fate, and the appropriation was disapproved by 69 to 32, I secured the unanimous consent to propose the compromise which subsequently resulted in the gift of two and a half millions.

All I ask at this time is that that compromise, sacredly and honestly entered into and which has been fulfilled on the part of the Congress of the United States, shall be fulfilled also by the directors of the Columbian Exposition.

The gentleman from Massachusetts [Mr. O'NEIL] sees fit to denounce all who differ with him on this subject, and they are classed as being bigots and witch-burners. He has stated here that he does not care whether this appropriation fails or not if the gates of the Fair be not opened on Sunday; and this, too, against the protest of over fifteen million of the citizens of the United States who authorized Congress to give the Columbian Exposition \$5,000,000 on condition that the gates of the Exposition be closed on Sunday. And now he publicly notifies this House that he will insist on passing his amendment to repeal that part of the agreement, and I as publicly notify those gentlemen entertaining his opinions that if this appropriation fails they have invited it by a cowardly disregard of a sacred contract.

He has furnished us glowing descriptions of the parks in Boston, where, he assures us, the laboring man may go and worship with nature, but he does not inform us that these parks are free; there is no admission fee of 50 cents for each member of his family to interfere with the exercise of their religious impulses.

How is it to be at Chicago? He claims to speak for the laboring man, but he does not represent him here or the noble lineage from which he sprang.

Why, gentlemen, he denounces the very principles that have made Massachusetts famous and renowned, and he would cover in sackcloth and ashes the great rock on the bleak shore of the Atlantic upon which the Pilgrim fathers asserted the principles which have made this country great in history and fame. I do not profess to be a saint. I am not a member of any church organization, but I believe in men living up to their contracts, and most of my fellow-Congressmen here who hold to this principle I believe indorse the sentiments of the lamented Whittier, who in the fullness of his hope said:

I know not where His islands lift,
Their fronded palms in air;
I only know I can not drift
Beyond God's love and care.

Gentlemen, citizens, Representatives of the United States, I ask you to stand firm for the principles which we have advocated, and I ask you to require of the citizens of the city of Chicago that they shall live up to an honest contract, honestly and fairly entered into. Mr. Speaker, I would vote on any occasion any reasonable amount of money to make this great World's Fair creditable in the eyes of all the citizens of the United States and of the world, but I will not vote for a dollar's further appropriation under any circumstances to be controlled by a body of men who do not respect their word and do not respect the honor of the nation, and who come forward here and use such means as they have used to induce you to go back upon a contract which they have freely entered into, and who still hold the menace of this proposed amendment over our heads, in violation of good faith.

What is the country to think if we ignobly succumb to this senseless clamor for "repeal," to barter the dignity of this House for greed, which the amendment of the gentleman from Massachusetts contemplates.

I appeal to you Republicans if according to all principles of commercial honor the management are not bound by the conditions under which the appropriations were made? I demand, my countrymen demand that the management of this enterprise shall attend to the legitimate business in hand, which is to make the Fair the most wonderful of all exhibits of the world's progress in civilization, and in which I believe the United States will lead.

In view of the threatened appearance of cholera and its attendant calamities, I insist that they let Congress alone until necessity compels them to knock at the doors of Congress for assistance. This will be more readily given if the management stand squarely up to the compromise agreement which was secured by the most strenuous of friends of Chicago and the World's great Exposition.

Mr. HOLMAN. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. TAYLOR].

Mr. TAYLOR of Illinois. Mr. Speaker, I thank the gentleman from Indiana [Mr. HOLMAN] for yielding me time that I was unable to obtain from my colleague [Mr. DURBOROW].

Great stress has been laid by members who have spoken against these amendments on the limit that was fixed in this act. You will have before you to-day before you adjourn a bill where officers of the Government have exceeded the limit fixed upon their expenditures by the last Congress. Why, these officers have the same right to exceed their limit as those in whose cases you have to act upon in the deficiency bill.

I am unable to understand the argument made by some gentlemen against these appropriations. Chicago is not here asking for a dollar. Chicago is not here asking for the repeal of the Sunday closing clause. While I am in favor of that, I am not asking for it; and I think no friend of these appropriations should ask for it at this time. The appropriations contained in these amendments are each and every one of them for Government officers, created by the acts of this Congress, appointed by the President, with their duties defined, and their bills up to this time have been approved in accordance with the act under which they were appointed, and they have the same rights and the same authority to exceed the limit, that has been dwelt upon so much, as any other officer of the Government. As I have already said, not one dollar of these appropriations is for Chicago, and not one dollar is for the local board of Chicago.

The first item is for the Government exhibit. Now you have spent \$1,500,000 on your Government officers. Will you stop now and let that feature of the Exposition be a failure? This

exhibit of the Government can not be taken there, and can not be put in the building you have erected unless that appropriation is made.

The SPEAKER. The time of the gentleman has expired.

Mr. HOLMAN. I will reserve the balance of my time.

The SPEAKER. The gentleman has six minutes remaining.

Mr. DURBOROW. I yield one minute to my colleague [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, I have asked my colleague [Mr. DURBOROW] to yield me one minute more of time for the purpose of correcting the impression that has prevailed in this House, and throughout the country, that in the speech I made in regard to the location of the Fair at Chicago, I had stated that the city of Chicago would not ask anything from the Government, but would make this Fair a success itself.

Now, here is the remark I made, and everything I said there related to the genuineness of the subscription of \$5,000,000 which was then before Congress and of ten millions more that the city of Chicago would subscribe, making in all \$15,000,000. I said that the city of Chicago would make that good, and that was against any imputation upon their honesty; and so it was not—

The SPEAKER. The time of the gentleman has expired.

Mr. SPRINGER. Give me a half a minute more.

Mr. DURBOROW. I yield one-half minute more.

Mr. SPRINGER. I want to finish my sentence. Then the bill that limited the expense of this Exposition to \$1,500,000 had not been passed. It came in a month subsequent to this; and it was on the question of locating the World's Fair that this remark was made; and Chicago has kept that promise and added \$5,000,000 more to it.

The SPEAKER. The time of the gentleman has expired.

Mr. DURBOROW. I yield three minutes to the gentleman from New York [Mr. LITTLE].

Mr. LITTLE. Mr. Speaker, I did not expect to take part in the discussion of this question, and had not the gentleman from Massachusetts [Mr. O'NEIL] given notice of his intention to offer an amendment, relating to Sunday closing I should have kept my peace. But, I want to say a word upon that amendment, for I consider that of greater importance to the people of this country than these appropriations.

Before passing to that, however, I want to call attention to one fact, and that is the manner in which these items come before this House. At the beginning of the Fifty-second Congress the Speaker appointed a select committee on the Columbian Exposition. The Committee on Rules reported a rule, which was adopted by this House, that all matters relating to the Columbian Exposition should be referred to that committee. Not an item that is now under consideration has ever been before that committee in any manner or form.

Now, Mr. Speaker, in regard to the amendment that has been proposed by the gentleman from Massachusetts [Mr. O'NEIL]. Nearly everyone upon the floor of this House who undertakes to speak against the Sunday opening commences and closes his remarks with the statement that the working people of this country are opposed to Sunday opening. I want to say that during last summer, as a member of the Select Committee on the Columbian Exposition, I caused to be written to every national organization of labor where the membership reached 9,000, a letter asking the opinion of the officials of those organizations as to what the desire of organized labor was upon this question.

I received replies from the representatives of many hundreds of thousands of workingmen, and in only one instance was there a suggestion that the Fair should be closed on Sunday. That exceptional reply was from the chief of the locomotive engineers, Mr. Arthur, who stated that he did not consider that Congress had any business to deal with this question, but that very many members of his organization preferred to have the Exposition closed on Sunday because keeping it open would entail extra labor upon them.

Now, when gentlemen rise upon this floor and say that the workingmen of the country are opposed to the Exposition being open on Sunday, I think they can not have looked into the question carefully, and I would ask some of them to state what means they have taken to ascertain facts to justify the statements they have made.

Mr. DURBOROW. I yield two minutes to the gentleman from Kentucky [Mr. DICKERSON].

Mr. DICKERSON. Mr. Speaker, I am glad to avail myself of these two minutes, first, to state that I favor the amendment of the gentleman from Massachusetts. I do so, sir, because I want to protest against any sort of legislation by Congress looking to the recognition of the question of religion at all. That is a matter with which we have nothing to do, and the police regulation, the conduct and morals of people in the State of Illinois, is, by the Constitution and by every inherent right of citizen-

ship, lodged with those who are to exercise government control in local affairs.

The argument to-day against this appropriation, Mr. Speaker, seems to me to be a most extraordinary one. Gentlemen, without citing any reason why the appropriation should not be made, appeal to the religious prejudices of some men and to the local prejudices of others; they speak to the Representatives of New York and attempt to arouse the ire and ill feeling which were created at the time of the controversy with them as to where the Exposition should be held, but there is not a Representative of New York upon this floor who can be controlled by an appeal like that. They are men of reason, and demand that they shall be appealed to upon a reasonable basis and not upon the ground of prejudice or ill feeling.

Outside of that, Mr. Speaker, an article has been read here reflecting upon certain gentlemen who visited the city of Chicago, to arouse their resentment. These unfair arguments—
[Here the hammer fell.]

Mr. DURBOROW. Mr. Speaker, I hope the gentleman from Indiana [Mr. HOLMAN] will use some of his time now.

Mr. HOLMAN. I yield five minutes to the gentleman from Mississippi [Mr. HOOKER].

Mr. HOOKER of Mississippi. Mr. Speaker, I desire to speak upon this amendment and this appropriation, not in a temper of opposition to the great Columbian Exposition, for which I feel the greatest and kindest interest, as I think the whole people of the country do, but I desire to say a word with reference to the original law, which was reported by my distinguished friend from Massachusetts [Mr. Candler], as chairman of the Committee on the World's Columbian Exposition.

In reporting that bill it was insisted that he should add a proviso to the seventeenth section of the original act creating the Columbian Exposition, which provided that the Government of the United States should not be held responsible for or on account of any expenditures for its officers, for the erection of buildings, or for anything else, to an amount exceeding \$1,500,000; and it was because that proviso was inserted in a section of the original bill that gentlemen were enabled to pass the bill at all. Without that it would have failed. That limit was designed and intended to give to the Government of the United States for the Government exhibit \$1,500,000, and no more; and I think it is unwise for this great Exposition, whether acting through members of Congress on their own motion, or looking to the great purposes and objects which the Exposition has in view, to ask of the Congress of the United States, whether for one purpose or another, a greater amount of appropriation that was provided by the original act.

When that bill was under discussion a Representative from the State of Illinois and from the city of Chicago, speaking on this floor, and as was supposed speaking in behalf of the advocates of the Exposition—I allude now to Mr. Lawler, the immediate representative of the city of Chicago—used these words:

I make this statement and will verify it again that if the \$1,500,000 is appropriated, that Chicago will raise whatever other money may be necessary, whether it be \$5,000,000 or \$10,000,000 or \$25,000,000, and will raise it in six months.

This was the declaration of that region of country in which this great Exposition was to be held, and I think now, sir, that the Government of the United States ought not to be called upon, for any purpose, to do more or less—I would not have it to do less—but I do not think it ought to be called upon to do more or less than was provided in the original act and the proviso which enabled it to be passed.

With reference to the question of opening the Exhibition on Sunday, I had occasion to make a speech in the first session of this Congress, in which I said what I now repeat, that I think this great Columbian Exposition ought to respect the Sabbath day and ought to pay regard to the popular sentiment as expressed in the numerous petitions which have come from the great body of Christian people of all denominations. If the spirit of the great discoverer of America could descend upon this House—he who when the bird lighted upon the masthead and (the perils of storm and tempest being passed) the watch proclaimed "Land ho!" dropped upon his knees, thanking the Almighty that his great efforts for the discovery of this continent had been realized—he would say that the day which the Christian world sanctions as the Sabbath should, out of respect for our great Maker, be observed in connection with this great Columbian Exposition. [Applause.]

[Here the hammer fell.]

Mr. DURBOROW. Mr. Speaker, before yielding the residue of my time I desire to call the attention of the House once more to the fact that the appropriations called for in this bill are not in any way for the benefit of the Illinois corporation, and therefore much of the eloquence that we have heard on the floor to-day has simply raised up a straw man in order to excite preju-

dice and obscure the real issue. The whole of this money is for the support of the governmental functions connected with this Fair. It is to be disbursed by Government officers in connection with the Government exhibits.

I now yield the residue of my time to the gentleman from Michigan [Mr. CHIPMAN].

Mr. CHIPMAN. Mr. Speaker, in the very short time allotted to me very little can be said. I have listened to the arguments against these amendments, and have failed to hear a single legal or valid reason why the appropriations should not be made in aid of this Columbian Exposition.

It is said that the cost is more than we originally anticipated. That happens every day in regard to a variety of measures. It is said too that the opposition here is in behalf of the taxpayers of the country. I deny it. This country is committed to the Exposition. The taxpayers approve it. They take pride in the reputation and the decency of the country. They are not mean or stingy; and the idea that they disapprove of this appropriation arises only in the minds of gentlemen who consider statesmanship simply as the doing of a sum in arithmetic, and who banish all sentiment, all ideas of national glory, all ideas of national dignity.

This narrow, contracted view which characterizes the opposition to this bill and to other wise measures will ruin the party to which I belong in this House, and certainly will not be justified by the people of the country. They desire that the Exposition shall be a success. They ask us from one end of the land to the other to make it a success. They insist on it. The farmers, the workingmen of the country are those who most desire the Exposition, who insisted upon holding it, and who will reap from it a harvest of untold wealth. But, sir, if nothing were to come in the shape of wealth to the country, still it is our Exposition, the Republic's Exposition, and I insist that the officers we have appointed to administer it should be upheld in a decent administration of its affairs. That is all the Senate amendments prescribe.

Why, sir, these amendments contemplate simply the providing of jurors and the preparation of diplomas and medals. Who is to give these diplomas and medals? We have promised the world that the Government will give them. Yet gentlemen stand here to strip the Exposition of its national character, to remit the matter of awards to a private corporation and to say to those who come here at the invitation of the country that we are not true to our promise—their aim is to make the Exposition a local show and not a national exhibit.

[Here the hammer fell.]

Mr. MORSE. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MORSE. Mr. Speaker, my colleague, Mr. O'NEIL, took exception to my saying he misrepresented our State on the question of Sunday opening. Would it be in order for me at this time to ask unanimous consent to have sent to the Clerk's desk and read, in answer to my colleague from Massachusetts [Mr. O'NEIL], the resolutions unanimously adopted June 11, 1891, by the Massachusetts house of representatives against and denouncing the Sunday opening of the World's Columbian Exposition?

The SPEAKER. It would not. [Laughter.]

Mr. WATSON (to Mr. MORSE). That was well done.

Mr. PICKLER. Yes; it was. The fact is in the RECORD now, and you can not rub it out.

Mr. HOLMAN. I yield the residue of my time to the gentleman from Tennessee [Mr. PIERCE].

The SPEAKER. The gentleman has one minute.

Mr. PIERCE. Mr. Speaker, I was not in the House when the gentleman from Illinois [Mr. SPRINGER] alluded to the remarks which I made. I am willing that the RECORD shall show for itself how the question stands between us. I read from the proceedings of last night:

Mr. HATCH. Will the gentleman from Illinois permit a question?

Mr. SPRINGER. Certainly, if I can have time enough to answer it.

Mr. HATCH. Did not the gentleman from Illinois state, not only once but repeatedly, as a member of the World's Fair Commission in the Fifty-first Congress, pending the consideration of the site, that if Chicago was selected as the place for the Fair she would not ask from the Government a single dollar?

Mr. SPRINGER. I did so state. Is that satisfactory?

It is satisfactory to me.

Mr. SPRINGER. I had reference to the \$10,000,000 then; and I have reference to it now.

Mr. HOLMAN. I call for the previous question.

The previous question was ordered.

The SPEAKER. The first question will be on the motion of the gentleman from Illinois [Mr. DURBOROW] that the House recede from its disagreement to the Senate amendment and agree to the same.

Mr. O'NEIL of Massachusetts. A parliamentary inquiry. Is the previous question operating on all the amendments?

The SPEAKER. Only on one; there is only one amendment now before the House.

Mr. DURBOROW. I call for the reading of the amendment. The amendment was again read.

The SPEAKER. The gentleman from Illinois [Mr. DURBOROW] moves that the House recede from its disagreement to the amendment just read, and agree to the same. That is the question upon which the House is about to vote.

Mr. POWERS. I rise to a parliamentary inquiry. I understood the gentleman from Massachusetts to submit an amendment—

The SPEAKER. The gentleman from Massachusetts has no amendment pending.

Mr. POWERS. He proposed to offer an amendment to this section.

Mr. DINGLEY. It has not been submitted.

The SPEAKER. There is no such amendment before the House.

Mr. POWERS. The inquiry I desired to make (perhaps it answers itself) was this: If these amendments are all defeated, is the amendment of the gentleman from Massachusetts thereby displaced?

The SPEAKER. Of course there could not be any amendment to an amendment if there were no amendment pending.

The question being taken on the motion of Mr. DURBOROW

The SPEAKER. The yeas seem to have it.

Mr. DURBOROW. I call for a division.

Mr. McMILLIN and Mr. HOLMAN called for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were, yeas 123, nays 140, not voting 66; as follows:

YEAS—123.

- | | | | |
|-----------------|------------------|----------------|---------------|
| Alderson, | Doan, | Ketcham, | Reilly, |
| Bartine, | Dolliver, | Lagan, | Reyburn, |
| Barwig, | Dungan, | Lane, | Rockwell, |
| Belknap, | Dunphy, | Lapham, | Rusk, |
| Bentley, | Durborow, | Little, | Russell, |
| Bingham, | Enochs, | Lockwood, | Scott, |
| Boutelle, | Fitch, | Lodge, | Scully, |
| Bowers, | Funston, | Loud, | Seerley, |
| Bowman, | Geissenhainer, | Lynch, | Shively, |
| Brosius, | Gorman, | Martin, | Smith, |
| Buchanan, N. J. | Greenleaf, | McClellan, | Snow, |
| Burrows, | Griswood, | McGann, | Springer, |
| Busey, | Grout, | Meyer, | Stephenson, |
| Butler, | Hamilton, | Miller, | Stone, C. W. |
| Cable, | Harmer, | Mitchell, | Stone, W. A. |
| Cadmus, | Harries, | Newberry, | Storer, |
| Caldwell, | Harter, | O'Donnell, | Stout, |
| Caruth, | Haugen, | Ohliger, | Stump, |
| Castle, | Haynes, Ohio | O'Neill, Pa. | Taylor, Ill. |
| Chipman, | Henderson, Iowa | O'Neill, Mo. | Taylor, J. D. |
| Clark, Wyo. | Henderson, Ill. | Owens, | Taylor, V. A. |
| Cobb, Mo. | Hilborn, | Page, | Townsend, |
| Coburn, | Hitt, | Pattison, Ohio | Tracey, |
| Cogswell, | Hopkins, Pa. | Patton, | Wadsworth, |
| Coombs, | Hopkins, Ill. | Payne, | Walker, |
| Cooper, | Houk, Ohio | Pendleton, | Warner, |
| Curtis, | Houk, Tenn. | Perkins, | Weadock, |
| Dalzell, | Huff, | Pickler, | White, |
| Daniell, | Johnson, Ind. | Randall, | Whiting, |
| Dickerson, | Johnson, N. Dak. | Ray, | Wike, |
| Dingley, | Jolley, | Reed, | |

NAYS—140.

- | | | | |
|--------------------|------------------|------------------|------------------|
| Abbott, | Coolidge, | Holman, | O'Ferrall, |
| Amerman, | Covert, | Hooker, Miss. | O'Neill, Mass. |
| Antony, | Cowles, | Hooker, N. Y. | Otis, |
| Arnold, | Cox, Tenn. | Johnson, Ohio | Patterson, Tenn. |
| Babbitt, | Crain, | Johnstone, S. C. | Paynter, |
| Bacon, | Crawford, | Jones, | Pearson, |
| Bailey, | Crosby, | Kem, | Pierce, |
| Bankhead, | Culbertson, | Kilgore, | Powers, |
| Belden, | Cummings, | Kribbs, | Quackenbush, |
| Beltzhoover, | Davis, | Kyle, | Raines, |
| Blanchard, | De Armond, | Lanham, | Richardson, |
| Bland, | De Forest, | Lawson, Va. | Rife, |
| Blount, | Dockery, | Lawson, Ga. | Robertson, La. |
| Branch, | Donovan, | Layton, | Robinson, Pa. |
| Breckinridge, Ark. | Edmunds, | Lester, Va. | Sayers, |
| Bretz, | Elliot, | Lester, Ga. | Shell, |
| Broderick, | Ellis, | Lewis, | Simpson, |
| Brookshire, | Enloe, | Livingston, | Snodgrass, |
| Brown, Ind. | Epes, | Long, | Stockdale, |
| Brown, Md. | Everett, | Mallory, | Stone, Ky. |
| Brunner, | Fithian, | Mansur, | Terry, |
| Bryan, | Flick, | McCreary, | Tucker, |
| Buchanan, Va. | Forman, | McKaig, | Turner, |
| Bullock, | Fyan, | McLaurin, | Washington, |
| Bunn, | Gantz, | McMillin, | Watson, |
| Bunting, | Gillespie, | McRae, | Wheeler, Mich. |
| Bynum, | Grady, | Meredith, | Willcox, |
| Capehart, | Hall, | Milliken, | Williams, Mass. |
| Catchings, | Hallowell, | Montgomery, | Williams, N. C. |
| Cate, | Halvorson, | Moore, | Williams, Ill. |
| Clancy, | Hare, | Morse, | Wilson, Mo. |
| Clarke, Ala. | Hatch, | Moses, | Wilson, W. Va. |
| Clover, | Heard, | Mitchler, | Winn, |
| Cobb, Ala. | Henderson, N. C. | Norton, | Wise, |
| Compton, | Herbert, | Oates, | Youmans. |

NOT VOTING—66.

- | | | | |
|-------------------|-------------|---------------|---------------|
| Alexander, | Cockran, | Magner, | Stewart, Tex. |
| Allen, | Cox, N. Y. | McAleer, | Sweet, |
| Andrew, | Cutting, | McKeighan, | Tarsney, |
| Atkinson, | Dixon, | McKinney, | Taylor, Tenn. |
| Baker, | English, | Outhwaite, | Taylor, E. B. |
| Beeman, | Fellows, | Parrett, | Tillman, |
| Bergen, | Forney, | Peel, | Turpin, |
| Boatner, | Fowler, | Post, | Van Horn, |
| Brawley, | Geary, | Price, | Waugh, |
| Breckinridge, Ky. | Goodnight, | Rayner, | Wever, |
| Brickner, | Hayes, Iowa | Sanford, | Wheeler, Ala. |
| Bushnell, | Hemphill, | Shonk, | Wilson, Ky. |
| Byrns, | Hermann, | Sipa, | Wilson, Wash. |
| Caminetti, | Hoar, | Sperry, | Wolverton, |
| Campbell, | Hull, | Stahnecker, | Wright. |
| Causey, | Kendall, | Stevens, | |
| Cheatham, | Lind, | Stewart, Ill. | |

So the motion was rejected.

The following additional pairs were announced:

Until further notice:

Mr. STEWART of Texas with Mr. TAYLOR of Tennessee.

Mr. BYRNS with Mr. CUTTING.

Mr. GOODNIGHT with Mr. SANDFORD.

Mr. PARETT with Mr. WAUGH.

For this day:

Mr. ALEXANDER with Mr. EZRA B. TAYLOR.

Mr. STAHLNECKER with Mr. SHONK.

Mr. TARSNEY with Mr. SWEET.

Mr. BRICKNER with Mr. WILSON of Kentucky for the rest of this day.

Mr. TURPIN with Mr. LIND, on the World's Fair appropriation. Mr. TURPIN would vote "no," and Mr. LIND would vote "aye."

The result of the vote was then announced as above recorded. On motion of Mr. HOLMAN, a motion to reconsider the last vote was laid upon the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate agreed to the report of the committee of conference on the bill (H. R. 10488) making appropriations for the naval service, etc.; the bill (H. R. 10421) making appropriations for the Department of Agriculture, etc.; and the bill (H. R. 10349) making appropriations for the Post-Office Department, etc.

NAVAL APPROPRIATION BILL.

Mr. HERBERT. Mr. Speaker, I ask consent at this time to present a conference report on the naval appropriation bill.

The SPEAKER. There are other amendments to the sundry civil bill, but the Chair will recognize the gentleman from Alabama to submit the conference report on the bill to which he has referred.

Mr. HERBERT. I ask that the statement of the House conferees be read, which furnishes a full explanation of the action of the conferees on this bill.

The statement was read, as follows:

Statement to accompany conference report on H. R. 10488, making appropriations for the naval service for the fiscal year 1898-99.

The undersigned conferees on the part of the House beg leave to state that the effect of the agreement reported as the result of the conference aforesaid is as follows:

1. Amendment numbered 1 increases the number of boys that may be enlisted as apprentices by seven hundred and fifty.
- 2 and 3. The Senate recedes from amendments 2 and 3, the effect of which would be to make naval constructors holding the rank of lieutenant eligible as Chiefs of the Bureau of Construction and Repair.
4. Amendment numbered 4 authorizes the detail of a naval officer to act as assistant to the Chief of the Bureau of Navigation.
5. No. 5 authorizes the purchase of discharges from the Navy under rules to be prescribed by the Secretary of the Navy of enlisted men, in like manner as is done in the Army.
6. No. 6 provides that the money to be used in building and experimenting with a submarine boat shall be taken from balances on hand to the credit of armor and armament.
- 7 and 8. No. 7 provides that the name of the naval station at Port Royal, S. C., shall remain unchanged, and No. 8 corrects a mistake in footing, thus apparently adding \$846 to the amount carried by the bill.
9. No. 9 authorizes the establishment of a dry dock at Algiers, La., and appropriates towards the purchase of additional land and for plans and specifications \$25,000.
- 10, 11, 12, 13, and 14. The effect of amendments 10, 11, 12, 13, and 14 is to leave the appropriation for dry dock at Puget Sound substantially as in the House bills the Senate receding from its proposed addition of \$75,000.
15. The Senate recedes and leaves this provision relating to the general account of advances as it was in the House bill.
16. The effect of number 16 is to add \$4,000 to the appropriation for fuel for the Marine Corps.
17. This amendment appropriates \$300,000 for the naval rendezvous and review, provided for by the act of Congress, approved April 25, 1890.
18. The Senate recedes from its amendment appropriating \$6,800 to be expended by the commanding officer of the Army at Fortress Monroe, in connection with the naval rendezvous and review.
- 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31. The effect of these amendments numbered from 19 to 31, inclusive, is that the Senate recedes from its addition of three and the House agrees to the addition of two gunboats to the House bill, with an appropriation of \$225,000 towards the construction of said gunboats.
32. This amendment gives the right to the Secretary of the Navy to pur-

chase such patents, etc., or the use thereof as in the judgment of the Secretary of the Navy may be necessary or desirable to increase the efficiency of the armor and armament for naval vessels.

HILARY A. HERBERT,
WM. ELLIOTT,
C. A. BOUTELLE,
Conferees.

[For report see Senate proceedings.]

Mr. HERBERT. Mr. Speaker, the statement just read is full and complete—

Mr. HOLMAN. I hope the gentleman from Alabama will not call the previous question for a few moments.

Mr. HERBERT. Very well. How much time does the gentleman from Indiana want?

Mr. HOLMAN. A few minutes.

Mr. HERBERT. I yield ten minutes to the gentleman from Indiana [Mr. HOLMAN].

Mr. HOLMAN. Mr. Speaker, I wish to call the attention of the House to the fact that there are two important matters placed in this bill by the Senate, which have been concurred in by the conference committee. I refer to the appropriation of \$300,000 for the proposed naval review to be held at Hampton Roads, I believe; and the addition of two gunboats to the fleet besides the one torpedo boat provided for in the original bill.

I wish to inquire before proceeding, of the gentleman from Alabama, what is the cost of the two gunboats and what their tonnage?

Mr. HERBERT. Not exceeding \$400,000 each, and with a tonnage of 1,200 tons each.

Mr. HOLMAN. So the bill will carry altogether, for additional boats for the Navy, \$1,200,000?

Mr. HERBERT. It authorizes gunboats which eventually will cost that sum, but the appropriations will run through two or more years.

Mr. HOLMAN. Then three boats are provided for, two gunboats at \$400,000 each and the torpedo boat, in addition to that enormous fleet we already have on our hands.

As to the \$300,000 for the naval display, I would be glad if my friend would explain how it is to be expended.

Mr. HERBERT. Mr. Speaker, in regard to the \$300,000 of appropriation for the naval rendezvous and review, this was rendered necessary by a provision in the act providing for the World's Fair. There was in that act a provision for this naval review.

I was one of those Democrats, Mr. Speaker, who voted against that bill. Every moment since I cast that vote has tended to confirm the conviction I then entertained that the bill ought not to have become a law. Nevertheless it did, over my vote. Now then, that bill having made provision for this naval rendezvous and review, the Secretary of the Navy, in accordance with that law, has invited foreign nations to send their ships here to participate in it.

Mr. BLOUNT. In this connection, if the gentleman from Alabama will permit me, I wish to ask him to state more particularly the terms of the act of Congress providing for the naval review.

Mr. REILLY. It was provided for in the act of May 25, 1890.

Mr. BLOUNT. I hope the gentleman will allow that act to be read.

Mr. HOLMAN. It is the same kind of a provision exactly in regard to inviting the representatives of foreign governments to the Fair, from which the Senate receded.

Mr. BLOUNT. If not too long, I ask the gentleman from Alabama to cause that act to be read.

Mr. HERBERT. I will read section 8:

That the President is hereby empowered and directed to hold a naval review in New York Harbor in April, 1893, and to extend to foreign nations an invitation to send ships of war to join the United States Navy in rendezvous at Hampton Roads and proceed thence to that review.

That is the law. It is a law against which I voted, but over my protest it became the law of the land. The Secretary of the Navy, in accordance with that law, invited foreign nations to send ships here to that review.

Several nations have responded—Great Britain, Spain, Portugal, and others. That is the condition now. Under the law, in compliance with it, invitations have been extended, and those invitations have been accepted. Whatever I might have thought and did think about the passage of that law, it seems to me my duty as a member of this House is to vote the money necessary to carry on the review.

We have invited these foreign nations; they have accepted the invitations, and the honor of the Government is involved. We are as much bound as we are to pay our debts at maturity. We may be opposed to the review. As an original proposition I should oppose it now, but we are helpless. It must be.

Mr. HOLMAN. How is the money to be expended?

Mr. HERBERT. I will answer that question.

Mr. LIVINGSTON. Is it your construction of the act that

we are bound to defray the entire expenses of the vessels sent here by foreign governments?

Mr. HERBERT. Not by any means. We are not to pay a dollar for their expenses in coming or going or remaining here.

Mr. HOLMAN. What is the money to be spent for, then?

Mr. HERBERT. I am going to state that.

Mr. LIVINGSTON. The gentleman has answered my question. Now I want the House to understand how this \$300,000 is to be expended.

Mr. HERBERT. That is the question I am coming to.

Mr. LIVINGSTON. I thank the gentleman.

Mr. HERBERT. I am glad to answer the question, because the House before it votes this money ought to know how it is to be expended. In the first place, in order to assemble our ships, to bring some of them from the Pacific Ocean and others from other parts of the world, more money will be required than would be expended in ordinary cruising. More coal will be consumed. Large amounts of powder will be used in firing salutes. Then a larger number of sailors will be required to man the ships, for we will have all our available vessels in use either in the review or elsewhere. The House can readily see that the necessary expenses from these sources will be very great. Then it will probably be necessary that a small portion—and I can say to the gentleman that I am satisfied only a small portion—will be expended in exchanging courtesies between the officers of the United States Navy and the officers of those naval vessels of other governments who will be their guests. We have invited them here as our guests, and it will be necessary to extend to them certain courtesies such as are extended all over the world by all classes of people to those who are invited to visit them. The people of America, represented by their Government, can not afford to deny the commonest claims of hospitality. But a very small portion of the money will be expended in that way.

Mr. BLOUNT. Will the gentleman allow me to ask him a question?

Mr. HERBERT. Yes.

Mr. BLOUNT. I wish to ask the gentleman if, after examining the estimate, he is satisfied that the bulk of this appropriation will be necessary on account of the increased demand for coal in the handling of ships and bringing them from distant points, and in the employment of sailors in these operations, and if but a small part of it will be for the purpose of exchanging those courtesies which would seem to be appropriate?

Mr. HERBERT. The gentleman in asking his question has well stated the case, and I answer yes.

Mr. HOLMAN. How much is for the junketing part?

Mr. HERBERT. My estimate, to make one offhand, without having made any calculation, and without knowing how many ships will visit us, is that there will be no necessity of expending in entertaining and welcoming our guests more than \$25,000.

Mr. HOLMAN. That is to be used in entertaining guests connected with foreign ships?

Mr. HERBERT. Yes. Now, Mr. Speaker, the gentleman from Indiana may consume the remainder of his time.

Mr. HOLMAN. My friend says the honor of the Government is involved in the appropriation of this money, when at least to the extent of \$25,000 is to be expended for a mere junket. The bill that provided for this display contained other provisions of the same character; one authorizing the President to invite certain distinguished persons from Europe, for which the Senate on the sundry civil bill proposed to insert an amendment for the appropriation of \$25,000.

That same bill contained a provision authorizing the President to invite representatives of all nations to the United States. The Senate put in the sundry civil appropriation bill two amendments of \$25,000 each, in all \$50,000, for the purpose of entertainment; but the House was so determined against such expenditure, that when it was brought to the attention of the House, it voted both amendments down, and the Senate receded. You have already rejected two propositions under which these invited gentlemen are to be feasted at an outlay of \$25,000, according to the estimate. I never knew a measure so inappropriate in the history of Congress as that very provision, if it did not cost a single solitary dollar.

On an occasion when the arts of peace should have been displayed, and the progress attained in civilization, and enlightenment should have been the objects of display, here is a display of the old kingly power of government, carried on by a strong arm, instead of a government like ours, the offspring of the discovery of this continent, carried on by an intelligent and enlightened people, with force of arms, with a great navy, and a great army; and I for one, by no vote of mine, intend, by the appropriation of money for this purpose to sanction the idea of that kind of celebration of the discovery of this hemisphere.

The kind of progress that is demonstrated is in the art of war

and of subjugating mankind to despotism. Russia, with armed ships, the hoary headed old despotism! England, with her heel upon millions of people! And we are bringing them here to feast them on that millennial year, as it were, of the establishment of republicanism on this great hemisphere substantially from Bering Sea to Cape Horn.

Mr. LIVINGSTON. I would like to suggest to the gentleman, in answer to the gentleman from Alabama [Mr. HERBERT], that these naval officers were put on notice by the action of the last session that we are not under obligation to make such an expenditure for their entertainment.

Mr. HOLMAN. You are not under obligations to make this expenditure. If you were not under obligations to entertain the guests you invited from Europe, you are certainly not under obligations to entertain these officers. You have refused to appropriate a dollar for the entertainment of those persons you invited. You have voted with unanimity not to vote a dollar for such a purpose. Now, with an empty Treasury, with the people heavily taxed, a people upholding Republican institutions, are they to have their hard earnings expended in making a monarchical display of power, not the moral agency by which the human race has been elevated during the progress of these four hundred years?

It is an appropriation which I protest against, and I ask the House to vote down this report and let my friend from Alabama return this bill to the Senate and let the same action be taken with this \$25,000 that we have already taken with reference to the two other items for a mere junket.

Mr. HERBERT. I do not know whether the gentleman from Indiana voted for the World's Fair bill or not.

Mr. HOLMAN. No; he did not.

Mr. HERBERT. Then the gentleman is consistent this time.

Mr. HOLMAN. I always am.

Mr. HERBERT. I voted against it when it was passed.

Mr. HOLMAN. And I made a speech against this same subject.

Mr. HERBERT. But now that the bill has passed and has become law, I think that we are in honor bound, especially after we had extended these invitations to foreign nations to send these ships here, to carry out the law and to act in good faith towards our invited guests. This is the reason and the only reason—the maintenance of the honor of our country—why I as one of the conferees was willing to agree to this provision.

Mr. HOLMAN. Now, will my friend allow me? Does my friend intend that the House shall go back upon its record and appropriate \$50,000 to entertain the other guests we have invited, the descendants of Columbus and the representatives of foreign governments? We have stricken out that \$50,000, and the Senate has agreed to that action.

Mr. HERBERT. There is a wide difference, Mr. Speaker. If this Government fails to make this appropriation the expense of entertaining the guests of the nation will devolve upon the officers of our Navy.

They are not able out of their salaries to defray this expense. The President of the United States gets a salary of \$50,000. This is given him that he may entertain in a manner becoming his station. Does the gentleman see no difference between the President and these naval officers, with their meager salaries? Are we to have this review at the expense of the officers of the Navy?

Mr. OUTHWAITE. And who must go there whether they will or not?

Mr. HERBERT. And who must go there whether they will or not, in obedience to orders. The law you passed, the law that Congress passed, compels these men, these officers of the Government, to go to that review and participate in it; and it seems to me that we are in honor bound not to put this burden upon them. I do not care to discuss this question at length, and yield two minutes to the gentleman from New York.

Mr. COOMBS. Mr. Speaker, it seems strange to me that the gentleman from Indiana [Mr. HOLMAN], while he consented to an expenditure of \$270,000 for the naval display, should take exception to the only thing which relates to peace—the entertainment of the officers of foreign governments by the officers of our war vessels. He is quite willing to concede the point of \$270,000 for a warlike display, but when it comes to hospitality he turns around.

Mr. HOLMAN. No; I did not say a word in approval of the expenditure of a dollar. I did not have time to discuss the other matter.

Mr. COOMBS. The gentleman said nothing against it. Now, Mr. Speaker, the gentleman from Alabama [Mr. HERBERT] has covered one point that I desired to cover when I asked for time. It is this, that if we are to have a navy at all—and I believe in a navy—we should stand on a par with the world in every respect. It is notorious that the officers of our navy who are under

pay are called upon by circumstances to extend hospitalities which they can not afford out of their small salaries. I am in favor of this appropriation.

[Here the hammer fell.]

Mr. HERBERT. How much time have I left, Mr. Speaker?

The SPEAKER. The gentleman has used twenty-five minutes.

Mr. HOLMAN. I hope the gentleman from Alabama, before he takes his seat, will explain to what extent the force of the Navy is increased by this conference report.

Mr. HERBERT. I will do so. I now yield three minutes to the gentleman from Massachusetts [Mr. LODGE].

Mr. LODGE. Mr. Speaker, I only want to say a word as to this appropriation for the naval review. I voted, in common with the great majority of this House, in favor of the act which necessitates this appropriation. We instructed the President of the United States to issue these invitations to the nations of the earth to participate in this naval review. This money is absolutely necessary to carrying it out. If we do not give it the review will be a failure.

It will be a discredit and a dishonor to the United States not to make this appropriation. I wish to add further, in regard to the Naval Committee, that they brought in this year the smallest bill that has been brought in for years, and that upon the recommendations of that committee, both under its present and under its late chairman (my colleague from Maine, Mr. BOUTELLE), the appropriations have been so made that we have been asked for less deficiencies than for any other Department of the Government. This appropriation is not excessive.

More than that we have made an authorization for ships which I consider extremely inadequate, a very small one, and now to refuse this appropriation which we ought under the law to make, would be simply a discredit to the good name of the United States.

[Here the hammer fell.]

Mr. HOLMAN. I want to ask the gentleman before he sits down why not appropriate \$50,000 to entertain the other guests invited from Europe?

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. HERBERT. Mr. Speaker, I yield two minutes to my colleague from Alabama [Mr. TURPIN].

Mr. TURPIN. Mr. Speaker, it is very kind in my colleague to give me any time at all on this measure, because I am opposed to it. I have advocated every measure up to this time that my colleague, the able chairman of the Committee on Naval Affairs, has presented to this House; but when it comes to voting away \$300,000 of the people's money, taking it from the Treasury of the United States, voting it away and promising nothing in return, I feel that my allegiance is stronger to my people than it is to my friend.

But a few days ago my distinguished friend [Mr. HERBERT], in presenting the naval appropriation bill upon this floor, said that the only thing called for in that bill, as an additional expense over the one that was presented in the former session of this Congress, was a provision for one gunboat; because, sir, it was acknowledged that the Treasury of the United States at this time is not in a condition to improve or build up the Navy, and yet we are confronted with a proposition to contribute \$300,000 of the people's money, and for what, I ask this House? For an exhibition, a display, a mere show. Whence comes the principle in American politics which authorizes us to spend the people's money for an exhibition, for a display at any time?

It is un-American, it is undemocratic, and the principle, sir, comes from monarchical Europe. We are appealed to to make this appropriation because it is said we have—the President has—invited the royal navies of the Old World to visit our shores during the Columbian Exposition—the World's Fair. Hence we are in honor bound to contribute to their entertainment by a grand naval display.

I deny it, sir; I claim that no man or body of men, the Congress of the United States not excepted, are authorized, or have ever been authorized, to extend invitations to any prince or potentate to visit republican America at the expense of the people. I hope, Mr. Speaker, this House will not sanction such conduct, but will refuse to use the public funds for such uncalled for and useless exhibitions.

[Here the hammer fell.]

Mr. HOLMAN. I hope the gentleman from Alabama will yield sufficient time for debate.

Mr. HERBERT. I yield three minutes to the gentleman from Ohio [Mr. OUTHWAITE].

Mr. OUTHWAITE. Mr. Speaker, the gentlemen who have opposed this appropriation speak of the purpose for which it is to be expended as if it were a mere frivolous display.

Mr. HOLMAN. Of power.

Mr. OUTHWAITE. A mere frivolous display of power. They

forget one fact, which is that we are arming ourselves as much to prevent war as to engage in war. The invitation to the powers of Europe to come here and see the mighty power of the great American Republic was not a vain thing. It was extended in order that they might have an opportunity to learn the fact that here is a nation capable at all times of taking care of itself.

Mr. HOLMAN. They have not known that for the last hundred years, I suppose?

Mr. OUTHWAITE. And when the naval officers of those great powers come here they will see the advance, the progress that we have made in the improvements of naval warfare. They will be ordered to do so. They must do something more than come here and sail up and down along our coasts; they must visit our ships of war; they must see all about them, and while they are doing that they must receive hospitalities.

A self-respecting people, a wise and intelligent people, a people who appreciate themselves, ought to be proud of the opportunity to spend what might be termed, in view of our great wealth, a few paltry dollars in order to properly conduct this review. I regret one thing, and that is that there has been taken out of this bill an item appropriating \$3,800 to enable the military officers at Fortress Monroe to entertain the same distinguished guests.

When they reach these shores they will of course wish to visit one of the great fortresses—not only a strong fortress but a historical fortress. They will wish to go to Fortress Monroe. There was in this bill an appropriation of \$3,800 for the officers of the Army stationed at that post; but it has been stricken out; and I regret very much that it has been.

[Here the hammer fell.]

Mr. HERBERT. Mr. Speaker, how much time have I?

Mr. HOLMAN. I hope the gentleman will answer the question I put to him—how much the naval force is increased by this bill in its present shape?

The SPEAKER. The gentleman from Alabama [Mr. HERBERT] is entitled to the floor—not the gentleman from Indiana.

Mr. HERBERT. How much time have I remaining?

The SPEAKER. Twenty-seven minutes.

Mr. HERBERT. I yield five minutes to the gentleman from Maine [Mr. BOUTELLE].

Mr. BOUTELLE. Mr. Speaker, it seems to me that there ought to be something like a sense of responsibility in regard to the legislation of this House. In 1890 the Congress of the United States deliberately passed an act by which the President of the United States was authorized and directed to make preparation for an international naval rendezvous and review in connection with the World's Columbian Exposition. It was not a purely naval proposition, but was an auxiliary of the quadro-centennial celebration. It did not come to the House from the Committee on Naval Affairs. It was reported from a special committee in the original bill providing for the World's Columbian Exposition, and after an exhaustive debate in this House and the Senate, it was deliberately enacted into law.

The President of the United States has simply performed his constitutional duty in executing the formal instructions of the Congress by inviting the navies of foreign governments to participate in that parade. Those invitations have been accepted by a number of the principal foreign governments; the vessels are practically on their way; the guests of the Republic, invited by our Chief Magistrate, are already moving toward our shores. And yet, while the guests are about arriving to receive our hospitality, gentlemen propose to discuss whether we ought to have invited them and whether we shall receive them with civilized courtesies when they come.

It is a most astonishing thing that such a question can be raised on the floor of Congress. This legislation was enacted freely in the open light of day; it has been spread upon our statute books for nearly three years, where every member of Congress was bound to recognize it, and no question has been raised in regard to it, no objection made to the action of the Executive in pursuance of it until the representative fleets of the foreign navies are almost at our shores, when in the expiring hours of a session of Congress gentlemen arise to discuss whether we shall honor our own invitations and vindicate our respectability among the nations of the earth. I am satisfied that the American Congress is not prepared to place itself in such an unparalleled attitude of repudiation of its highest obligations of courtesy and of churlishness toward the other nations of the world.

Mr. Speaker, this is not an extravagant bill. It touches the low-water mark of appropriations looking to the rehabilitation of the Navy. The provision for vessels is the least that we have ever had since we entered upon this great work. This bill to-day carries in the aggregate only about \$24,000,000 against thirty-one and a half million dollars carried by the bill reported by myself at the last session of the last Congress. There is nothing in this

bill against which opposition based on the cry of "economy" can justly be raised. The only objection I have to it is that in providing for the indispensable work of building up our naval defense, the pretexts of economy and retrenchment, if not parsimony, in postponing the building of more heavy fighting ships, have been carried too far.

I trust, Mr. Speaker, that no gentleman, upon such appeals to parsimony as have been made here to-day will be willing to have the Congress of the United States for one moment placed in the attitude of showing astounding incivility where the President has been instructed by us to extend the cordial hospitality of the greatest and most prosperous of nations.

Mr. HERBERT. Unless some gentleman wishes to ask some question I will now call the previous question.

Mr. HOLMAN. This is a very important amendment. I hope the gentleman from Alabama will answer my question, how much the naval force is increased by this bill.

Mr. HERBERT. The bill authorizes the employment of 750 apprentices—boys who are to be trained to become sailors. There is an increase of the enlisted force to that extent. That is all that has been considered necessary; but that much is necessary.

Mr. HOLMAN. How many are authorized now?

Mr. HERBERT. Seven hundred and fifty.

Mr. HOLMAN. And this bill authorizes 750 more?

Mr. HERBERT. Yes, sir. Our purpose (and I am satisfied my friend from Indiana sympathizes with this purpose) is that we shall have, as far as possible, American sailors in the American Navy—sailors trained in an American apprentice school. I now ask the previous question.

Mr. HOLMAN. I hope the gentleman from Alabama will allow five minutes to the gentleman from Missouri [Mr. DE ARMOND].

The question being taken on ordering the previous question, The SPEAKER. The ayes seem to have it.

Mr. DE ARMOND. I call for a division.

The question being again taken: there were—ayes 151, noes 19.

Mr. DE ARMOND. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. DE ARMOND. I rose to ask for the yeas and nays.

The question being taken on ordering the yeas and nays; there were on a division (called for by Mr. DE ARMOND)—ayes 10, noes 170.

The SPEAKER. Not a sufficient number voting in the affirmative, the yeas and nays are refused—

Mr. DE ARMOND rose.

The SPEAKER. For what purpose does the gentleman rise?

The gentleman should state the purpose for which he rises.

Mr. DE ARMOND. I hoped I would get the recognition of the Chair before stating it.

The SPEAKER. Unless the Chair knows for what purpose a gentleman rises he can not be recognized when the House is dividing. The House is now dividing.

Mr. DE ARMOND. Of course I can not state my purpose until I get the recognition of the Chair.

The SPEAKER. The ayes have it, and the previous question is ordered. The question is now upon agreeing to the conference report.

Mr. DE ARMOND. Mr. Speaker—

The SPEAKER. As many as are in favor of the motion will say "aye"—

Mr. DE ARMOND. I call for a division.

The question being taken, there were on a division—ayes 145, noes 18.

Mr. DE ARMOND. No quorum has voted.

The SPEAKER appointed Mr. DE ARMOND and Mr. HERBERT as tellers.

The House again divided; and the tellers reported—ayes 171, noes 7.

So the previous question was ordered, under the operation of which the conference report was adopted.

On motion of Mr. HERBERT, a motion to reconsider the last vote was laid on the table.

AGRICULTURAL APPROPRIATION BILL.

Mr. HATCH. Mr. Speaker, I desire to submit for present consideration the conference report on the bill (H. R. 10421) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1894.

The SPEAKER. The statement accompanying the report will be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on amendments of the Senate to the bill (H. R. 10421) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1894, having met, after full and free conference have agreed to recommend, and do recommend, to their respective Houses as fully set forth in accompanying conference report.

The conferees on the part of the House beg leave to report as follows in explanation of the amendments as agreed to:

Amendment numbered 1: Simply provides that of the sum appropriated \$2,000 is made immediately available.

Amendment numbered 2: Merely corrects a typographical error, striking out the word "and" where it occurs twice.

Amendments numbered 3, 4, and 5: Merely corrects typographical errors.

Amendment numbered 6: Simply corrects a clerical error.

Amendment numbered 7: Provides that the sum appropriated for investigation of the adulteration of food, drugs, and liquors, \$1,500 is authorized to be used for making special soil investigations, the Senate receding from its amendment.

Amendment numbered 8: Is an increase of \$8,000 for use in experiments and investigation upon the subject of forestry. A very general demand for this increase has come up from the country, the object of special investigation being as to the relative strength of timber, to be determined by tests to be conducted under the direction of the Department.

Amendment numbered 9: Is an increase of \$15,000, the same being found necessary on account of an increase of one in the number of agricultural experiment stations since the estimates were made. This sum can not be used unless the State receiving the same complies with the requirements of the act of March 20, 1887.

Amendment numbered 10 is an increase of \$6,000, the clause providing for the collection of information as to the best modes of agriculture by irrigation being restored to the bill as provided in the present law. The conferees on the part of the House agree to the Senate amendment.

Amendments numbered 11, 12, 13, and 14 were adopted by the Senate under a misapprehension, and after explanation the conferees on the part of the Senate receded, with an amendment adding one clerk of class 2 in the Weather Bureau, and increasing the amount of appropriation \$1,200.

Amendment numbered 15 is simply a correction of totals. All of which is respectfully submitted.

W. H. HATCH,
W. S. FORMAN,
E. H. FUNSTON,

Managers on the part of the House.

(For report see Senate proceedings.)

Mr. HATCH. The statement just read, Mr. Speaker, by the Clerk explains the Senate amendments and the result of the conference. The largest increase on the bill by the Senate is the amount of \$15,000 made necessary by the establishment of an additional college under the act since the Book of Estimates was submitted to the Committee on Agriculture.

There is an increase of \$3,000 for the Forestry Division, to be expended under the direction of the Secretary of Agriculture in continuing certain timber tests, and that, with one more increase of \$1,500, is all that is left in the bill of the Senate amendments by the report of the conference committee.

I now ask the previous question on the adoption of the report. The previous question was ordered, under the operation of which the report was adopted.

VACATION OF RULE REQUIRING EVENING SESSION.

Mr. DOCKERY. Mr. Speaker, I ask unanimous consent that the rule providing for a recess on this day from 5 o'clock until 8 for the consideration of special business be vacated.

The SPEAKER. In the absence of objection that order will be made.

There was no objection, and it was so ordered.

POST-OFFICE APPROPRIATION BILL.

Mr. HENDERSON of North Carolina. Mr. Speaker, I submit a conference report on the Post-Office appropriation bill.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 10349) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1894.

Mr. HENDERSON of North Carolina. I ask that the statement of the House conferees be read, which explains fully what has been done by the committee.

The statement was read, as follows:

Statement of the managers on the part of the House on the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10349) "making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1894."

The effect of the agreement of the conferees on the part of the House and Senate is as follows: The Senate proposed that of the sum appropriated for compensation to clerks in post-offices, not exceeding \$75,000 may be expended for the rental of canceling machines.

The conferees have agreed that the sum to be expended for such purpose shall not exceed \$50,000, to be used "in the discretion of the Postmaster-General." The House proposed an appropriation of \$1,500,000 for the transportation of foreign mails. The Senate increased this sum to \$1,723,000. The conferees have agreed that the sum shall be \$1,600,000. The Senate struck out the proviso authorizing the sum of \$35,000 to be used out of the appropriation for rent, light, and fuel for first and second class post-offices for additional premises for general post-office business in New York City.

The conferees have agreed to restore the proviso as adopted by the House. The Senate struck out the item "for necessary and special facilities on trunk lines," as adopted by the House, and adopted an amendment authorizing the same sum to be used on any line or lines in the discretion of the Postmaster-General without specifying any route. The conferees have agreed to recommend the restoration of the item in the form it passed the House. The Senate also adopted an amendment authorizing the sale of stamped envelopes, with the usual return requests printed thereon, after September 30, 1894, and the conferees have agreed to the same.

Postal service, 1894.

Amount of regular estimates.....	\$84,249,119.67
Supplemental estimates.....	954,123.33
Total estimates.....	\$85,203,243.00
Amount of House bill.....	\$83,904,314.22
Amount of Senate bill.....	\$83,930,700.00
Total amount of bill as agreed by the conferees.....	\$84,004,314.22

The only item of increase over the House bill as reported by the conferees is \$100,000 for "transportation of foreign mails." The House voted for this item \$1,500,000. The Senate increased this amount to \$1,723,000. The conferees have agreed upon \$1,600,000. The gross revenue for the year 1894, as estimated by the Postmaster-General, is \$85,121,335.33.

JOHN S. HENDERSON,
JAMES H. BLOUNT,
JNO. A. CALDWELL,
Managers on the part of the House.

[For report see Senate proceedings.]

Mr. HENDERSON of North Carolina. Mr. Speaker—
Mr. BINGHAM. Will the gentleman yield for a question?

Mr. HENDERSON of North Carolina. I do not care to occupy further time in explanation of this report, which is set forth fully in the statement of the House conferees. I am perfectly willing to answer any question or yield to any gentleman who desires time on the report.

I now yield to the gentleman from California [Mr. LOUD] for five minutes.

Mr. LOUD. Mr. Speaker, I desire to present to the House at this time a matter of the gravest importance, and I ask attention for the few minutes I am to occupy the floor.

During the debate on yesterday upon the sundry civil bill charges were made by honorable gentlemen on this floor who have arrived at that age of discretion certainly where they should be held responsible for any remarks made at any time or place, to which I desire to refer for a few moments. And first I desire to quote from the RECORD, on page 2493, a portion of the remarks of the gentleman from Alabama [Mr. BANKHEAD] in relation to the post-office site in San Francisco. He said:

The lot selected in the city of San Francisco, for which the Government has paid or promised to pay more than \$1,000,000, is what is known there as a "water lot." The Government expert went to San Francisco under the direction of the Secretary of the Treasury and made an investigation; he put down his borings and undertook to discover what kind of a foundation could be obtained for this building, and nowhere at any time during the experiments that he made did he find anything beneath but water, and it is the opinion of those who are best advised that a foundation can not be had there at all for this public building, that there is no place between the surface and perhaps China where a foundation could be rested.

And if this House, embracing the representatives of the American people, will call a halt upon this question, if it will stay this appropriation until we can investigate the question, you will be astonished at the developments. I have not a doubt, Mr. Speaker, that some of the highest officials in this country will be involved in it.

Now, I desire to say to this House that it was currently reported through the press nearly a year ago that the Committee on Public Buildings and Grounds proposed to investigate this San Francisco site. Now, I ask the chairman of that committee [Mr. BANKHEAD] why he has allowed a year to elapse without pursuing this investigation? I went to the gentleman from Indiana [Mr. HOLMAN] yesterday and asked for time to reply to this accusation. He promised, but afterwards declined to yield, and reiterated and reaffirmed the statement made by the gentleman from Alabama [Mr. BANKHEAD].

Mr. HOLMAN. I wish to say to the gentleman—

Mr. LOUD. I desire to quote the gentleman's language:

The strictures of my friend from Alabama [Mr. BANKHEAD] on the California building and the purchase of the site for that building were undoubtedly correct, but if that site had not been procured I never would have consented to take one step toward its procurement. But my friend from Alabama should have informed the House that notwithstanding the infamous frauds which have been fully established—

I repeat the gentleman's language—
the infamous frauds which have been fully established—

Mr. Speaker, I desire to refer to a brief history of this case.

A commission was selected by Mr. Cleveland, the Messiah of the Democratic party, who is to-morrow to be inaugurated as President; and at the head of that commission was W. J. Bryan, a gentleman well known in the city of San Francisco, esteemed by his fellow-citizens, a gentleman who occupied the position of postmaster of that city for four years under Mr. Cleveland; and I can say on behalf of the people of that city, regardless of party, that they would be pleased to see him placed in that position again.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. HENDERSON of North Carolina. I will yield to the gentleman five minutes more.

Mr. LOUD. The next gentleman upon that commission is John P. Irish, a gentleman well known to the Democratic party throughout the length and breadth of this land, a gentleman who has oftentimes advocated those principles which so delight the Democratic heart, and he is always called upon to sustain the principles of the Democratic party, a gentleman now in this city, and who is above reproach.

Now, when I came to this Congress, in conjunction with Senator FELTON I went to the Treasury Department and demanded that they make the fullest investigation of some charges that had been made through the newspapers. Months were spent in

that investigation. The Secretary of the Treasury sent experts and inspectors there and they made borings in that lot in many places. The Assistant Secretary of the Treasury, Mr. Crouse, now the governor of Nebraska, made a special trip to San Francisco to investigate those charges.

The Supervising Architect of the Treasury also made a special trip to San Francisco; and these gentlemen came back to Washington and presented before that commission which is to determine finally the selection of this site, the result of their investigation. The gentlemen who make this final selection are the Secretary of the Treasury, the Postmaster-General, and the Attorney-General of the United States, three members of the Cabinet; and with this information before them, after mature deliberation, selected this site. Now gentlemen come upon the floor of this House and charge that there was fraud.

I will venture to assert that they had all the information any gentleman on this floor has; but yet with that information before them they made the selection; and I say to the gentlemen here, if fraud has been perpetrated it becomes their duty as representatives of the American people not to stop here, but to pursue this question to its end, even if it does implicate the highest officers of the Government.

I desire to say that the lot selected is 350 feet upon two streets and 325 feet upon one street, having three facings, and that it is in the very heart of the city of San Francisco.

As a representative of the city of San Francisco I felt called upon to make these statements before this House. My own people need no defense at my hands; but I do desire now in conclusion to demand that the gentleman from Alabama [Mr. BANKHEAD] and the gentleman from Indiana [Mr. HOLMAN] either retract before this House what I believe to be an infamous falsehood, having no foundation whatever, or that they pursue this investigation to its legitimate conclusion.

Mr. HENDERSON of North Carolina. I yield half a minute to the gentleman from Louisiana [Mr. BOATNER] for the purpose of offering a report.

NATIONAL MONETARY SYSTEM

Mr. BOATNER. Mr. Speaker, I desire to submit a report from the Committee on the Judiciary at this time.

The SPEAKER *pro tempore* (Mr. DOCKERY in the chair). The gentleman from Louisiana [Mr. BOATNER] asks unanimous consent to submit a report from the Committee on the Judiciary.

There was no objection.

The title was read, as follows:

Joint resolution (H. Res. 122) proposing an amendment of the Constitution in reference to a national monetary system.

Mr. BOATNER. I ask unanimous consent that the minority have leave to file their views and have them printed.

The SPEAKER *pro tempore*. Without objection the minority will have leave to submit their views.

There was no objection.

POST-OFFICE APPROPRIATION BILL

Mr. HENDERSON of North Carolina. I now yield ten minutes to the gentleman from Pennsylvania [Mr. BINGHAM].

Mr. BINGHAM. Mr. Speaker, I have no expectation that anything I may say upon the paragraph, in the few remarks which I propose to submit to the House, will recommmit this bill to conference. It ought to be recommitted, and this House should be informed fully upon the subject. I feel constrained, in view of the position I have heretofore taken upon this subject, to object and qualifiedly criticize these legislative proceedings. I find there is inserted, without any explanation, unless the distinguished chairmen of the committee of conference and of the Committee on the Post-Office and Post-Roads will give it to the House, an item of \$50,000, to be expended under the discretion of the Postmaster-General for the rental of canceling machines.

The subject of post-office canceling machines is familiar to this House; but it finds, however, no place in the recommendations of the Postmaster-General or his First Assistant to this Congress in the annual report of December last. Two years ago, when the distinguished gentleman from Georgia [Mr. BLOUNT] and myself were on a committee of conference, the Postmaster-General, in his report, asked Congress for \$40,000, in order that the Department might rent one hundred canceling machines at \$400 per annum each machine. The question was discussed in the House Committee on the Post-Office and Post-Roads, and we refused to make it a part of the bill.

The Senate added it as an amendment, qualifying the limitation to one hundred machines, \$40,000, at \$400 annual rental. We accepted that proposition from the Senate, reported it to the House, and the House passed it. The distinguished chairman of the Committee on the Post-Office and Post-Roads declined at the first session of this Congress to accept the recommendation of the Postmaster-General for \$20,000 for the rental of canceling

machines. The Post-Office appropriation bill was not amended in the Senate, and to-day the Post-Office bill for the present fiscal year is without the \$20,000 allowance for canceling machines.

When that bill for the appropriation for the fiscal year ending June 30, 1893, was under consideration in the first session of this Congress, I made a few brief remarks upon the item for rating and canceling stamps, using this language:

There are not many items in this bill that the committee has reported, so far as I am concerned, to which I render approval, but I sincerely do to this item. The item for what is called rating stamps and post marking is fixed at \$40,000, a much larger sum of money than the Department has ever expended save during the present fiscal year. The committee in the last Congress, in the bill I reported by direction, declined to include in the appropriation the \$40,000 for post-marking machines. There was a doubt in the minds of the committee as to the usefulness of these machines and he brought the bill into the House appropriating only \$40,000 and not \$80,000.

The Senate amended the bill so as to allow the Postmaster-General \$40,000 additional for the rental of one hundred machines, he paying \$400 a year rental for each machine. I do not think to-day the Post-Office Department has received and is operating the machines the appropriation for the present year allows, and as this mechanical line of work is subject to continual improvement, and as the Department has not expended the money and is not using the one hundred machines we gave the \$40,000 for in the present year's appropriations, I do not think this item should be increased, but that the Department should wisely and fully test these machines, and see whether they meet the requirements of the service.

It is an important fact that under that law the machines that we gave consent to—a hundred, at \$400 rental—had not been supplied to the Department. Within a week, over the signature of the chairman of the Committee on the Post-Office and Post-Roads, I communicated with the Postmaster-General, making inquiry as to the expenditure of the \$40,000 appropriated two years ago. His answer to me was that the machines had not yet all been furnished under that appropriation.

Now, we are presented with the legislative condition without any consideration by this House, without any consideration by the Committee on the Post-Office and Post-Roads, I assume, you submit to this House, taking from the clerk hire \$50,000 for the rental of machines, without any limit whatever as to the rental rate per annum. We have been paying \$400 a year rental for these machines.

Gentlemen understand that a rental of \$50,000 for these machines, as the obligations of this Government are now bonded at 2½ per cent, is the interest of \$2,000,000, and yet it is proposed to make this appropriation for the rental at \$400 each, more or less. The fact of the matter is, gentlemen, this subject should have had the careful consideration of your committee. It comes to this House without a single word having been said in the Senate when the amendment was submitted, not a word.

Not a word has been said by the representatives of this bill, except the acceptance by the conference committee when they agreed to \$50,000 appropriation for these machines. The machines to-day are not regarded as complete, perfect, or reliable as to mechanical usefulness and perfection. They are as yet only experimental. Whether the company manufacturing have any customers outside of the Government I do not know; but as yet they have not been able to give you a first-class machine and furnish it in accordance with the stipulations required; therefore I say that this House ought to reject this proposition. But I do not expect to change the conclusion of the conferees.

The gentlemen who are associated upon the committee of conference should have refused to accept that amendment when the \$40,000 appropriated two years ago has not all been expended up to to-day, and the \$20,000 proposed last year was refused by the chairman of this committee. I would like to have some explanation, in view of the fact that the Postmaster-General himself in his report has not asked for these machines. I would like to have some explanation why \$50,000 is to be taken from the clerk hire of the post-offices of the country to be paid to some company for renting machines when you do not know whether they are good for anything or not.

[Mr. WHEELER of Alabama withholds his remarks for revision. See Appendix.]

Mr. HENDERSON of North Carolina. Mr. Speaker, I ask the Clerk to read the letter which I send to the desk, a letter from the Postmaster-General in relation to these machines.

The Clerk read as follows:

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., February 25, 1893.

DEAR SIR: On the 21st instant I addressed to you a letter explaining why in our original estimates no sum of money was requested for canceling machines, and I advised you that to continue the lease of the machines now contracted for would require an annual expenditure of \$10,000. You will recall that I explained my impression at the time the estimates were submitted that this sum could be taken from the appropriation for clerks in post-offices, because the machines took the place of the clerks, and that I afterwards discovered that such use of the appropriation would not be legal.

I now have the honor to advise you that from the latest information I have received, part of it since the dispatch to you of my letter of the 21st instant, I am convinced that it would be in the interest of economy, as well as of the rapid dispatch of business in post-offices, to place in the larger post-offices

a still greater number of the machines. They are being improved continually. Each machine does the work of three or four men, and they are rapidly becoming, in fact they are not already, absolutely indispensable.

In these circumstances, I have concluded to suggest to your committee not that a further appropriation be made for canceling machines, but that of the sum to be allowed for clerk hire in post-offices \$75,000 be set apart for the lease of canceling machines.

I suggest that a paragraph in the appropriation bill might be made to read as follows:

"For compensation to clerks in post-offices \$—, of which a sum not exceeding \$75,000 may be expended for the rental of canceling machines."

Very respectfully,

JOHN WANAMAKER,
Postmaster-General.

Hon. W. B. ALLISON,
Chairman Committee on Appropriations, United States Senate.

Mr. HENDERSON of North Carolina. Now, Mr. Speaker, I ask to have read a letter addressed by the Postmaster-General to the gentleman from Pennsylvania [Mr. BINGHAM] when he was chairman of the committee.

The letter was read, as follows:

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., February 4, 1891.

MY DEAR SIR: I have the honor to acknowledge receipt of your letter of the 3d instant, in which you state that in the estimates of appropriations published by the Treasury Department the item of "miscellaneous items for first and second-class post-offices, including furniture," is set down at \$172,000, while in the annual report of the First Assistant Postmaster-General the amount is given as \$132,000, which latter amount you state the committee deems about right, inasmuch as it provides for the usual average increase of 10 per cent over the preceding year, and you inquire whether the other estimate of \$172,000, as stated by the Treasury Department, is not a clerical error.

I beg to advise you in reply that this matter may be very simply explained. By reference to pages 222 and 223 of the annual report of this Department, you will observe that the estimate for clerks in post-offices is stated by the First Assistant Postmaster-General at \$8,349,000, and the estimate for miscellaneous and incidental items, including furniture, at \$132,000. These, I repeat, are the estimates as submitted by the office of the First Assistant Postmaster-General to me. When the question of estimates for the postal service was under discussion, I had in mind experiments made for some months past with certain canceling and postmarking machines in the post-office at Washington and in certain others of the larger post-offices.

The results obtained from these tests were so satisfactory that when the above-mentioned items were reached in the discussion, I asked the question: "How much can be saved in clerk hire in post-offices if 100 canceling machines, costing about \$40,000, be placed in the larger post-offices?" I was given assurance in reply that not less than \$100,000 could safely be deducted from the sum to be asked for, for clerks in post-offices, and I accordingly caused the estimates to be so submitted. You will therefore find upon reference to the Treasury estimates that the item "Clerks in post-offices" is stated at \$8,249,000 instead of \$8,349,000, a decrease of \$100,000, while the item "Miscellaneous and incidental items, including furniture," is stated at \$172,000 instead of \$132,000, an increase of \$40,000.

The estimates as printed in the Treasury Book of Estimates are therefore correct.

Very respectfully,

JOHN WANAMAKER,
Postmaster-General.

Hon. HENRY H. BINGHAM,
Chairman of Committee on the Post-Office and
Post-Roads, House of Representatives.

Mr. HENDERSON of North Carolina. I wish to say to the House that I have made no personal investigation of this matter of canceling machines, nor has any investigation been made of the subject by the Committee on the Post-Office and Post-Roads. One year ago the Postmaster-General in his estimates stated that he required \$20,000 additional for this purpose for the year ending June 30, 1893. The committee at my suggestion refused to grant the amount asked for, because, even upon the Postmaster-General's own statement, the money would not be needed until after March 1, 1893; and therefore we made no investigation of the matter at that time.

This year the Postmaster-General omitted to make any estimate in the usual way for these machines, and this item is not contained in the Book of Estimates or in the bill as it passed the House, but the Senate of the United States proposed to appropriate \$75,000 for this item for the year 1894. The House and the Senate conferees have agreed to reduce the amount asked for by the Senate from \$75,000 to \$50,000, and, in addition to that, the whole matter is left entirely in the discretion of the Postmaster-General.

He can rent canceling machines at a cost not exceeding \$50,000 for the next year, or he need not rent a single one if he does not choose to do so. So, Mr. Speaker, the conferees on the part of the House thought that with the provision in that form no great evil could arise by yielding to the Senate in this matter, especially when we consider that the machines are already in use in the Department, and \$40,000 was appropriated for them last year.

Mr. BERGEN. Do you give any indication of how many machines this \$50,000 will put into the post-offices?

Mr. HENDERSON of North Carolina. According to the existing contract the number will be 125, at the rate of \$400 a year for a machine. That, I understand, is the annual rental.

Mr. BERGEN. How many machines in addition to those now in the post-office will this enable him to procure?

Mr. HENDERSON of North Carolina. They are all annual. They have 100 of those machines now, and this appropriation

will allow them to rent 125 if the Postmaster-General continues to pay a rental of \$400 a year. Of course by agreement the rental may be reduced; or, if the Postmaster-General thinks the machine is not worth \$400 a year, he need not rent any of them at that price.

Mr. BINGHAM. Will the gentleman give me one minute?

Mr. HENDERSON of North Carolina. Certainly.

Mr. BINGHAM. Mr. Speaker, I have, in my few remarks, accomplished all I had desired or expected. I have emphasized the position which I have heretofore taken and consistently followed. I have briefly submitted the history of this legislation. The Postmaster-General did not ask for any appropriation for machines for the next fiscal year. He did last year, and the Committee on the Post-Office and Post-Roads declined to allow \$20,000. They now set aside \$50,000 for machines, a proposition neither considered in the Committee on the Post-Office and Post-Roads nor in this House. I am opposed to legislation consummated in this way—no word of debate or reason given in the Senate, none in the House. I make no reflections upon either Department or House committee. I think legislation that expends many thousands of dollars should be carried on in lines well considered, carefully matured, and fully understood by those who have to vote and determine.

Mr. BERGEN. Mr. Speaker, I have to say in regard to these machines that any insinuation against the Postmaster-General in connection with them is entirely undeserved. It is a fact that the Postmaster-General has put them into actual, practical use in the Department, and that they are operated there very greatly to the benefit of the service, not only as to expedition, but also as to the saving of expense. I have seen them in operation, and I know that they are very efficient in the work for which they are designed.

Mr. HENDERSON of North Carolina. I yield three minutes to the gentleman from Georgia [Mr. BLOUNT].

Mr. BLOUNT. Mr. Speaker, I learned yesterday that my friend from Pennsylvania [Mr. BINGHAM], to whom I yield the credit of being as well informed on postal matters as any gentleman in this country, was opposed to this appropriation; and this information created in my mind a strong desire to know his criticisms upon it. Recognizing his high intelligence, the conferees while they were in session endeavored to find him with the view of learning his opinion.

We had had the opinion of the Department, we had had the history of the appropriation, and nothing more appeared to be necessary than such information as my friend from Pennsylvania could give us. When he took the floor to-day I listened to him for the purpose of ascertaining whether his investigations had enabled him to pronounce the machine a failure, and one which ought not to be used. I am relieved by finding that he does not claim to have made any investigation which discredits this machine.

That being the fact, how stands the case? Here is a proposition, not to increase the appropriation to the extent of a single cent, but that \$50,000 of the money appropriated be used to pay for canceling machines, in regard to which our information is that each machine, the rental of which is \$400 replaces three clerks. In this view of the case the machine would appear to be desirable. My information is that in the offices where the machines have been used they have accomplished what they are claimed to accomplish.

But suppose that not to be the fact, and suppose that the amount allowed by the bill for this purpose is excessive. The bill as agreed upon by the conferees provides that no part of this money shall be used except with the approval of the Postmaster-General. He will be charged with the duty of investigating the usefulness of this machine; we require him to take the responsibility of sanctioning its introduction. I think we may assume that this discretion will be exercised in the public interest. For these reasons the House conferees consented to the use of a portion of this fund—not the full amount proposed by the Senate—for this purpose. I think we were justified in this conclusion.

Mr. HENDERSON of North Carolina. I now demand the previous question on the adoption of the report.

The previous question was ordered, and under the operation thereof the report was adopted.

On motion of Mr. HENDERSON of North Carolina, a motion to reconsider the last vote was laid on the table.

SUNDRY CIVIL APPROPRIATION BILL.

The SPEAKER. The Clerk will now report the next amendment of the Senate to the sundry civil appropriation bill.

The Clerk read as follows:

On page 33, after line 16, insert:
"And of the said sum, \$201,750, appropriated for the Government exhibit for the fiscal year ending June 30, 1894, the sum of \$25,000 is hereby set apart for a statistical exhibit illustrating the progress of the colored people in the

United States, and the said Board of Management is hereby directed to prepare the same, the several Executive Departments of the Government to furnish or provide access to any and all information and material in their possession appertaining to the subjects of this inquiry or exhibit: *Provided*, That all expenditures for the purposes and from the appropriations specified herein shall be subject to the approval of the said Board of Control and Management and of the Secretary of the Treasury, as now provided by law."

Mr. HOLMAN. I move that the House further insist on its disagreement to this amendment; and on that motion I call the previous question.

Mr. TAYLOR of Illinois. I move that the House recede from its disagreement and agree to the amendment.

The previous question was ordered.

The question being taken, the motion of Mr. TAYLOR of Illinois was rejected; and the motion of Mr. HOLMAN was agreed to.

The next amendment was read, as follows:

On page 33, after line 16, insert:

"World's Columbian Commission: For the World's Columbian Commission, \$236,375, of which sum \$98,190 shall be used for the Board of Lady Managers; and \$25,000 of the last sum is hereby made immediately available; and \$10,000 of the appropriation for the Board of Lady Managers shall be paid in souvenir coins of the denomination of 25 cents, and for that purpose there shall be coined at the mints of the United States silver quarter-dollars of the legal weight and fineness, not to exceed forty thousand pieces, the devices and designs upon which shall be prescribed by the Director of the Mint, with the approval of the Secretary of the Treasury; and said silver coins shall be manufactured from uncurrent subsidiary silver coins now in the Treasury; and all provisions of law relative to the coinage, legal-tender quality, and redemption of the present subsidiary silver coins shall be applicable to the coins herein authorized to be issued; and a sum not exceeding \$5,000 may be used by the Director-General in his discretion for incidental and contingent expenses of his office."

Mr. HOLMAN. I move that the House insist on its disagreement to this amendment; and on that motion I call the previous question.

Mr. HOPKINS of Illinois. I move that the House recede from its disagreement and concur in the amendment.

The question was taken, and the Speaker announced that the ayes had it.

Mr. HOPKINS of Illinois. Mr. Speaker, I ask a division on this question.

The House proceeded to divide.

Before the announcement of the vote

Mr. HOPKINS of Illinois. I withdraw the demand.

So the previous question was ordered.

The SPEAKER. The question recurs on the motion of the gentleman from Illinois that the House recede from its disagreement to the amendment of the Senate just read and concur in the same.

The question was taken; and on a division there were—ayes 49, noes 100.

So the House refused to concur.

Mr. HOLMAN. I move that the House further insist upon its disagreement to the amendment of the Senate.

The motion was agreed to.

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

To enable said Commission and the Board of Lady Managers to give effect to and execute the provisions of section 6 of the act of Congress approved April 25, 1890, authorizing the World's Columbian Exposition, and appropriating money therefor, relating to committees, judges, and examiners for the Exposition, and the granting of awards, \$370,888, of which sum \$25,000 shall be immediately available: *Provided*, That of this sum \$100,000 shall be devoted to the payment of judges, examiners, and members of committees to be appointed by the Board of Lady Managers, as authorized by said section.

Mr. HOLMAN. I move that the House insist on its disagreement, and on that I demand the previous question.

The previous question was ordered; under the operation of which the motion of Mr. HOLMAN was agreed to.

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

That section 3 of the act in aid of the Columbian Exposition, approved August 5, 1892, is hereby amended to read as follows:

"SEC. 3. That not to exceed fifty thousand bronze medals and the necessary dies therefor, with appropriate devices, emblems, and inscriptions commemorative of the said Exposition celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus, shall be prepared under the supervision of the Secretary of the Treasury; and the Bureau of Engraving and Printing, under the supervision of the Secretary of the Treasury, shall prepare plates and make therefrom not to exceed fifty thousand impressions for diplomas at a total cost not to exceed \$103,000. Said medals and diplomas shall be delivered to the World's Columbian Commission, to be awarded to exhibitors in accordance with the provisions of said act of Congress approved April 25, 1890, and there is hereby appropriated, from any moneys in the Treasury not otherwise appropriated, the sum of \$103,000, or so much thereof as may be necessary, to pay the expenditures authorized by this section."

And every person who, within the United States or any Territory thereof, without lawful authority, makes, or willingly aids or assists in making, or causes or procures to be made, any dies, hub, plate, or mold, either in steel or of plaster, or any other substance whatsoever, in the likeness or similitude as to the design, or inscription thereon, of any die, hub, plate, or mold designated for the striking of the medals and diplomas of award for the World's Columbian Exposition, as provided in section 3 of the act approved August 5, 1892, or conceals, or shall have in his possession, any such die, hub, plate, or mold hereinbefore mentioned, with intent to fraudulently or unlawfully use the same for counterfeiting the medals and diplomas hereinbefore mentioned, or who shall fraudulently or unlawfully have in his possession or

cause to be circulated any duplicate or counterfeit medal or diploma not authorized by the Secretary of the Treasury, shall upon conviction thereof be punished by a fine of not more than \$5,000, and be imprisoned at hard labor not more than ten years, or both, at the discretion of the court.

Mr. HOLMAN. I yield a few moments to the gentleman from Tennessee [Mr. WASHINGTON], who desires to be heard.

Mr. WASHINGTON. Mr. Speaker, the gentleman from Indiana has kindly yielded to me for a moment.

I do not take the floor for the purpose of debating the amendment of the Senate now before the House, but simply to correct a statement in regard to myself which has been made in a paper published in Chicago called the Illustrated World's Fair.

I find in that publication the following:

By reference to the March issue of our magazine, to which we have referred, it will be seen that nearly a hundred Congressmen were brought to Chicago in special trains, housed at the best hotels, taken to Jackson Park, fed at the Washington Park horse track, banqueted by the Commercial Club, honored by the Union League Club, and returned to Washington—all for the purpose of informing them about Chicago and the Fair. These visitors, without exception, expressed themselves warmly in favor of the Exposition. Their names and homes will be found complete in our March list. Of those visitors, the following changed their minds between February and July, and voted against the appropriation:

In February each of these Congressmen was impressed with the grandeur of the Fair as a national event; and the record shows that the following of the above recreant Congressmen were accompanied by members of their families.

Mr. Speaker, on the 22d of February, 1892, the managers of the Chicago World's Fair invited the members of this House to accept their hospitality and see what had been accomplished in the erection of buildings and making other preparations for the Exposition. I did not accept the invitation; I did not go. I was not there in person or by proxy, nor was any member of my family present.

I feel that I am greatly outraged when I am published as one of those who, after having enjoyed the hospitality of the great metropolis of the West, then voted against all appropriations for the Exposition. I have invariably voted against these appropriations, because I have entertained conscientious scruples upon the subject of using the people's money for any such purpose.

I am free to say that had I accepted the courtesies which at that time were pressed upon me by gentlemen on this floor representing the State of Illinois, and especially the city of Chicago, I would not have felt myself under any obligation to do violence to my conscience and assist in raiding the public Treasury. I entertain the highest regard for the Representatives of the State of Illinois on this floor, and I do not for a moment believe they indorsed this unwarranted attack.

I recall the fact that one or more of the Chicago papers published at the time that I was one of the visiting statesmen, and at the same time published what purported to be my picture. The woodcut was so atrocious that I believe I would have had good cause for action for libel against the perpetrators; and it never for one moment entered my mind that because the statement and picture referred to were allowed to go unchallenged at that time that that would be considered sufficient cause to hold me up to public scorn as one who came, who saw, who was feasted; and yet had the hardness of heart to turn a deaf ear to the cry for increased appropriations for the World's Fair.

Such abuse and misrepresentation of members of this House by the press of Chicago is not likely to make votes for the promoters of the World's Fair.

Mr. HOLMAN. I move that the House further insist upon its disagreement to the amendment of the Senate just read, and on that I ask for the previous question.

The SPEAKER. The question is first on ordering the previous question.

Mr. O'NEIL of Massachusetts. Mr. Speaker, I wish to move concurrence in the amendment of the Senate with an amendment.

The SPEAKER. The gentleman from Indiana has demanded the previous question. If that is not ordered the gentleman can submit his motion with the amendment.

The previous question was ordered.

The SPEAKER. Does the gentleman from Massachusetts wish to move to concur?

Mr. O'NEIL of Massachusetts. With an amendment.

The SPEAKER. The House has ordered the previous question, and no amendment would be in order.

The question is on agreeing to the motion of the gentleman from Indiana that the House further insist on its disagreement to this amendment.

The motion was agreed to.

Mr. HOLMAN. I move to reconsider the several votes taken on these amendments, and move to lay that motion on the table.

The latter motion was agreed to.

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BRECKINRIDGE of Kentucky. I wish to inquire of the Chair as to the effect of the motion to reconsider and lay on the table in this case, if there is to be a subsequent conference on the several amendments?

The SPEAKER. There is no effect in the motion except to prevent the reconsideration of the action of the House at this time.

Mr. BRECKINRIDGE of Kentucky. It would not leave the House in such condition that if these amendments were concurred in in conference afterwards, it could not, if it desired to do so on a further conference, adopt the amendments?

Mr. HOLMAN. Oh, no; it would have no such effect.

The SPEAKER. The only effect would be to prevent the House from reconsidering the action immediately. Of course, after another conference report is brought in the House may take such action as it chooses upon the amendment.

There is one other amendment to this bill remaining undisposed of, which the Clerk will report.

The Clerk read as follows:

Amendment numbered 104: On page 65, strike out lines 11 to 20, inclusive, the words to be stricken out being as follows:

"Provided further, That there be added to section 7 of 'An act to repeal the timber-culture laws, and for other purposes,' approved March 3, 1891, the following proviso: 'Provided further, That nothing in this section shall be construed to apply in its provisions to or affect any case where a contest was pending in the Land Department prior to the date of the passage of said act, or to in any manner impair rights which had been acquired under the preemption, desert land, or timber-culture laws prior to March 3, 1891.'"

Mr. HOLMAN. I yield to the gentleman from Kentucky [Mr. STONE] ten minutes.

Mr. STONE of Kentucky. I move that the House insist on its disagreement to the amendment of the Senate, for the reason that if the House proposition does not become a law, a number of parties who have contests pending will be deprived of their legal rights. There are some contests pending that date beyond the time this amendment fixes, and innocent parties will be deprived of their rights under the laws as they exist.

The Senate proposition deprives actual settlers, men who believe they had the right to occupy land, of the right to carry on the cases in which contests have been instituted. They will be deprived of the right to proceed to a conclusion and will be legislated out of court. There are cases in which contests had been begun and the parties had obtained decisions from the Department of the Interior that their claims were right, that they had a right to the land that they entered, and this Senate amendment simply legislates those men out of court.

Now, Mr. Speaker, I desire to yield to the gentleman from Michigan [Mr. STOUT] two minutes of the time that I have.

Mr. STOUT. Mr. Speaker, if the House will listen to me I will be very brief in my remarks. The House amendment incorporated in this bill is the same as was reported by the Committee on Public Lands in a bill some time ago, but that bill is so far down on the Calendar that the committee was unable to get a hearing, and so it has been attached to this appropriation bill. The object of it is to save those who have made entries, and contests under the same, so that they shall not be cut off by the act which was passed in the closing hours of the last Congress.

Without discussing the details of that measure, I will say that most of the conferees upon the same did not at that time entertain the idea that that act would exclude claims under existing law, but thought that they were still to be adjudicated. This amendment provides that nothing in this section shall be construed to apply in its provisions to or affect any case where a contest was pending in the Land Department prior to the date of the passage of said act, or to in any manner impair rights which had been acquired under the preemption, desert-land, or timber-culture laws prior to March 3, 1891.

There certainly can be no wrong, then, in allowing these causes that were pending to go on to decision. I might here say that cases that had been decided in the Land Department in favor of the contestants, had been thrown out of court by the Secretary of the Interior, under his construction of the law. I am not here to argue the question as to whether this law will bear the construction that the Department has placed upon it, but it is enough to know that the Department does place a construction upon it that cuts off contestants.

In cases where there have been frauds on the part of entry men and frauds on the part of the transferees, it is decided they are cured by the construction which is put upon this statute. I hope the House will insist upon retaining this amendment. I am not here to discuss the abuses under our public-land system. Our homestead laws are very lax. Under those laws cowboys and professional homesteaders may acquire estates for great corporations, and I say here in the presence of this House and of the country that more than one-third of all the entries made under our homestead laws, are made under abuses of those laws and in the interest of great monopolies.

I hope the House will insist upon retaining this amendment. Mr. HOLMAN. I yield a minute to the gentleman from South Dakota [Mr. PICKLER].

Mr. PICKLER. Without going into the merits of this amendment one way or the other, I will say that I understand the Senate are quite firm in their adherence to the amendment that they have put upon the bill, and I move that the House concur in the Senate amendment for the purpose of testing the sense of the House.

Mr. HOLMAN. I call the previous question on the pending proposition, but I yield two minutes to the gentleman from Tennessee [Mr. ENLOE].

Mr. ENLOE. Mr. Speaker, I see that the "Illustrated World's Fair," published, I suppose, in the interest of the World's Columbian Exposition, has made some comment upon the fact that I went out to Chicago last year and made a speech on that occasion, and enjoyed the hospitality of the city. I want to say that they are a very hospitable people, and I enjoyed their hospitality very much; and the speech I made on that occasion, which they published, was, I think a fair compensation for all I received in the way of hospitality.

It was an advertisement to the World's Fair worth more than the cost of my entertainment while I was in Chicago. I want also to say that I am not willing to accept any more of it, if I am expected to rob the Treasury in order to compensate Chicago for its hospitality. [Laughter.]

Chicago is doing herself great credit by her enterprise in making the World's Fair a success, but she is not doing any more than she promised. Such publications as the campaign edition of the Illustrated World's Fair, issued to help to elect the Republican ticket last November, does her no credit, but, on the contrary, it disgraces the World's Fair management. It is an exhibition of personal malice, political ingratitude, and selfish greed, unparalleled and unpardonable.

The SPEAKER. The gentleman from Indiana demands the previous question.

The previous question was ordered.

Mr. PICKLER. I move to concur in the Senate amendment.

The SPEAKER. The gentleman from South Dakota [Mr. PICKLER] moves that the House recede from its disagreement to the Senate amendment, and agree to the same.

The motion was rejected; so the House insisted on its disagreement to the amendment.

Mr. HOLMAN. I now move that the House request a further conference on the disagreeing votes of the two Houses.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. HOLMAN, Mr. SAYERS, and Mr. COGSWELL as the conferees on the part of the House.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed without amendments bills and a joint resolution of the following titles:

A bill (H. R. 9956) to incorporate the Washington, Burnt Mills, and Sandy Spring Railway Company;

A bill (H. R. 8409) granting a pension to Mary Danahay, mother of Daniel Danahay, late a private Company H, Eighteenth New York Cavalry;

A bill (H. R. 8017) granting a pension to Elizabeth Voss;

A bill (H. R. 7729) granting a pension to Mrs. Phebe Sigler;

A bill (H. R. 7306) to pension Maud Case, of Dodge County, Minn.;

A bill (H. R. 7100) to pension Jacob O'Neal;

A bill (H. R. 4320) granting a pension to Thomas S. Kennedy;

A bill (H. R. 3118) to pension John S. Danham;

A bill (H. R. 2901) to pension Ida Cassell;

A bill (H. R. 3253) to increase the pension of William G. Smith;

A bill (H. R. 1484) for the relief of Mary A. Lewis;

A bill (H. R. 1422) for the relief of George M. Henry;

A bill (H. R. 5519) for the relief of Daniel Eldridge, Company D, Fifteenth Illinois Volunteers;

A bill (H. R. 6654) to remove the charge of desertion against Charles H. Behle;

A bill (H. R. 8230) for the relief of Louis G. Saunderson, of Craighead County, Ark.;

A bill (H. R. 8498) to pension Sophia Kagwaich;

A bill (H. R. 9233) to grant a pension to Harriet Coten;

A bill (H. R. 2128) granting a pension to John Fields;

A bill (H. R. 7305) to pension Martin McDermott;

A bill (H. R. 9741) to increase the pension of Capt. E. R. Chase from \$20 to \$72 a month;

Joint resolution (H. Res. 107) authorizing the State of Wisconsin to place in Statuary Hall, at the Capitol, the statue of Père Marquette;

A bill (H. R. 4371) for the relief of George W. Scheckleider;

A bill (H. R. 10351) to continue the duties on certain manufactures of flax at the rate now provided by law;

A bill (H. R. 8246) granting a pension to Bridget Brennan, widow of Thomas Brennan, late of Companies C and G, Second Regiment Rhode Island Volunteers;

A bill (H. R. 6233) granting a pension to Thomas T. Prather; A bill (H. R. 5508) to place the name of Sabra A. Wolcott upon the pension rolls;

A bill (H. R. 5022) for the relief of Lucy Sprotberry; A bill (H. R. 4955) granting a pension to Susannah Chadwick; A bill (H. R. 4804) to place the name of Sarah L. Van Nest on the pension list;

A bill (H. R. 4496) to place upon the pension rolls of the United States the name of Thomas F. Sheldon, late captain Company A, One hundred and twenty-fifth New York Infantry;

A bill (H. R. 2077) for the relief of William B. Price; A bill (H. R. 1100) granting a pension to Mary Catherine Reardon;

A bill (H. R. 8550) to increase the pension of W. H. Philpot, a pensioner of the Mexican war; and

A bill (H. R. 6212) granting an increase of pension to Ellis P. Phippe, late lieutenant in Company A, Twelfth New Jersey Volunteer Infantry, invalid certificate numbered 35,619.

It also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House was requested:

A bill (H. R. 4916) granting a pension to Thomas Tucker, of Battery A, Fourth United States Artillery;

A bill (H. R. 8004) donating the military reservation at Oklahoma City, in Oklahoma Territory, to said city for the use and benefit of the free public schools thereof, and for other purposes;

A bill (H. R. 1231) for the relief of J. P. Randolph, administrator of J. G. Randolph, deceased;

A bill (H. R. 9923) to establish companies of the hospital corps, United States Army, and for other purposes.

It also announced that the Senate had passed with an amendment the bill (H. R. 5818) for the relief of William B. Morrow, asked a conference with the House on the bill and amendment, and have appointed Mr. PASCO, Mr. MITCHELL, and Mr. PEPPER as the conferees on the part of the Senate.

It also announced that the Senate had passed the bill (S. 3881) relating to copyrights; in which the concurrence of the House was requested.

ENROLLED BILLS SIGNED.

Mr. SCOTT, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 3890) to authorize the Lake Shore and Michigan Southern Railroad Company to renew its railroad bridge across the Calumet River upon or near the site of its present bridge and upon a location and plans to be approved by the Secretary of War, and to operate the same;

A bill (S. 3240) to facilitate the enforcement of the immigration and contract-labor laws of the United States;

Joint resolution (H. Res. 196) authorizing members to certify monthly the amount paid by them for clerk hire, and directing the same to be paid out of the contingent fund of the House;

A bill (H. R. 4071) for the relief of George W. Schachleiter.

CUMBERLAND FEMALE COLLEGE, McMINNVILLE, TENN.

Mr. ENLOE. Mr. Speaker, I present a conference report.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 2122) for the relief of Cumberland Female College of McMinnville, Tenn.

The statement of the House conferees was read, as follows:

Statement to accompany conference report on H. R. 2122.

The House passed the bill for the relief of Cumberland Female College of McMinnville, Tenn. (H. R. 2122), appropriating the sum of \$7,500 in full payment of the claim. The Senate amended the bill by changing the amount of the appropriation from \$7,500 to \$2,500. The conferees agreed to fix the sum at \$5,000.

The effect of the conference report, if adopted, will be to reduce the amount allowed by the House the sum of \$2,500.

B. A. ENLOE,
W. J. STONE,
JNO. C. HOUK,
Managers on the part of the House.

Mr. ENLOE. I move the adoption of the report.
The motion was agreed to.

SETTLERS' RIGHTS AND SWAMP-LAND GRANTS.

Mr. MCRAE. Mr. Speaker, I present a conference report.

The SPEAKER. The Clerk will first report the title of the bill.

The Clerk read as follows:

A bill (H. R. 7028) to protect settlers' rights where two or more persons settled upon the same subdivision of agricultural public lands before survey thereof, and for other purposes.

The SPEAKER. The Clerk will now read the statement of the conferees.

The statement was read, as follows:

1. The effect of the first amendment is to protect the rights of contests under section 1 of this act, initiated prior to its passage, and to allow all qualified persons who have subsisting timber-culture entries, and who have for at least eight years (the period required by that old timber culture act) in good faith endeavored to comply with the law as to breaking the ground, planting the seeds and cultivating the trees, to prove up and get title upon the payment of the fees required in homestead entries without regard to whether the trees have been made to grow or not.

The provision relating to persons who have in good faith initiated claims upon public lands, which may be afterward selected and withdrawn for reservoir sites, is not changed by the conference committee. It provides that patent may issue containing a reservation in favor of the United States, reserving the right to use so much of the land as may be necessary for the construction of a reservoir thereon, and also provides for hearings to determine whether or not such lands should be reserved for such purposes. This will afford additional protection to the rights of settlers in good faith upon lands which have been or may be selected for reservoir purposes, and is not inconsistent with the purposes to be subserved by existing laws upon the subject.

2. The twenty-fourth section of the act of March 3, 1891, authorized the President of the United States to reserve public timber lands from sale and disposal, and to set them aside for forestry purposes.

About 10,000,000 acres have been preserved, presumably to protect the growth from destruction by fire and ax, and the preservation of forest conditions, upon which water conditions and water flow are said to be dependent. Under the second amendment of the Senate, as amended by the conference report, it is provided that, if, after examination, it shall be found to be better adapted to agricultural than forest uses, it may be restored to the public domain, upon sixty days' notice in two newspapers. The Secretary of the Interior, with the cooperation of the Secretary of War, is required to protect the reservations against fire and depredations, and the Secretary of the Interior is authorized to make rules and regulations for the occupancy and utilization of said reservations. The purpose of this is to make proper provision for the administration and protection of the reservations created and to be hereafter created.

3. The third amendment provides:

(1) For the final and complete adjustment of the swamp-land grant upon the basis recommended by the Department of the Interior. It allows indemnity only for swamp land erroneously sold or located by warrant or scrip after relinquishment and waiver in such form as may be prescribed by the Secretary of the Interior. For lands sold, the purchase money to the amount of \$1.25 per acre is allowed, and for those erroneously located by warrant or scrip, the price of the land at the date of location not exceeding \$1.25 per acre. It is in effect an extension of the act of March 2, 1855, as construed by the Department, except that cash indemnity of \$1.25 per acre is allowed for lands located by warrants or scrip instead of nonswamp land subject to entry at that price.

That act was passed before the passage of the homestead law. The change in this respect is in obedience to the policy of the Government to reserve the public lands for actual settlers under the homestead law. This amendment does not confirm the selections heretofore made and reported, as did the said act of March 3, 1857. It excludes all evidence of the character of the lands except the field notes of the Government survey in those States which elected to make them the basis of settlement. The other States are required to deposit in all cases, and to pay in those cases where the claim is rejected, the cost of the investigation into the character of any tract claimed by the State as swamp land. The illegal selections under the old act can be disposed of if the cost is not deposited in ninety days after notice, and no new claims will be examined until such deposit is made. The Secretary is given full power to determine what shall be satisfactory and sufficient evidence as to the character of the land at the time of the grant, and to investigate and reject any fraudulent returns of Government surveys.

Agents and inspectors of the Department are authorized to administer oaths and take affidavits of witnesses. All claims under this act and prior acts are barred unless presented within one year from the passage of this act. A limitation upon the amount to be paid for lands sold and located since March 3, 1857, is fixed, but no appropriation is made, and no money can be paid to any State until the claim of each State, under the swamp-land grant, and under this act, has been fully adjusted. Counties, parishes, districts, and individuals are not recognized as possessing the right to prosecute claims. This right is restricted to the States to which the original grants were made. It is not probable that the sum fixed will be required for the adjustment of claims since March 3, 1857. The valid claims of nearly all the States prior to that date have been allowed, but the examination of those pending will require a large amount of labor and money under existing law, which will be saved if the pending measure becomes a law.

(2) The State of Arkansas owes the United States in all the sum of \$625,000 principal on bonds past due. In addition to this the Treasurer of the United States holds for the Secretary of the Interior, trustee of the Indian trust fund, \$168,000 worth of bonds, redeemable January 1, 1900. The State claims against the United States the sum of \$679,548.51, which has accrued from time to time, and nearly a million acres of land selected under the act of March 3, 1857. The Secretary of the Treasury is authorized in his discretion to make a full and final compromise with the State.

(3) The provision in relation to soldiers' additional homestead entries has been changed by the conference committee, so as to make it conform to the recommendation of the Commissioner of the General Land Office. In some cases certificates were erroneously issued by the Department. In such cases the soldier may have entered land and disposed of his right thereto to innocent purchasers, who relied upon the certificates of right issued by the Department. The circular of February 1, 1883, discontinued the practice of certifying to the additional right, but did not apply to applications then pending or that might be filed in the Land Office prior to March 16, 1883. Consequently there were some certificates issued after the latter date. The lands which the outstanding certificates cover it is estimated would approximate 10,000 acres. The Commissioner of the General Land Office in his letter of February 25, 1893, says:

"It has come to the knowledge of this office that a number of these certificates have been transferred, and locations made thereunder by parties who purchased them in good faith, and I think that this class of purchasers should be protected and that patent should issue to them and for their benefit."

4. The provision in relation to contests will change the present law so as to prevent personal contests after final entry, but it does not interfere with the right of the Government to cancel or hold for cancellation any entry for fraud on the part of the entryman. The purpose of this amendment is to protect bona fide settlers from blackmailing and speculative contests.

THO. C. MCRAE,
JOHN O. PENDLETON,
J. A. PICKLER.

Mr. JOHNSON of Indiana. Mr. Speaker, I rise to a question of privilege.

The SPEAKER. The gentleman from Arkansas has the floor on a question of the highest privilege—a conference report.

Mr. TRACEY. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. TRACEY. Would it be in order to raise the question of consideration on this report?

Several MEMBERS. It is too late.

Mr. MCRAE. I submit, Mr. Speaker, that it is too late to raise a question of consideration after the House has entered upon the consideration.

The SPEAKER. It is not too late until the papers are read, because the House would not know what it was until they are read.

Mr. TRACEY. I desire to raise the question of consideration.

Mr. HOLMAN. Mr. Speaker, I suggest to gentlemen that, for the purpose of facilitating the adjustment of the other bills, it would be far better to take a recess until 8 o'clock.

Mr. MCRAE. I have no objection to a recess now, if it will be understood that we have entered upon the consideration of this bill, and that it will come up after the recess. [Cries of "Oh, no!"]

The SPEAKER. The Chair understands the gentleman from New York [Mr. TRACEY] to raise the question of consideration.

Mr. TRACEY. I did.

Mr. MCRAE. Then, Mr. Speaker, I hope that we will settle that question before we take a recess.

Mr. HOLMAN. I move that we take a recess.

The SPEAKER. The Chair will submit the question. The question is whether the House will—

Mr. BUCHANAN of New Jersey. Will the gentleman from Indiana yield for a moment for a conference report which requires no debate?

The SPEAKER. This is a conference report.

Mr. HOLMAN. I think it is better to take a recess now.

The SPEAKER. The gentleman from Arkansas [Mr. MCRAE] calls up the conference report which has just been read, the gentleman from New York [Mr. TRACEY] raises the question of consideration on the report, and the question for the House to determine is, Will the House proceed to the consideration of this conference report?

Mr. HOLMAN. Is not my motion in order to take a recess?

The SPEAKER. The Chair thinks not, pending this motion.

Mr. MCRAE. As there seems to be a disposition on the part of gentlemen to take a recess, I shall not insist on action upon the question of consideration at this time if it is agreed that all my rights are reserved.

The SPEAKER. The question of consideration is not debatable.

Mr. MCRAE. Then, Mr. Speaker, I have no objection to taking a recess, with the understanding that the status of the bill shall remain as it is now. I do not want to keep members from their dinner.

The SPEAKER. The Chair will state the question. The gentleman from Arkansas [Mr. MCRAE] presents a conference report, and the gentleman from New York [Mr. TRACEY] raises the question of consideration upon it. The gentleman from Indiana moves that the House take a recess until 8 o'clock. If the House takes that recess the exact status that now exists as to this matter will obtain then. The question of consideration will be before the House.

Mr. DINGLEY. I desire to reserve all points of order in reference to this report.

Mr. MCRAE. If the House votes to consider the report, that should settle any points of order.

The SPEAKER. The Chair will state the question. The gentleman from Arkansas [Mr. MCRAE] calls up a conference report. The gentleman from New York [Mr. TRACEY] raises the question of consideration, and pending that the gentleman from Indiana [Mr. HOLMAN] moves that the House take a recess until 8 o'clock.

Mr. TRACEY. Mr. Speaker, I rise to a question of order. Is it in order to take me off the floor when I have raised the question of consideration?

The SPEAKER. The gentleman is off the floor as soon as he makes the motion, because the question of consideration is not debatable.

Mr. TRACEY. But I understood the Chair to say that the question of consideration must be put. Now, there has been no change in the situation since the Chair made that announcement.

The SPEAKER. The only question is whether, pending a conference report, the House may adjourn or take a recess. The Chair is inclined to think that the House has a right to do that, but will examine the question.

Mr. HOLMAN. I hope there will be no objection to taking a recess now. It will leave the situation unchanged.

The SPEAKER. Whilst the rule accords to gentlemen the right to present conference reports at any time, the Chair sees nothing in the rules that would prevent the Chair from entertaining either a motion to adjourn or a motion to take a recess pending the report. The question, therefore, is on the motion of the gentleman from Indiana that the House now take a recess until 8 o'clock p. m.

Mr. DOCKERY. Mr. Speaker, pending that, I desire to say on behalf of my colleague on the Committee on Appropriations, Governor SAYERS, that he has been absent during this legislative day on committees of conference, and for that reason I ask that he be excused.

The SPEAKER. The rules excuse the gentleman when he is absent on the business of the House.

The motion of Mr. HOLMAN was agreed to; and the House accordingly (at 5 o'clock and 15 minutes p. m.) took a recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired the Speaker called the House to order at 8 p. m.

ORDER OF BUSINESS—PROTECTION OF SETTLEMENT RIGHTS ON PUBLIC LANDS.

Mr. MCRAE. Mr. Speaker, I call up the conference report on the bill (H. R. 7023) to protect settlement rights where two or more persons settle upon the same subdivision of agricultural public lands before survey thereof, and for other purposes.

Mr. TRACEY. Mr. Speaker, I raise the question of consideration.

The SPEAKER. Upon this conference report the gentleman from New York [Mr. TRACEY] raises the question of consideration, and the question is: Will the House proceed to consider the report?

The question was taken, and the Speaker declared that the ayes seemed to have it.

Mr. TRACEY. I ask for a division.

The House divided; and there were—ayes 66, noes 11.

Mr. TRACEY. No quorum.

Mr. MCRAE. Mr. Speaker, I ask for the yeas and nays. That is the shortest way of settling this matter. I hope the friends of this measure will support the demand.

The yeas and nays were ordered.

The question was taken; and there were—yeas 131, nays 59, not voting 139, as follows:

YEAS—131.

Alderson,	Cummings,	Jolley,	Post,
Amerman,	Curtis,	Kem,	Reilly,
Antony,	Daniell,	Kribbs,	Richardson,
Arnold,	De Forest,	Kyle,	Robertson, La.
Atkinson,	Doan,	Lane,	Rockwell,
Bailey,	Durborow,	Lawson, Va.	Rusk,
Baker,	Edmunds,	Layton,	Sayers,
Bankhead,	Elliott,	Lester, Va.	Scott,
Barwig,	Enochs,	Livingston,	Scull,
Belknap,	Epes,	Long,	Shell,
Blanchard,	Everett,	Lynch,	Shonk,
Bowers,	Fithian,	Mallory,	Simpson,
Bowman,	Flick,	Mansur,	Snodgrass,
Brown, Md.	Gantz,	McClellan,	Snow,
Bryan,	Geary,	McKeighan,	Springer,
Buchanan, Va.	Gillespie,	McRae,	Stockdale,
Busey,	Gorman,	Meredith,	Stone, Ky.
Butler,	Grady,	Miller,	Stout,
Caminetti,	Greenleaf,	Mitchell,	Terry,
Capehart,	Hare,	Moses,	Tillman,
Caruth,	Harmer,	Oates,	Townsend,
Cate,	Hatch,	O'Ferrall,	Turpin,
Chipman,	Haugen,	O'Neill, Pa.	Waugh,
Clarke, Wyo.	Hayes, Iowa	Outhwaite,	Weadock,
Clarke, Ala.	Heard,	Patterson, Tenn.	White,
Clover,	Henderson, Iowa	Patton,	Whiting,
Cobb, Ala.	Hilborn,	Paynter,	Williams, Ill.
Cobb, Mo.	Hitt,	Pearson,	Wilson, Mo.
Coburn,	Hooker, N. Y.	Peel,	Winn,
Cooper,	Hopkins, Ill.	Pendleton,	Wise,
Covert,	Houk, Tenn.	Perkins,	Wolverton,
Cox, N. Y.	Johnson, Ind.	Pickler,	Youmans,
Cox, Tenn.	Johnson, N. Dak.	Pierce,	

NAYS—59.

Bacon,	Dingley,	Lind,	Stahlnecker,
Beltzhoover,	Dockery,	Martin,	Stephenson,
Bentley,	Dunphy,	McCreary,	Stone, W. A.
Boutelle,	Geissenhainer,	Morse,	Storer,
Bretz,	Groat,	Nutcher,	Taylor, Ill.
Brostus,	Hall,	O'Donnell,	Taylor, J. D.
Brown, Ind.	Halvorson,	Ohliger,	Taylor, V. A.
Bunn,	Hamilton,	O'Neil, Mass.	Tracey,
Bynum,	Harries,	Otis,	Turner,
Coombs,	Harter,	Payne,	Wadsworth,
Crosby,	Hopkins, Pa.	Powers,	Walker,
Daizell,	Johnson, Ohio	Quackenbush,	Watson,
Davis,	Lawson, Ga.	Raines,	Wilson, Ky.
De Armond,	Lester, Ga.	Randall,	Wilson, W. Va.
Dickerson,	Lewis,	Ray,	

NOT VOTING—139.

Abbott,	Clancy,	Hooker, Miss.	Rayner,
Alexander,	Cockran,	Houk, Ohio	Reed,
Allen,	Cogswell,	Huff,	Reyburn,
Andrew,	Compton,	Hull,	Rife,
Babbitt,	Cooldge,	Johnstone, S. C.	Robinson, Pa.
Bartine,	Cowles,	Jones,	Russell,
Beeman,	Crain,	Kendall,	Sanford,
Belden,	Crawford,	Ketcham,	Seerley,
Bergen,	Culberson,	Kilgore,	Shively,
Bingham,	Cutting,	Lagan,	Sipe,
Bland,	Dixon,	Lanham,	Smith,
Blount,	Dolliver,	Lapham,	Sperry,
Boatner,	Donovan,	Little,	Stevens,
Branch,	Dungan,	Lockwood,	Steward, Ill.
Brawley,	Ellis,	Lodge,	Stewart, Tex.
Breckinridge, Ark.	English,	Loud,	Stone, C. W.
Breckinridge, Ky.	Enloe,	Magner,	Stump,
Brickner,	Fellows,	McAleer,	Sweet,
Broderick,	Fitch,	McGann,	Tarsney,
Brookshire,	Forman,	McKaig,	Taylor, Tenn.
Brunner,	Fornier,	McKinney,	Taylor, E. B.
Buchanan, N. J.	Fowler,	McLaurin,	Tucker,
Bullock,	Funston,	McMillin,	Van Horn,
Bunting,	Fyan,	Meyer,	Warner,
Burrows,	Goodnight,	Milliken,	Washington,
Bushnell,	Griswold,	Montgomery,	Wever,
Byrns,	Hallowell,	Moore,	Wheeler, Ala.
Cable,	Haynes, Ohio	Newberry,	Wheeler, Mich.
Cadmus,	Hemphill,	Norton,	Wike,
Caldwell,	Henderson, N. C.	O'Neill, Mo.	Willcox,
Campbell,	Henderson, Ill.	Owens,	Williams, Mass.
Castie,	Herbert,	Page,	Williams, N. C.
Catchings,	Hermann,	Parrett,	Wilson, Wash.
Causey,	Hoar,	Pattison, Ohio	Wright.
Cheatham,	Holman,	Price,	

So the House decided to consider the conference report.

The following additional pairs were announced:

Until further notice:

Mr. TARSNEY with Mr. HENDERSON of Illinois.

For the rest of the day:

Mr. LANHAM with Mr. TAYLOR of Tennessee.

Mr. COMPTON with Mr. LODGE.

Mr. CAUSEY with Mr. HAYNES.

Mr. RAYNER with Mr. CALDWELL.

The result of the vote was announced as above stated.

The SPEAKER. The House has decided to proceed with the consideration of this report.

Mr. TRACEY. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from New York [Mr. TRACEY] will suspend a moment until a report can be presented from the Committee on Enrolled Bills.

ENROLLED BILLS SIGNED.

Mr. SCOTT, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 1422) for the relief of George M. Henry;

A bill (H. R. 3253) to increase the pension of William G. Smith;

A bill (H. R. 3118) to pension John O. Dunham;

A bill (H. R. 5519) for the relief of Daniel Eldredge, Company D, Fifteenth Illinois Volunteers;

A bill (H. R. 6554) to remove the charge of desertion against Charles H. Behle;

A bill (H. R. 7100) to pension Jacob O'Neil;

A bill (H. R. 7306) to pension Maud Case, of Dodge County, Minn.;

A bill (H. R. 7729) granting a pension to Mrs. Phoebe Sigler;

A bill (H. R. 8017) granting a pension to Elizabeth Voss;

A bill (H. R. 8230) for the relief of Louis G. Sanderson, of Craighead County, Ark.;

A bill (H. R. 8409) granting a pension to Mary Danahay, mother of Daniel Danahay, late a private Company H, Eighteenth New York Cavalry;

A bill (H. R. 8498) to pension Sophia Kagwaich;

A bill (H. R. 9233) to grant a pension to Harriet Cota;

A bill (H. R. 10331) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes;

A bill (H. R. 10421) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1894; and

A bill (S. 2171) to amend section 766 of the Revised Statutes of the United States.

SETTLEMENT OF AGRICULTURAL PUBLIC LANDS.

Mr. TRACEY. I wish to reserve points of order on the bill which the House has just decided to consider.

The SPEAKER. The Chair in the confusion has difficulty in hearing the gentleman.

Mr. TRACEY. Mr. Speaker, it is my intention to raise a point of order against portions of this conference report. I wish to state before the report has been read that I reserve all points of order against the report.

The SPEAKER. The report will be read, and then the gen-

tleman can make any point of order that may be proper to be made. The Clerk will read the report.

Mr. TRACEY. If in order, it will very much clear the atmosphere surrounding this rather peculiar conference report, to have the bill read and the Senate amendments thereto, so that the House may have a clear understanding of the matter that is about to come before it. I ask to have that done.

The SPEAKER. The Clerk will first read the bill as it passed the House, then the amendments of the Senate, and then the conference report.

Mr. TRACEY. I will ask for order during the reading. I think this is a matter of very considerable importance which members of the House would much desire to hear and understand.

The SPEAKER. The House will be in order.

The bill as passed by the House was read, as follows:

A bill (H. R. 7028) to protect settlement rights where two or more persons settle upon the same subdivision of agricultural public lands before survey thereof.

Be it enacted, etc. That where settlements have heretofore or hereafter been made upon agricultural public lands of the United States prior to the survey thereof, and it has been or shall be ascertained, after the public surveys have been extended over such lands, that two or more settlers have improvements upon the same legal subdivision, it shall be lawful for such settlers to make joint cash entry of their lands at the local land office, or for either of said settlers to enter into contract with his co-settlers to convey to them their portion of said land after patent is issued to him, and after making said contract to make homestead entry in his own name, and prove up and pay for said land; and proof of joint occupation by himself and others and of such contract with them made, shall be equivalent to proof of sale, occupation, and homestead entry by the applicant: *Provided*, That in no case shall the amount patented under this act exceed 160 acres, nor shall this act apply to lands not subject to homestead entry.

The amendment of the Senate was read, as follows:

After line 19 insert the following:

"SEC. 2. That an act entitled 'An act to repeal timber-culture laws, and for other purposes,' approved March 3, 1891, be, and the same is hereby, amended by adding thereto the following provision: 'And *provided further*, That any person who has made entry of any public lands of the United States under the timber-culture laws, and who has heretofore for a period of eight years in good faith attempted to comply with the provisions of said laws, and who at the time of making the entry was a bona fide resident of the State or Territory in which said land is located, or residing within five miles of the boundary line of such State or Territory, and where there was no pending contest on March 3, 1891, shall be entitled to make final proof thereto and acquire title to the same by payment of the customary fee for final proofs in homestead entries: *Provided*, That any person who has made entry upon any public lands of the United States under the timber-culture laws, and who has for a period of four years in good faith complied with the provisions of said laws, shall be entitled to make final proof thereto and acquire title to the same by the payment of \$1.25 per acre for such tract, under such rules and regulations as shall be prescribed by the Secretary of the Interior, and registers and receivers shall be allowed the same fees and compensation for final proofs in timber-culture entries as are now allowed by law in homestead entries.'

"That section 24 of an act entitled 'An act to repeal the timber-culture laws, and for other purposes,' approved March 3, 1891, be amended by adding thereto the following words: 'And he may, when deemed expedient, vacate any such reservation or any portion thereof, and by like proclamation restore the same to the public domain, subject to disposition under the land laws of the United States.'

"That whenever any person has initiated, in good faith, by settlement or otherwise, a claim to any of the public lands of the United States which shall afterwards be selected and withdrawn as a permanent site for a reservoir under any act of Congress, said person so initiating said claim may nevertheless make final proof and payment for said land and receive a patent therefor: *Provided, however*, That in all such cases the patent issued to such person shall contain a reservation in favor of the United States without any claim for cost or damages of any kind against the United States, its grantees or assigns, reserving the right to use so much of said land as may be found necessary for the purpose of constructing a reservoir or reservoirs thereon.

"That whenever any settler upon lands which have been selected for reservoir sites under any act of Congress shall file in any United States land office an affidavit, corroborated by at least two witnesses residing in the vicinity of the land, setting forth that the lands so selected as aforesaid are not suitable for reservoir purposes, and can not be used for such purposes practically, the Commissioner of the General Land Office shall order a hearing to be held to determine whether it is practicable to permanently reserve the said lands for the purposes contemplated by law, which said hearing shall be held as other hearings ordered by the Commissioner are held, and should it be finally determined in favor of the settler the land settled upon shall be held subject to entry by him in accordance with the settlement laws for thirty days from notice of the decision which shall be given him by the land officers for the proper land district.

"That the agents appointed by the Department of the Interior to investigate claims under the swamp-land act, approved September 23, 1850, shall have the power to administer oaths and to compel the attendance of witnesses both on behalf of the State and of the United States, and witnesses swearing falsely before them shall be deemed guilty of perjury, and shall, on conviction, be punished as now prescribed by law.

"SEC. 3. That where soldiers' additional homestead entries have been made or initiated upon certificate of the Commissioner of the General Land Office of the right to make such entry, and there is no adverse claimant, and such certificate is found erroneous or invalid for any cause, the purchaser thereunder, on making proof of such purchase, may perfect his title by payment of the Government price for the land. And nothing herein contained shall prevent the location of soldiers' homestead certificates heretofore issued under the rules and regulations of the General Land Office under section 2305 of the Revised Statutes of the United States, and patent shall issue therefor in the name of the locator, and issued and transferred in good faith prior to March 15, 1883."

Amend title so as to read:

"To protect settlement rights where two or more persons settled upon the same subdivision of agricultural public lands before survey thereof, and for other purposes."

The SPEAKER (before the reading was concluded). The

gentleman from Arkansas [Mr. McRAE] will give his attention. The title as it occurs in these amendments does not appear to be the same as the title of the House bill.

Mr. TRACEY. That is one of the points which will appear later on. The title has been materially changed.

The Clerk resumed and concluded the reading of the Senate amendments.

The SPEAKER. The Clerk will now read the conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7028) entitled "An act to protect settlement rights where two or more persons settle upon the same subdivision of agricultural public lands before survey thereof," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate and agree to the same amended as follows:

In line 4 of said Senate amendments, after the word "provision," strike out the words "And provided further, That any person who has made entry of any public lands of the United States under the timber-culture laws, and who has heretofore for a period of eight years in good faith attempted to comply with the provisions of said laws, and who at the time of making the entry was a bona fide resident of the State or Territory in which said land is located, or residing within 5 miles of the boundary line of such State or Territory, and where there was no pending contest on March 3, 1891, shall be entitled to make final proof thereto and acquire title to the same, by payment of the customary fee for final proofs in homestead entries," and insert—

SEC. —. That section 1 shall not be construed so as to interfere with any valid right or contest initiated prior to the passage of this act: *And provided further*, That any person qualified to make entry, and who has a subsisting entry under the timber-culture laws, and who has for at least eight years in good faith attempted to comply with the provisions of said laws, shall be entitled to make final proof, upon the payment of the fees required in homestead entry, and such attempt in good faith to comply with said laws shall be construed to entitle the entry man to all the benefits of said timber-culture laws and amendments thereto, and in computing the time before final proof under said timber-culture laws and acts amendatory thereof the same shall commence at date of entry."

Strike out lines 27 to 33 inclusive and insert:

SEC. —. That any public lands embraced within the limits of any forest reservation made under section 24 of the act approved March 3, 1891, which after the examination shall be found better adapted to agricultural than forest uses, may be restored to the public domain upon the recommendation of the Secretary of the Interior, with the approval of the President, after sixty days' public notice in two newspapers of general circulation in the State where the reservation is situated.

SEC. —. That the Secretary of the Interior, with the assistance and cooperation of the Secretary of War, shall make provision for the protection against fire and depredations of the forest reservations, and the Secretary of the Interior shall make such proper rules and regulations for the occupancy and utilization of said reservations as will preserve the forest cover from destruction and insure the objects of the reservations."

Strike out lines 62 to 69, inclusive, of the second amendment of the Senate and all of the third amendment of the Senate, and insert in lieu thereof the following:

SEC. —. That the proper officers of the Department of the Interior and of the Treasury shall finally adjust and settle the claims of any State against the United States for all lands which have been sold or located by warrant or scrip that were included in any grant of swamp and overflowed lands, and in such settlement and adjustment such State shall, upon filing proper relinquishment and waiver to the land in place, in the manner to be prescribed by the Secretary of the Interior, be allowed, credited, and paid the purchase money to the amount of \$1.25 per acre for all such lands situated therein as have been erroneously located by warrant or scrip therein, the amount of indemnity to be limited to the price at which the lands were held at the date of location, but not to exceed \$1.25 per acre: *Provided*, That all claims for land or indemnity under any of the swamp-land laws or under this act shall be forever barred for lands now surveyed, unless presented to the Secretary of the Interior within one year from the passage of this act, and for lands unsurveyed, unless presented within one year after the filing in proper local land office of a copy of the officially approved township plat of the survey of the township in which said lands may be situated: *Provided further*, That under no circumstances shall more than \$2,000,000 be paid under the provisions of this act for lands sold or located by warrant or scrip since March 3, 1857, and no money shall be paid to any State until the claim of each State, under the swamp-land grant, and under this act, has been adjusted, so far as the surveyed land in each State will permit of such adjustment; and should the claims of the various States amount to more than the said \$2,000,000, the claims shall be settled by the payment of said sum pro rata among the States according to the number of acres each State is found to be entitled to under said adjustment.

SEC. —. That in those States which elected to make the field notes of the United States Government survey the basis for determining what lands passed to them under the swamp grant, together with the State of California, the State will not be permitted to offer any other evidence in support of any claim to any tract of land as swamp, but said field notes shall be final in determining the character of the land; and in those States where evidence is to be taken as to the character of the land, the Commissioner of the General Land Office shall notify the governor of the State of the amount of estimated cost of the investigation into the character of any tract or tracts of land claimed by the State as swamp, and request that said amount be deposited in the Treasury of the United States, and after said investigation is concluded, if the claim of the State is allowed, said sum shall be returned to the State; but if the claim of the State is rejected, the balance only, if any, above the cost of the investigation shall be returned, and it shall be the duty of the Secretary of the Treasury to return said money upon an account rendered by the Commissioner of the General Land Office, approved by the Secretary of the Interior; and if any State shall neglect or refuse for a period of ninety days after notice to deposit said sum, the claim of the State to the tract or tracts of land in question shall be considered as abandoned and forever barred without further investigation: *Provided*, That the Secretary of the Interior shall have the power to determine what shall be satisfactory and sufficient evidence as to the character of the land at the date of the swamp grant: *Provided further*, That any agent or inspector appointed by the Department of the Interior to investigate claims under this or prior acts shall have the power to administer oaths and take affidavits of witnesses, both on behalf of the State and the United States, and any witness swearing falsely before such agent or inspector shall be deemed guilty of perjury, and shall, on conviction, be punished as now prescribed by law: *Provided further*, That

nothing in this act shall deprive the Government of the right to investigate the matter, in any alleged fraudulent returns of Government surveys, and if land is falsely returned as swamp the claim to the same shall be rejected.

SEC. —. That upon the relinquishment, release, and quitclaim, in such form as may be approved by the Secretary of the Interior, to the United States by the State of Arkansas of all her claims and demands against the United States for the 5 per cent fund allowances under the act approved June 23, 1836, for keeping prisoners under the executive order of February 5, 1867, for a portion of the distribution fund under the act approved September 4, 1841, for indemnity under the acts approved March 2, 1855, March 3, 1857, and under this act, and for all swamp and overflowed lands under the act approved September 28, 1850, not heretofore approved to the State, and all other claims of whatever kind or nature, the Secretary of the Treasury may, in his discretion, cancel or deliver to the proper officer of the said State of Arkansas all the bonds and coupons issued by the said State now in the possession of the Treasurer of the United States and owned or held in trust by the United States as a full and final compromise and settlement of accounts between the said State and United States.

SEC. —. That where soldiers' additional homestead entries have been made or initiated upon certificate of the Commissioner of the General Land Office of the right to make such entry, and there is no adverse claimant, and such certificate is found erroneous or invalid for any cause, the purchaser thereunder on making proof of such purchase, may perfect his title by payment of the Government price for the land. And nothing herein contained shall prevent the location of soldiers' homestead certificates heretofore issued under the rules and regulations of the General Land Office under section 2305 of the Revised Statutes of the United States, or in pursuance of the decision or instructions of the Secretary of the Interior of date of February 1, 1883, when such certificates have been transferred or sold to purchasers in good faith; and all such transfers or sales shall be treated and considered as valid, and patent upon all such locations shall issue in the name of the transferee.

SEC. —. That in all cases arising under the homestead or the late preemption laws, where notice of the intention to make final proof has been or shall be published, as provided by the act of March 3, 1879 (30 Statutes, 472), and final entry made thereunder, and where no lawful adverse claim has been or shall be filed with the register or receiver of the proper land office prior to such final entry no contest shall be thereafter allowed by the Commissioner of the General Land Office or local land office: *Provided*, That nothing herein shall be construed to prevent the canceling or holding for cancellation any entry for fraud on the part of the entryman."

Strike out the following: "To protect settlement rights where two or more persons settle upon the same subdivision of agricultural public lands," and insert the following as the title to the bill: "To protect settlers, regulate contests, control forest reservations, adjust the swamp-land grants, and for other purposes."

That the sections be numbered consecutively.

And the Senate agree to the same.

THO. C. McRAE,
JOHN O. PENDLETON,
J. A. PICKLER,
Managers on the part of the House.
J. N. DOLPH,
R. P. FETTINGREW,
JAMES H. BERRY,
Managers on the part of the Senate.

Mr. TRACEY. Mr. Speaker, I wish to make some points of order against this conference report. I claim, first, that it violates in my opinion the rules, practice and custom of the House which limit the conferees appointed by the House to certain lines of procedure within their jurisdiction when in conference.

In the first place the conference committee can not change the text of a bill to which both Houses have agreed as they are limited strictly to the matters in dispute between the two Houses. A conference committee may report a substitute if the Senate present a substitute, but the conferees can not inject any new matter not in dispute between the two Houses into their report for the reason that it presents a new subject not considered by either House.

A conference report can not be received if it contains new matter, which ruling by Mr. Speaker Blaine on the point of order made by the late President Garfield was acquiesced in unanimously by the House. Mr. Speaker, the additions which have been made in conference are not germane to the original subject-matter of the bill as it passed the House, nor to any of the Senate amendments.

Now, sir, I will be obliged to in great part rely upon the judgment of the Chair in deciding this matter without being able to point out to the House in detail the objectionable features of the bill, for the reason, which may be evident to all, that this House bill which has been read was a simple measure regarding the forestry laws and went to the Senate where some amendments were added to it; then came back to the House; was submitted to a conference committee, and the conferees have practically brought in a new bill, which is a bill made up of several bills not considered by the House.

It is well known, Mr. Speaker, to the members of this House that for some years past efforts have been made to open up the subject of the swamp lands of the country; to change the existing laws by which adjustments are now being made and practically to set aside the statute of limitations, so that people who have claims, or pretend to have them, against the Government, may come before the Land Office of the Interior Department and secure large amounts of money for them.

In my opinion, Mr. Speaker, the laws which were enacted about 1850 to 1857 gave to the people then the power to present their claims to the Government, and that practically a great majority, at all events, I will say, of the just claims were filed at that time; and since that period additional claims have also

been filed, and as is shown by the reports, from time to time, bills of this character sometimes extending over a greater territory than at others, and at other times presented in different forms, have been considered, but so far the resistance has been sufficient to prevent change of existing law on the subject.

The Commissioner of the General Land Office in 1891 in his report recommends strongly against there being any doing away of the present limitations permitting the filing of these claims. We have already in this House had a discussion of this matter. Letters were read from the Commissioner of the General Land Office in which he did not approve of the bill then presented, and the House did not pass it.

Since then I have had some occasion to investigate on my own account, by reason of the allusions made to my interference when I opposed the measure in the House, and I took the precaution, Mr. Speaker, to address a communication to the Secretary of the Interior. He did not recommend the passage of the bill which had been before the House.

Now, Mr. Speaker, I wish to call the attention of the Chair and the House to what is deemed to be the duty of a conference committee appointed in such matters. We know that in the closing hours of Congress, such as we find ourselves in to-night, it is very difficult for members of the House to pay attention and realize everything that is being done on the floor of the House and in conference committees, and hence when conferees are appointed they are in duty bound to pay particular attention to the rules, practice, and precedents and will or wishes of the House, under every and all circumstances not to permit anything to be done which by any possibility could amount to a deception on the House, which has intrusted to them the consideration of matters so delicate to be settled, upon which the House is bound to rely.

Mr. Speaker, with reference to the point of order I have made, I refer the Speaker to the Digest of the second session of the Fifty-first Congress, page 350.

I will read from this, Mr. Speaker, where it says:

Neither is it competent for a conference committee to change the text of a bill to which both Houses have agreed, for it is not in conference and the committee has no jurisdiction of the subject-matter of the text.

And this Digest refers then to a ruling made by Speaker Clay in the first session of the Twelfth Congress, House Journal of 1812. The reference to that I have not with me, but it bears out the general statement I have made.

My claim is that this new matter is out of order, because a conference committee can not report a substitute which has not been proposed in either the Senate or the House and disagreed to by the other body.

In other words, it can not inject or present new matters not in dispute between the two Houses.

And on page 354 of the same Digest it is stated:

It is in order for a conference committee to report a substitute bill for an original bill, and a substitute therefor proposed by the other House; where two separate bills have thus been referred to a conference committee it is in order to take either, or propose a new bill embracing parts of either.

The committee has a right to report any bill that is germane to the bills referred to them.

Now, Mr. Speaker, in neither the bill nor the Senate amendments originally made were swamp lands treated, and I have heard enough of the proposed bill to satisfy me that the committee has exceeded its authority, and I make the point of order on this account against the conference report that it is against order, sound parliamentary practice, procedure, and well-established precedents, and on this question I ask for the ruling of the Chair.

Mr. McRAE. Mr. Speaker, I shall try not to discuss the merits of this proposition on the pending point of order, as has been done by the gentleman who has made it.

The only question presented by the point of order, as I understand the rules, is whether the amendment proposed by the conference committee is germane to the Senate amendment. That there is a matter in dispute between the two Houses touching swamp-land claims there can be no doubt.

The amendments first read by the Clerk, three pages of printed matter, relates to contests, to forest reservations, reservoir sites, to swamp-land claims, etc. These were all disagreed to by the House. The Senate asked for a conference. The House agreed to it, and the bill went to a conference committee. The first section of the bill was not amended in the Senate, but to that was added, as amendments, the provisions in question. I call the attention of the Speaker to one paragraph of the Senate amendment. It relates directly and exclusively to swamp-land claims, and is as follows:

That the agents appointed by the Department of the Interior to investigate claims under the swamp-land act, approved September 28, 1850, shall have power to administer oaths and to compel the attendance of witnesses, both on behalf of the State and of the United States, and the witness swearing falsely shall be punished as in cases of perjury.

That, with the other paragraphs, was disagreed to by the

House. In lieu of that paragraph the conference committee have submitted a proposition providing, when such agents shall be allowed to investigate swamp-land claims, by limiting them only to such States as have not adopted the field notes as the basis of settlement.

The report of the conference committee makes the field notes of the United States conclusive proof as to the character of the land, and provides for the adjustment of the claims without other testimony in certain States and along lines that have been suggested or approved by the Department of the Interior. This amendment, relating to swamp-land adjustment, was prepared by the Interior Department, and has received the approval of the Commissioner of the General Land Office. It looks to the settlement of the grants in question in other methods than those suggested by the Senate amendment, but adjustment is the ultimate object of both the Senate amendment and conference report.

The Senate amendment authorizes the investigation of the claims of the States under the swamp-land act, and would grant to the agents appointed by the Department for that purpose power to compel the attendance of witnesses. For what I ask: Is this investigation of such claims to be had? Evidently it is to enable the Interior Department to adjust and finally settle them. The conference report deals with the same character of claims, but proposes another method of adjustment for the most of the States. Both look to the adjustment of the same claims.

Mr. OUTHWAITE. Will the gentleman yield for a question?

Mr. McRAE. I will.

Mr. OUTHWAITE. I would like to ask whether this proposition was ever voted upon or considered by either House?

Mr. McRAE. The Senate proposition was.

Mr. OUTHWAITE. By which House?

Mr. McRAE. By both. It was proposed by the Senate as an amendment, and then disagreed to by the House, and sent to conference; and now, in lieu of that, the conference committee have submitted a proposition that has for its object the final, just, legal, and quick closing of this whole swamp-land matter, rather than to sending out agents to take testimony touching the character of the land in 1850, as the Senate proposed.

The question to be investigated is whether the land was swamp and overflowed at the time of the grant. That question the conference report will allow to be determined by of the Secretary of the Interior upon the field notes of the Government surveys.

There is a reason for this. This Government has paid within the last twelve years \$204,000 to special swamp-land agents for investigations of this character. It is time to stop such extravagance. The conference committee propose that the surveys made by the Government surveyors shall be made the basis of settlement and require those States that will not agree to be bound by them to deposit the estimated costs before examinations are made in the field by agents.

Now, the test, Mr. Speaker, as I understand the rule and practice, is this: Is the amendment proposed by the conference germane to the amendment of the Senate to the House bill; and if so, it is in order, whether it is germane to the original proposition or not? Would anyone insist that with the Senate amendment pending in the House as an independent measure that the proposition of the conference committee could not be substituted for it?

I ask the Clerk to read from the Digest the paragraph which I have marked on page 318:

The Clerk read as follows:

Although the Senate had amended a bill of the House by striking out all after the enacting clause and inserting a different proposition in some respects, yet having the same object in view, the question presented was not whether the provisions excepted to in the conference report were germane to the original House bill, but whether they were germane to the Senate amendment. In the opinion of the Chair they were clearly germane; for though different from the provision contained in such amendment, they related directly to the same subjects, and under the common parliamentary law and practice might be made, by way of amendment, a substantially different proposition from that originally passed by the House.

Mr. McRAE. In this case, as in the one cited, the propositions are different, but they relate directly to the same subject. Here the amendments both relate to swamp-land contests. The House bill treated of contests between settlers upon unsurveyed lands. The Senate extended it so as to cover those having claims under the timber-culture act, and those on reservoir sites, and to swamp-land claims.

The main purpose of the first bill was the settling of contests. That is still the object sought by the conference report. And again, Mr. Speaker, this bill as amended by the Senate is a general land bill, and from beginning to end deals with the methods of the Department touching practice and administration. Such was the general character of the amendments made by the Senate, as well as those proposed by the conference committee. It seems to me there can be no question but that the point of order should be overruled. By a large vote the House has voted to consider the report.

Mr. Speaker, I have but to refer to the bill to which this is an amendment, to wit, the bill of March 3, 1891, passed by the Fifty-first Congress, for a precedent for the action of the committee. That was a bill of one section, I believe, as this was originally. Upon that section a conference committee constructed a general bill of many subjects of twenty-four sections; and that was held to be in order by the Speaker of the last House, and is the law to-day. Nothing is more common in this House except to legislate upon appropriation bills.

Why, Mr. Speaker, half the legislation of Congress is shaped in conference. In the very nature of the case it must be prepared there when the two Houses of Congress disagree. I have nothing to conceal about the course which has been taken in this matter. I regret that by flibustering and misrepresentation the friends of this bill have been denied a vote on it in the House in the usual way, and that we have been driven to the necessity of reaching it in this way; but we have reached it fairly and openly under the rules and without any concealment. There is only one section in this bill which has not been considered by the Committee on Public Lands of this House.

There is not a section in it that does not meet the unqualified indorsement of the Department. It has been unanimously adopted by the Senate, where we have two of the ablest ex-Secretaries of the Interior we have ever had. I mean Senators VILAS and TELLER. The House has always approved it, because it is just and honest. It is an important matter, not only to the United States, but to the swamp-land States and settlers as well. I believe that it is as just and honest a measure as was ever presented to the Congress of the United States; I believe the conference report is in accordance with the practice and rules of the House.

Now, Mr. Speaker, I will not refer to other decisions. It seems to me that the one I have cited ought to be conclusive upon the point in issue, and the point of order should be overruled.

I reserve the balance of my time.

[Cries of "Rule!"]

Mr. DINGLEY. Mr. Speaker, I desire to be heard very briefly. This is an exceedingly important matter, involving, as it does, the power of conference committees; it may be not simply for this particular bill, but may be as a precedent for the future. I take it for granted that nothing is better settled by the practice of the House, and of all parliamentary bodies than that a conference committee can not touch any portion of a bill that has been committed to them as to which both Houses have agreed, and that it is to points of difference between the two Houses that they are confined, and the particular proposition on which there is a disagreement, otherwise conference committees could proceed outside of that entirely and legislate indiscriminately.

Now, I call attention briefly to one thing that has been done in this conference report, and to that I desire the attention of the Chair and of the House. A bill with reference to some disputed settlers' claims, containing comparatively a few lines, passed this House and was sent to the Senate. The Senate struck out all after the enacting clause, and inserted another bill, one provision of which was as follows, this being the provision on which the conference committee seek to obtain jurisdiction:

The agents appointed by the Department of the Interior to investigate claims under the swamp-lands act of September 28, 1850, shall be authorized to administer oaths.

A simple authority was given by the Senate provision to these agents to administer oaths in the investigation of swamp-land claims. Now, that was the original proposition, as to which this House was in disagreement with the Senate, and which was referred to the committee of conference.

On the basis of a disagreement as to that proposition simply, the committee of conference have included the extensive swamp-land adjustment bill, which has been once defeated in this House, a bill which authorizes the adjustment of these claims to the extent of \$2,000,000; a bill of the utmost importance, fastened upon a proposition as to whether the agents appointed to adjust these claims shall be authorized to administer oaths—a proposition on which there was a disagreement which was referred to the committee of conference. Undoubtedly the committee of conference could report any amendment relating to the administering of oaths.

There can be no doubt about that. But they have gone outside of that, and undertaken to fasten the complete swamp-lands adjustment bill, to the extent of \$2,000,000, a bill covering pages, a bill which has been rejected in this House. It seems to me, Mr. Speaker, that there can be no question but that the committee of conference have gone entirely beyond their jurisdiction.

Mr. PICKLER. This bill never has been considered in this House.

The SPEAKER. This is a very important question. The

Chair is ready to decide it. The decision must be made without as much examination of precedents as the Chair would like, but under existing circumstances further delay must be avoided.

The question for the Chair to determine is whether the amendment which has been agreed to and reported by the conference committee is germane to the amendment of the Senate, or to the original bill. The amendment may not be germane to the original bill, yet if it is germane to the Senate amendment, the conference committee might report it.

The Chair thinks, and has always thought, that the practice of enlarging the powers of conference committees beyond the strict letter of the rule was wrong, that conferees ought to be held to the rule, and that amendments they propose in conference reports shall be germane either to the original text or to the amendment. The portion of the Senate amendment which the gentleman from Arkansas [Mr. MCRAE] claims justifies and authorizes the amendment which the conference committee have reported in this case will now be read by the Clerk.

Mr. MCRAE. Mr. Speaker, I also insist that, as the original bill related to contests, and as matters of contest largely grow out of swamp lands, and as a part of the amendment of the Senate relates generally to contests, therefore, for that further reason, the amendment is germane.

The SPEAKER. The Clerk will report the part of the Senate amendment marked by the Chair.

The Clerk read as follows:

That the agents appointed by the Department of the Interior to investigate claims under the swamp-lands act approved September 28, 1850, shall have the power to administer oaths and to compel the attendance of witnesses both on behalf of the State and of the United States, and witnesses swearing falsely before them shall be deemed guilty of perjury, and shall, on conviction, be punished as now prescribed by law.

The SPEAKER. The Clerk will now read from the Digest the paragraph which the Chair has marked.

The Clerk read as follows:

The well-settled rule with respect to the jurisdiction and proceedings of a conference committee is that it is not competent for such committee to consider and report to their respective Houses any new matter, subject, or proposition not in dispute between the two Houses; for the reason that such new matter, subject, or proposition has not been referred to said conference committee, and in that respect it has no greater authority or jurisdiction than is possessed by a standing or a select committee of either House.

A conference is always asked and granted upon certain specified amendments, and necessarily must be restricted and confined to them; the exceptions being that additional matter which is germane to any particular amendment or amendments is in order. The practice in this regard has, however, been quite loose and irregular, owing largely to the fact that Congress has been without joint rules since the Forty-third Congress.

The SPEAKER. As stated in the Digest, the practice in this matter has been somewhat loose and irregular; yet the Chair thinks that conference committees ought to be held to a strict construction of the rule. In the opinion of the Chair conference committees should keep strictly within the rule, which is that any original amendment which they may recommend to the two Houses must be germane either to the original bill or to the amendments which are in dispute.

The Chair understands that the subject of this Senate amendment is the administration of oaths by special agents of the Interior Department in the investigation of frauds under the swamp-land act. The Chair understands that the amendment reported by the committee goes beyond any question of the duties of such agents, and provides for the adjustment, under the swamp-land act, between the several States and the United States Government, of a large number of claims that are unadjusted.

The Chair regretting, as he stated at the outset, that he has not more time to consider carefully the text of the bill and the precedents on the question, decides that this conference report goes beyond the power and jurisdiction of a conference committee, and can not be received by the House. [Applause.]

Mr. MCRAE. The Chair quoted the Senate amendments as authorizing simply the investigation of frauds under the swamp-land act. In that respect the Chair did not quote correctly. The Senate amendment provides for the investigation of "claims under the swamp-land act;" that is, claims of the States, the same subject to which the conference report relates.

The SPEAKER. The amendment does use the word "claims." The gentleman is correct.

Mr. MCRAE. In view of this correction does the Chair hold to the same opinion?

The SPEAKER. The Chair is of the same opinion.

Mr. MCRAE. Then, Mr. Speaker, while regretting to do so, I respectfully appeal from the decision of the Chair.

Mr. BLOUNT. I move that the appeal be laid on the table. The motion of Mr. BLOUNT was agreed to; and the appeal was accordingly laid on the table.

ORDER OF BUSINESS.

The SPEAKER. The Chair is informed that a number of gen-

tle men desire to file with the Clerk reports from committees; and as there will not be another regular call for such reports during this Congress, the Chair asks unanimous consent that gentlemen having reports to file may be permitted to hand them to the Clerk. If there be no objection, that leave will be given. There being no objection, it was ordered accordingly.

INVESTIGATION OF PANAMA CANAL COMPANY.

Mr. FELLOWS submitted a report of the select committee appointed to investigate the Panama Canal Company, etc.; which was laid on the table, and ordered to be printed.

COPYRIGHT.

Mr. SAYERS. I desire to call up the conference report on the deficiency appropriation bill.

Mr. COCKRAN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from New York [Mr. COCKRAN] rise?

Mr. COCKRAN. I ask the gentleman from Texas [Mr. SAYERS] to give way to me for a moment.

The SPEAKER. Does the gentleman from Texas yield?

Mr. SAYERS. I yield to the gentleman from New York for ten minutes.

Mr. COCKRAN. I send to the Clerk's desk a bill, for which I ask consideration.

Mr. HOLMAN. Why, Mr. Speaker, I object to this method of proceeding.

The SPEAKER. The Chair will submit the request of the gentleman, and then ask if there be objection. The gentleman from New York [Mr. COCKRAN] asks unanimous consent for the present consideration of a Senate bill, which the Clerk will report, after which the Chair will ask if there be objection.

The Clerk read as follows:

A bill (S. 3881) relating to copyright.

Be it enacted, etc., That any author, inventor, designer or proprietor of any book or other article entitled to copyright who has heretofore failed to deliver in the office of the Librarian of Congress or in the mail addressed to the Librarian of Congress, a complete copy of such book or description or photograph of such article within the time limited by Title LX chapter 3, of the Revised Statutes relating to copyright and the acts in amendment thereof, and has complied with all other provisions thereof, who has before the 1st day of March, A. D. 1893, delivered at the office of the Librarian of Congress, or deposited in the mails addressed to the Librarian of Congress two complete printed copies of such book or description or photograph of such article shall be entitled to all the rights and privileges of said Title LX chapter 3, of the Revised Statutes, and the acts in amendment thereof.

Mr. HOPKINS of Illinois. I object to that until I can have time to look into it.

Mr. COCKRAN. I will explain it, if the gentleman will allow me.

Mr. ENLOE. Regular order.

Mr. HOPKINS of Illinois. Mr. Speaker, I withdraw the objection for the purpose of allowing the gentleman from New York to make an explanation, reserving my right, however.

The SPEAKER. Is the demand for the regular order withdrawn? The Chair understood the gentleman from Tennessee to demand the regular order.

Mr. ENLOE. I will listen to an explanation.

The SPEAKER. Without objection, the gentleman from New York can make a brief explanation.

Mr. COCKRAN. Mr. Speaker, the purpose of this bill, which has been passed by the Senate unanimously, is merely to enable the author of a certain book to obtain the benefit of the copyright laws, which have been lost to her by reason of a mistake as to the time of filing the book under the law. There is not an objection from any source as to the passage of the act; and the House is simply asked now to save all the property of the widow of a man who was once distinguished in the service of this country.

Mr. HOPKINS of Illinois. Do I understand the gentleman to say that this relates to a single book only?

Mr. COCKRAN. It relates to one single work, and is limited to a person who deposited in the post-office a copy of the book before a certain date. The bill can refer to no other.

Mr. TAYLOR of Illinois. Who is the author?

Mr. COCKRAN. The book is the property of Mrs. Jefferson Davis, and this measure is offered for her relief. The House is entitled to the information; and I believe that there is majesty and magnanimity enough in the House of Representatives to signalize the complete pacification of this country by extending an act of courtesy and magnanimity to a woman whose husband's career must form a conspicuous chapter in our history, and who is now dead. [Applause.]

Mr. TAYLOR of Illinois. There is sufficient on this side, I am sure.

Mr. COCKRAN. And it is to this side of the House that I appeal, to every gallant man here, who will prove, I am sure, tonight by a unanimously affirmative answer to this appeal, that the men who faced death when the country was in danger are

ready to extend the hand of help and protection to a woman, even if she be the widow of the man who was the chief officer of the Confederacy. [Cries of "Vote!" "Vote!"]

Mr. BERGEN. Let me ask the gentleman from New York if this bill relates only to books that have been published since the passage of the copyright law; or may not a person who wrote a book before that, and which was published before, under this bill now get all of the advantages of that law?

Mr. COCKRAN. No; the act is so limited that it can relate only to books published since the passage of the copyright law.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There being no objection, the Senate bill was ordered to a third reading; and being read the third time, was passed.

On motion of Mr. COCKRAN, a motion to reconsider the last vote was laid on the table.

Mr. SAYERS. Mr. Speaker, I call up the conference report on the deficiency bill.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 10258) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1894, and for prior years.

The SPEAKER. The Chair is informed that the conferees on the part of the House on this bill have not had time to prepare a written statement as the rule requires; and if there be no objection the gentleman from Texas [Mr. SAYERS] will make an oral explanation as to the report of the committee, which will be accepted by the House in lieu of the written statement.

There was no objection.

Mr. SAYERS. Mr. Speaker, if the House will give me its attention for a few moments I desire to submit to it a brief statement as to the result of the conference upon the general deficiency bill.

This bill as it passed the House carried something over \$21,000,000. Amendments were added by the Senate increasing the amount to something over \$27,000,000. The conferees of the two Houses have agreed upon the bill except as to the following items: There are thirty-four items in which are contained appropriations for the payment of the bonded Pacific railroads, which payments aggregate about \$1,275,000. To these amendments the conferees on the part of the House have disagreed.

The second disagreement of the House to an amendment offered by the Senate relates to the pay of Senators' clerks and Senate session committee clerks during the recess of the Fifty-first Congress, being amendment numbered 150, and amounting to \$21,000. The third class of amendments embrace what is known as the French spoliation claims, which amendments aggregate \$792,752.35.

All the remaining portions of the bill have been settled by the conferees of the two Houses.

Now, Mr. Speaker, I ask the adoption of the conference report, with the statement that opportunity will be offered to the friends and opponents of these several measures to discuss them before I shall again ask a vote of the House to nonconcur, and to insist upon the disagreement to the amendments of the Senate.

The SPEAKER. The Clerk will report the amendments that are undisposed of, so the House can understand the situation. This is only a partial agreement. There are certain Senate amendments not disposed of by this report, and the Clerk will report those amendments, so that the House may understand what is yet to be considered after the House has actually acted upon the report.

The Clerk read as follows:

Resolved, That the Senate further insist upon its amendments to House bill 10258, making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1893, and for prior years, and for other purposes, numbered 30, 63, 64, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 94, 95, 96, 97, 98, 99, 108, 150, 160, 161, 165, 166, 167, 168, 169, 170, 171, 173, 174, 176, and 177, disagreed to by the House of Representatives, and ask a further conference with the House on the disagreeing votes of the two Houses thereon.

The SPEAKER. The gentleman from Texas [Mr. SAYERS] will please state what those amendments are.

Mr. SAYERS. Those amendments cover appropriations to pay the bonded Pacific railroads, to pay Senators' clerks, and Senate committee clerks, and also the French spoliation claims.

The SPEAKER. These amendments are undisposed of by the report, and will be for consideration afterward. The question now is upon agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. SAYERS, a motion to reconsider the vote by which the conference report was agreed to was laid upon the table.

Mr. SAYERS. Now, Mr. Speaker, the first items that I will submit to the consideration of the House, and upon which I shall ask instructions from the House, are what are known as the Pacific railroad amendments, 30, 63, 64, 66, etc., down to 173. I

would ask the gentleman from Maine [Mr. DINGLEY], who is associated with me on the conference committee, how much time he desires for the debate upon these amendments.

Mr. DINGLEY. Mr. Speaker, gentlemen have not indicated to me that they desired any particular time. So far as I am concerned, I do not desire any time, beyond the simple statement of the gentleman from Texas [Mr. SAYERS] as to what is involved in the amendments; but if there is any gentleman who desires any time with respect to the Pacific Railroad claims, I shall be happy to secure time for him now.

I suggest to the gentleman from Texas [Mr. SAYERS] that he proceed to state the points involved in these amendments, and perhaps that will be sufficient.

Mr. SAYERS. Mr. Speaker, the points involved in these amendments are simply to pay certain claims of the bonded Pacific railroads, for whom the Government of the United States has indorsed to the extent, principal and interest, of nearly \$150,000,000.

The conferees upon the part of the House have thought it was the duty of the House to hold these sums due these several Pacific railroads as an offset against what the Pacific railroads owe the Government of the United States.

Now, Mr. Speaker, I ask that the House insist upon its further disagreement to these amendments of the Senate, so far as the Pacific railroad claims are concerned.

The SPEAKER. The Clerk will report the amendments relating to the Pacific railroads.

The Clerk read as follows:

Amendments numbered 30, 63, 64, 65, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 91, 93, 97, 98, 99, 103, 160, 161, 165, 166, 167, 168, 169, 170, 171, 173, and 174.

Mr. SAYERS. Mr. Speaker, I move that the House further insist upon its disagreement to the amendments just read by the Clerk.

The SPEAKER. The gentleman from Texas moves that the House further insist upon its disagreement to the Senate amendments relating to the payment to the Pacific railroads. The question is upon agreeing to that motion.

The motion was agreed to.

On motion of Mr. SAYERS, a motion to reconsider the vote by which the House insisted on its disagreement to the Senate amendments was laid on the table.

Mr. SAYERS. I will ask the Clerk to read the next amendment.

The Clerk read as follows:

Amendment numbered 150: To pay clerks to Senators and per diem clerks to committees retained in the service of the Senate during the recess of the Fifty-first Congress, under resolution of the Senate of September 30, 1890, \$21,600.

Mr. SAYERS. Mr. Speaker, this amendment covers an appropriation for the payment of Senator's clerks and Senate committee clerks, under the resolution passed by the Senate in the first session of the Fifty-first Congress.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, announced that the Senate had agreed to the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2122) for the relief of Cumberland Female College, McMinnville, Tenn.

It also announced that the Senate insisted upon its amendments disagreed to by the House of Representatives to the bill (H. R. 10258) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1893, and for other purposes; and asked a further conference with the House on the bill and amendments, and had appointed Mr. HALE, Mr. ALLISON, and Mr. COCKRELL as the conferees on the part of the Senate.

GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. SAYERS. Mr. Speaker, this amendment covers the sum of \$21,600, and is numbered 150. For the information of the House I will state that at the second session of the Fifty-first Congress this amendment was placed by the Senate upon the general deficiency bill, and was rejected by the House; and at the last session of the present Congress this amendment was again placed by the Senate upon the general deficiency bill and again rejected by the House. So that the Senate comes now for a third time insisting upon the payment of \$21,600 for Senators and committee clerks authorized by resolution of the Senate only for the months of October and November during the first session of the Fifty-first Congress. They were only session clerks.

Your conferees thought, in view of the fact that this amendment only rested upon a bare resolution of the Senate, and had been rejected by the House in the two previous sessions, that it was but proper the amendment should again be brought to the attention of the House and action of the House had upon it. If no gentleman desires to speak in support of the amendment, I

move, Mr. Speaker, that the House further insist upon its disagreement to this amendment.

The SPEAKER *pro tempore* (Mr. RICHARDSON in the chair). The question is on the motion of the gentleman from Texas.

The motion was agreed to.

On motion of Mr. SAYERS, a motion to reconsider the vote by which the House insisted on its disagreement to the Senate amendment was laid on the table.

Mr. SAYERS. The two remaining amendments are numbered 176 and 177, and cover what is known as the French spoliation claims. I would like to ask the gentleman from Maine what time he would like to discuss those amendments?

Mr. DINGLEY. Mr. Speaker, several gentlemen have intimated to me that they desire to speak very briefly on these amendments, and they would like, according to the requests they have made to me, about half an hour in favor of these amendments.

Mr. SAYERS. Very well; Mr. Speaker, I ask unanimous consent that debate upon these two remaining amendments of the bill be limited to one hour, half of that time to be given to those who support the amendments and the other half to those who oppose the amendments.

The SPEAKER *pro tempore*. The gentleman from Texas asks unanimous consent that debate upon the pending amendments be limited to one hour, to be equally divided between the friends and opponents of the measure. Is there objection? [After a pause.] The Chair hears none. The Chair will recognize the gentleman from Texas [Mr. SAYERS] to control one-half of the time, and the gentleman from Maine [Mr. DINGLEY] to control the other.

Mr. DINGLEY. Mr. Speaker, I yield five minutes of my time to the gentleman from Massachusetts [Mr. O'NEIL].

Mr. O'NEIL of Massachusetts. Mr. Speaker, I propose to move that the House recede from its disagreement and concur in these amendments.

This, Mr. Speaker, is a part payment of an old claim. And there are a great many old claims due citizens of the United States by the Government of the United States which to-day remain unpaid for exactly the same reason that these claims were not paid long ago—owing to an empty Treasury, and the necessity for spending money for other purposes.

These claims in the aggregate, when first presented to the Court of Claims, amounted to very much more; but they have been weeded out and weeded out, so that out of claims amounting to \$20,000,000 presented to the Court of Claims but \$1,700,000, I believe, have not been rejected by the court. When these claims are all adjudicated the total amount found in judgment against the Government will not exceed five millions of dollars, and it is not believed that they will reach even that sum. Now, sir, it may be urged that because these are old claims they are to be rejected by the Government.

It may be said that there are other claims which are just as much due to citizens of the United States as are these; but when we come to pay the claims of our citizens against the Government it seems to me but right and proper that the oldest should be paid first, and these are among the oldest claims against the Government. I do not propose to go into the law of the case, because that will be done by other gentlemen more familiar with the law and the facts even than I am. I represent a section of country largely interested in these claims, a section of country which believes that these claims are just and honest, and that they ought to be paid.

And now, in the closing hours of this session, representing those people, I ask the House of Representatives to do justice to those claimants, and agree to the Senate amendment. Therefore, Mr. Speaker, I move that the House recede from its disagreement and concur in the Senate amendments.

Mr. DINGLEY. Mr. Speaker, I yield five minutes to the gentleman from West Virginia [Mr. PENDLETON].

Mr. PENDLETON. Mr. Speaker, among the earliest matters with which I familiarized myself with regard to the history of the United States were the famous French spoliation claims. It seems to me that every one who has paid any attention to the transactions of our Government with foreign nations should be in favor of the payment of these claims.

It is well known that in the year 1778 the American people were embarked in a struggle for liberty against the gigantic power of Great Britain, and that at that time, in order to secure the assistance of the French Government upon our side of that contest, we entered into a treaty with France by which the Continental Congress of our country bound itself that if at any time France should be engaged in war with England, in consideration of the assistance of France to the American people in the struggle in which we were then engaged, we, with the whole power of the American Government and the American people, would aid France in defending her West India Colonies.

A few years after, when that treaty had been accomplished on the part of the French Government in the attainment of American independence, the great French Revolution broke out. The powerful British Navy swept the French fleet from the seas. France was weak indeed in those times on the seas. The British were making a prey of the French West India colonies and we were called upon by the French government to perform the obligation into which we had entered by the treaty of 1778. We failed to do so. We deserted our treaty obligations.

We permitted the power of Britain to spoil the French colonies, without raising a hand in the discharge of our obligations. The consequence was that the French Government permitted the French cruisers to prey upon American commerce on the high seas in a time of peace, and, after long disputes between our Government and the Government of France as to the liability with regard to these depredation claims, in the end of the century, in the year 1800, a treaty was entered into between the two Governments when Napoleon was consul by which the French Government agreed to release the Government of the United States from all treaty obligations to defend the French West India colonies under the treaty of 1778 if our Government would assume the claims of American merchants against the French Government on account of these spoliations upon American commerce on the high seas of the world.

That obligation we assumed, and we bought ourselves clear of France and her claim for assistance by assuming the payment of the claims of our own citizens against France; and now, after nearly one hundred years the claimants, or their sons and their grandsons, are still knocking at the doors of the American Congress asking payment, and, I am sorry to say, asking payment almost in vain until this hour. Mr. Speaker, these claims appeal to American manhood, to American honesty, to American integrity, to American regard for treaty obligations, to a justice that has been delayed for a hundred years, and I hope that this House, rising to the occasion, will vote that now, once for all, they shall be paid, as they justly ought to be paid. Then they will cease to be a stain upon the American name and a scandal in the history of our people.

[Here the hammer fell.]

Mr. DINGLEY. I yield five minutes to the gentleman from North Carolina [Mr. BUNN].

Mr. BUNN. Mr. Speaker, I do not propose to go into the history of the origin of these claims. Suffice it to say that a close examination of the history of this country for the last seventy years will disclose strong authorities upon either side. But let us see what position these claims occupied in 1885. In that year the Congress of the United States, recognizing that these claimants had a right to have a hearing for their claims against the Government, said to them by act of Congress, "You may go to the court which we have created, present your claims to that court, have them adjudicated there, and then bring them to Congress for action.

Under the act of 1885 claims to the amount of \$30,000,000 were filed. Since that time the Court of Claims has passed upon and adjudicated \$22,000,000 of these claims. Prior to the assembling of the Fifty-first Congress \$1,300,000 of these claims have been favorably found by the court. The Fifty-first Congress appropriated from the public Treasury the money to pay these claims to the amount of \$1,300,000, thus recognizing the act of 1885. The statute of limitations has long since operated in respect to the filing of these claims, so that no more of them can be brought before the court; but since the act to which I have referred additional claims to the amount of \$861,000 have been favorably found by that court.

This House to-night is called upon to pass in judgment upon this \$861,000. Are we to say that while claims of this description to the amount I have named were paid by the Fifty-first Congress, these claims standing upon the very same ground shall be repudiated?

Mr. MEREDITH. And they were passed upon by a court formed by the Government itself.

Mr. BUNN. Yes, a court formed for the purpose of considering claims against the Government alone.

A MEMBER. What is the amount of the claims which this bill proposes to pay?

Mr. BUNN. This bill proposes to pay claims to the amount of \$861,000. That is the amount found due by the Court of Claims since the \$1,300,000 was paid. There are but \$8,000,000 of these claims pending in the Court of Claims and yet unadjudicated. If the same ratio shall prevail, the aggregate amount of these claims yet to be found favorably by the court can not exceed \$900,000, which added to the \$1,300,000 paid by the Fifty-first Congress and the \$861,000 provided for in this bill would make a little over \$3,000,000 that these claims will amount to in the aggregate. Shall we pay them? Did we not hold out to the claimants the assurance that if they would prove their

claims in the Court of Claims we stood ready and willing to do them justice? Are we now about to repudiate that promise?

I call upon gentlemen not to question the condition of the Treasury. I have heard gentlemen say on this floor, "Well, I am in favor of paying these claims, but we have not the money." The question which presents itself to us to-night is, do we owe this money? Are we in honor bound to pay these claims? If so, as representatives of the people let us march up to the performance of this duty and vote that these claims shall be paid.

Mr. Speaker, I wish I had time to review the history of these claims. It seems to me that when we look back to the position in which we placed these men, when we recall the fact that we held out to them the assurance that we were going to pay their claims if they could establish them in the Court of Claims, when we sent them for this purpose to the court which we had organized, it becomes our duty to pay the claims which have thus been adjudicated, because we in effect said to these claimants, "If you can establish your claims and recover judgment in the court, we will pay that judgment."

[Here the hammer fell.]

Mr. DINGLEY. I reserve the residue of my time.

Mr. SAYERS. I yield ten minutes to the gentleman from Missouri [Mr. BLAND].

Mr. BLAND. Mr. Speaker, if it were true, as has been stated on this floor, that there was no war existing between this country and France at the time of the spoliations upon our commerce, and if it were also true that by the treaty with France we assumed or contracted to pay these claims, there might be some justice in them. But there is no truth in either proposition. It was decided that we were practically at war with France at the time in question—in actual war—this was decided both by the executive department of the Government and the judiciary, as well as by the fact that our own cruisers were destroying the commerce of France and their vessels were destroying ours.

So far as concerns the treaty spoken of, it is conclusively shown by the facts that these claims were never recognized by France in any manner whatever; and it was not a consideration with this Government in the making of a treaty that France should abandon a claim that she never recognized.

Mr. Speaker, these questions were before Congress over eighty years ago—nearly a century ago. The great statesmen of that period who had this country's honor as much at heart as we have to-night argued these questions. The greatest lawyers of that period, including among others Silas Wright, of New York, declared that this Government was not liable for these claims.

Mr. Speaker, I desire to have read an extract from a report of the Committee on Appropriations of this House made by the distinguished gentleman from Iowa [Mr. HENDERSON] in the Fifty-first Congress. I ask the Clerk to read what I have marked.

The Clerk read as follows:

Speech of Silas Wright, of New York, in the United States Senate, January 8, 1835, in opposition to claims allowance; that speech reviews the treaties between France and the United States, the acts of Congress declaring hostilities against France in 1798, and generally the relations between the two countries prior to the treaty of 1800. His argument consisted mainly of two points—first, that commercial war between the two countries existed between 1797 and 1800, and that the claims were strictly war claims and irrecoverable as legal demands; and, second, that the abandonment of negotiation in 1800 did no injury to the claimants, because France would never have paid the claims if negotiation for them had continued or been resumed, and that their abandonment was, under the circumstances, a necessary and rightful exercise of Government discretion and authority.

Both these grounds of argument are sustained by more recent investigation, the former supported by decisions of the Supreme Court and by other authority, and the latter, which followed the concluding suggestion of Mr. Clay's report, being, if possible, still more unquestionable. For it is not seriously contended, and can not be in any quarter, that France would have ever paid the claims if controversy on them had been continued or resumed. Mr. Wright's speech will be found in Benton's Thirty Years' View, volume 1, page 489.

Mr. BLAND. This is a report from the Appropriations Committee of this House, as I have stated, after a thorough investigation, and the gentleman who made the report adverse to the payment of these claims states clearly and concisely the reasons for it. They were referred to the Court of Claims, as we refer many other questions to be determined by that court, not finally, but to come back to the House after thorough investigation and adjudication. And it is very fortunate that such is the case in this instance, for on examination of this question by the committees of this House, and by the best authority in this country, it is shown, sir, that there never was any claim, so far as these claimants are concerned, against the Government of the United States at all.

The Government did undertake to make treaties with France, by which France was to pay certain of these claims, but that treaty was never made. The claims were for damages incurred, as incident to war, and not recoverable except where the Government itself, on the part of its citizens, entered into treaties, and on the part of its citizens seeks to collect them under the operation of a treaty. But such a treaty was never accomplished.

I want to have read now a little extract from the report of the Court of Claims in reference to this matter, quoted in a speech of Mr. Butterworth when he was a member in this House in a former Congress, showing the antiquity and staleness of these several claims.

The Clerk read as follows:

The youngest of these claims are now more than eighty-eight years old. The original claimants were merchants, shipowners, underwriters, partners in trade, joint-stock associations, and incorporated insurance companies. Only three of the original claimants have thus far appeared, and they, it is needless to say, are bodies corporate. The individuals who lost by French spoliations were generally men of mature years. Some transferred their claims; others became insolvent, and their assets passed to assignees in bankruptcy or became subject to the operation of divers State insolvent laws; some bequeathed their claims by will; some died intestate of them; all have long since passed away.

Those claims which passed to assignees in bankruptcy have not remained in the hands of living witnesses, for those assignees have died and their claims have passed to their administrators, who have, in many cases, likewise died, and such claims have again changed hands and passed to the administrators of the administrators. The partnerships were long ago dissolved, leaving the assets in the custody of the surviving partners, and they have long since died, leaving their administrators to represent both their own next of kin and the next of kin of the other partners.

The joint-stock associations have been wound up or merged in incorporated companies, leaving behind them obscure questions as to whether the claims passed to the new companies or reverted to the original shareholders, or vested in the survivor of them for the benefit of all. A majority of the incorporated companies have likewise ceased to exist, and their claims are in the hands of receivers either for the benefit of creditors or of stockholders. Then, again, many, if not all, of such creditors and stockholders have died or become insolvent, and their interests have passed into the hands of other administrators and assignees in bankruptcy.

Mr. BLAND. That is a quotation from the Court of Claims itself, as I have said, and it seems to me, Mr. Speaker, in view of the facts stated there that we are admonished in the consideration of the claims of the ingenuity of the claim agents in this country with regard to such matters. They are continually hunting up genealogies and the musty records, seeking somewhere to find a claim against the Government out of which they can collect the amount which will go into their own pockets.

Here is a claim, or a series of claims, almost as old as the country, nearly one hundred years old, that has been passed upon over and over again by those who lived in the time the claims originated. They were rejected time and again. It is true, I believe, that Congress has passed a bill providing for the payment of some of them on one or two occasions, but such bills were vetoed by the Executive.

All the great statesmen living in that time who were contemporary with the transactions involved, who understood the whole history of the case, and understood the position occupied by this country and its relations with France, who were acquainted with all of the equities on both sides, have pronounced against their validity. They determined that this Government was not bound to pay the claims, and it never did.

Are we now, sir, at this late date, with a bankrupt Treasury, with appropriations amounting to over \$500,000,000, to enter upon an investigation of this matter in the closing hours of Congress, as we have done heretofore, because, as far as I know, these claims have only been pressed upon an appropriation bill by the Senate, and in the very closing hours of Congress.

[Here the hammer fell.]

Mr. SAYERS. I yield now five minutes to the gentleman from Iowa [Mr. HENDERSON].

Mr. HENDERSON of Iowa. Mr. Speaker, if age entitles a claim to respect, these claims are entitled to our worship. We ought to take off our hats to them. They are ninety-five years of age to-night.

What are they based upon? On the theory that the French Government, when we were not at war with France, destroyed our merchant vessels and their property on board. On that question I state that the Supreme Court of the United States has again and again and again declared that we were in a state of war with France. That being so, the merchant upon the high seas had to take his chances, and could not claim damages. So much for that.

It is contended, however, and will be contended in this debate, that Mr. Jefferson, representing the Government, asked these merchants to file their claims with our Government. That I deny. That invitation of Jefferson's had reference to a French decree of 1793, having no reference to a single one of the claims now under consideration. France was like a stag at bay, attacked by the surrounding nations of Europe. She was where she must have supplies, and in 1793 she issued an unjust decree to take where she could get. It was that class of claims, entirely outside of these, that Jefferson invited the merchants to file, and none others.

What is the amount involved? They say \$5,000,000 at the most. The Committee on Appropriations in the last Congress gave this the most exhaustive examination that it ever had. Personally, as chairman of the subcommittee on deficiencies, I spent weeks reading French decrees, speeches made in the Senate and in the

House, letters bearing upon it, all the reports that have been made. I entered that investigation without bias, and reached the solid conclusion that the claims were wholly without foundation. In that opinion the Committee on Appropriations concurred.

In the first session of the Fifty-first Congress they were defeated by a large majority. In the second session I regret to say that over \$1,250,000 was appropriated for these claims, as I believe, wholly without foundation against this Government.

We predicted then that these claims would be ground out and ground out by the Court of Claims. We are now confronted in this bill with \$92,762.35 more. The careful investigation that we made showed that there were thirty millions of them pending before the Court of Claims. I believe that that amount has been greatly scaled down; but I believe that when the Court of Claims has ceased grinding on these ancient monuments, at least \$10,000,000 will come out of the pockets of the people, not one dollar of which is justly due.

Mr. DINGLEY. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. COGSWELL].

Mr. COGSWELL. Mr. Speaker, it is surprising to me that after ninety-five years the first truelight should have fallen upon my friend from Iowa [Mr. HENDERSON] as the chairman of a subcommittee in regard to these claims.

Mr. HENDERSON of Iowa. They have been vetoed twice by Presidents of the United States.

Mr. COGSWELL. I am coming to that. Over fifty committees, during these ninety-five years, have reported in favor of these claims, all in their favor with the exception of one or two; and yet, after the lapse of ninety-five years, it remains for my friend, the chairman of a subcommittee, to know all that is to be known about these claims. Over fifty committees of Congress have reported, from within three years after the occurrence of these events up to the present Congress.

Mr. MANSUR. Within two years after the occurrence of the events.

Mr. COGSWELL. Twice has Congress passed a bill to pay them, when they were not so old as to commend the reverence of my friend from Iowa [Mr. HENDERSON]. Once they were vetoed by the President upon the sole ground that the Treasury could not stand the expense.

Mr. ALLEN. Would that not be a good reason now?

Mr. COGSWELL. And yet upon that veto the Senate voted by more than a two-thirds vote to pass them over the veto.

Afterward a bill to pay them was vetoed by President Pierce, and this very House, by more than a two-thirds vote, declared in favor of passing the bill over the veto.

I suppose until the last dollar is paid we shall have this same old fright about the invalidity of these claims. Why, after they had met the opposition of the kind represented by my friend from Iowa [Mr. HENDERSON], the American Congress, in 1885, sent them all to the Court of Claims.

Mr. BUSHNELL. What for?

Mr. COGSWELL. For examination; and it ordered the Secretary of State to send to foreign ports, to send to France, to collect evidence. They authorized the Attorney-General to meet face to face every witness and cross-examine him; and when that had been done, and the court had found for these claimants, it was supposed this bitter and relentless war against these just claims was done.

• But no, sir; every session they are met with this talk. Why, if history can be depended upon in the least, these claims, amounting to \$22,000,000, were an offset against similar claims from France, and the treaty of 1800 was concluded with the distinct understanding that France would withdraw her claims, and that we would withdraw ours.

The SPEAKER *pro tempore*. The time of the gentlemen has expired.

Mr. SAYERS. I yield five minutes to the gentleman from Georgia [Mr. TURNER].

Mr. TURNER. Mr. Speaker, I had not intended to take any part in the renewal of the discussion of the French spoliation claims, but if the Speaker will secure order, I will endeavor to state very succinctly some reasons which occur to me for the defeat of these amendments which the Senate has again put upon the deficiency bill.

During the last session this same process was attempted. The deficiency bill came back to the House loaded down with these spoliation claims; and after a limited debate, I think on the closing night of the last session, the House, by a decided vote, refused to sanction the amendments which the Senate had put upon that bill. I would ask, sir, what has occurred within the last twelve months which could have changed the opinion of public men upon this familiar question?

My honorable friend from Massachusetts [Mr. COGSWELL], for whose judgment and fairness I have the very highest re-

spect, for the reason that I have enjoyed intimate relations with him, has amazed me to-night by the statement of the reasons which induce him to support the Senate amendments on this bill. He refers to the fact that there have been fifty reports of Congressional committees favoring the payment of these spoiliations.

I want to ask him if that foundation for a claim against the Government of the United States ought to weigh one jot against the consideration that when these claims were fresh, when the witnesses were all living, when Washington himself, the Father of his Country, was still living, in whose Administration they occurred, and when those who understood fully our relations to France and all the particulars of our public history at that time, refused to honor these claims when they had all the evidence and information at their hands?

Mr. HENDERSON of Iowa. And when the claimants were living.

Mr. TURNER. I want to state again, with due respect to my friend from Massachusetts [Mr. COGSWELL], that I rely on this nonaction, this refusal to act, on the part of those who had the responsibility of our Government during this interesting period of our history as far more pregnant as to the injustice of these claims than the summary of Congressional reports he has cited.

A reference has also been made in this debate to the judgment of the Court of Claims on this subject. I have always been taught, Mr. Speaker, to speak of the courts with the highest deference and respect; but I hope I violate none of the proprieties when I say that, after a careful, attentive examination of the judgments of the Court of Claims of this class of cases, the opinions of that Court do not command my respect.

An act of Congress called upon that Court to inform Congress by its judgment as to the existence of any international law or treaty right on which these claims rested for their foundation; and they came back with an argument which consisted chiefly of the opinions of men like Mr. Webster and Mr. Sumner, and these fifty odd Congressional reports on which my friend from Massachusetts relies. In other words, the Court of Claims, instead of deciding this question of public law for the information of Congress, decided these questions on information from Congress and on the opinions of Congressmen.

I advert now to the argument of my friend from West Virginia [Mr. PENDLETON]. That argument assumes that in the time of Washington, the friend and comrade of La Fayette, his ally in the great war of the Revolution, these claims originated during his administration—

Mr. PENDLETON. Mr. Speaker, will the gentleman allow me?

Mr. TURNER. I decline to yield in five minutes. The gentleman assumes that these spoiliations of the French cruisers on American commerce were just and natural reprisals on American commerce because the administration of Gen. Washington had done injustice to France in her treaty rights. I deny it, sir, and history does not sustain the claim.

The SPEAKER *pro tempore*. The time of the gentleman has expired.

Mr. SAYERS. I will yield five minutes more to the gentleman from Georgia.

Mr. TURNER. Mr. Speaker, Gen. Washington believed that he had observed every treaty, duty, and obligation which this country owed to France; and if gentlemen who are so ready to condemn the Father of his country and the careful and painstaking statesmen of that early epoch, when our sense of gratitude to France was the liveliest—if gentlemen will read with care that history, they will find the reasons which Washington himself gave against that contention.

And if gentlemen will even take the pains to read that famous collection known as the American State Papers, they will find that Timothy Pickering, Washington's own Secretary of State, gave to the world an argument which completely overwhelmed the pretensions for which the gentleman from West Virginia argues.

Mr. PENDLETON. As the gentleman has had his time extended, I would like to ask him a question.

Mr. TURNER. I would be very glad indeed to reply to the gentleman from West Virginia if I had the time on this occasion. I deny, Mr. Speaker, that this country ever repudiated any obligation it owed to France. I want to say to my friend from West Virginia, who seems so greatly interested in this subject, that the treaty to which he refers he misconstrues; and in the next place, that it was a treaty made with the crowned king of France, at the time when France, under a kingly government, was our ally and our friend; while these reprisals and depredations on American commerce occurred at a time when France was in a state of anarchy and revolution, and our people did not think they owed to those people engaged in that revolution and in that state of anarchy any obligations whatever, of any kind.

Now, Mr. Speaker, I wish to add one other proposition to the discussion of this subject. Without being able within this limited time to go over the vast field of these old claims, let me sum up the whole matter in this statement: that according to the experience of all lawyers, statutes of repose have always been indispensable to domestic peace and to the prosperity of a country. They are founded on the idea that good claims are obscured by the lapse of time, and that bad claims grow better and better, especially when they get nearly a hundred years old. [Laughter.] These claims were outlawed and dishonored in the period in which they had their birth, and they ought to have been buried in the same period.

Mr. Speaker, after a careful examination of these claims I am satisfied that there existed between this country and that revolutionary Government of France a state of public war. My friend from Iowa [Mr. HENDERSON] has referred to some decisions bearing upon that subject, and if I had the time I could adduce contemporary history clear as Holy Writ.

As I said on this floor twelve months ago, the reputation which the American Navy made during that struggle which gentlemen here say was not war, the reputation which our commanders in the Navy made in their conflicts with French men-of-war during that period, was glory scarcely surpassed by that of Paul Jones or any man during the heroic days of the Revolution, or those which followed during the war of 1812. It was war. The French sent our ships to the bottom, they murdered our seamen on the high seas, they carried our merchantmen into their ports and condemned and confiscated them.

Was not that war? I know not what that terrible state is if the history which we have of those affairs does not show that it was war. And war claims, as my friend from Iowa tersely demonstrated, are not such as either France should have made good to our people or the United States should have made good to them by any sort of substitution.

[Here the hammer fell.]

Mr. TURNER. I desire to add one word in reply to suggestion of the gentleman from Massachusetts.

Mr. PENDLETON of West Virginia. I object.

Mr. SAYERS. I yield the gentleman a minute more.

Mr. TURNER. I thank my friend from Texas. My good friend who sits in front of me [Mr. COGSWELL], and who, I know, has a heart that beats in strict unison with right and justice, has made an argument which I know has touched this House. I acquit him of anything like pettifogging in this business, because I know he is above all such considerations, but when he alludes to the veto of Mr. Pierce, that New England man who commands almost as much of my respect and reverence as any man who ever sat in the White House, and when he alludes also to the veto message of Mr. Polk, that other great man who commands so much of my confidence and respect, as both not predicated upon the merits of the case, I respectfully dissent from the opinion of my friend from Massachusetts.

Mr. DINGLEY. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. MANSUR].

Mr. MANSUR. Mr. Speaker, Gen. Washington died December 14, 1799. The treaty out of which these French spoiliations grew was consummated in July, 1800, nearly seven months after the death of Washington. Now, I desire to make this challenge to any member on the floor of the House: I challenge any member here to tell this House the name of one diplomat or statesman on either side of the water who was coeval with the time of these spoiliations and participated in the events of that time who ever said either of two things: One, that war existed; the other, that these claims on the part of America for spoiliations by the French were not released in consideration of the claim which France had against this Government.

I wait for a reply. No gentleman can meet the challenge. On the other hand, I can give the name of every man on either side of the water who participated in these transactions—Napoleon, all of his ministers, including Talleyrand and the three who negotiated the treaty; Genet, the French minister to this country; everyone on our side who participated in these transactions—Marshall, Adams, Madison, as well as Elbridge Gerry and the others who negotiated the treaty. Again I ask (for I think it is a controlling question), give me the name of one man on either side who said that war existed at that time, or that these claims were not released by our Government. Can you do it? It is a bold challenge. Can you do it, general? [addressing Mr. HENDERSON of Iowa].

Mr. HENDERSON of Iowa. Chief Justice Marshall said that war existed.

Mr. MANSUR. He never said it.

Mr. HENDERSON of Iowa. He did.

Mr. MANSUR. He did not say it. He said there was a limited war, as to two things, first between armed vessels, and limited as to place, namely, on the high seas.

Mr. HENDERSON of Iowa. He said there was war. You say a "limited war." But the Supreme Court of the United States, with Chief Justice Marshall presiding, one of the most eminent judicial authorities that this country has ever produced, said again and again that there was war.

Mr. MANSUR. He did not say there was war except in a limited way. He did say in *Bas vs. Tingy* that it remained for Congress alone to declare war.

Mr. Speaker, Mr. Madison was Secretary of State under Jefferson and in 1804 was negotiating with Spain for the payment by her for spoiliations committed under similar circumstances to those that France had committed upon us. What does he say in his instructions to Mr. Charles Pinkney, our minister to Spain? Here is his language. Listen to it. Speaking less than four years after the occurrence of these events he says:

We claim against her, not against France. In releasing France, therefore, we have not released her. The claims again from which France was released were admitted by France, and the release was for a valuable consideration. In a corresponding release of the United States from certain claims on them. The claims we make on Spain were never admitted by France, nor made on France by the United States; they made, therefore, no part of the bargain with her, and could not be included in the release.

President John Adams, writing under date of May 9, 1823, says:

To explain all the mysteries of that period never was and never will be in my power; it would require volumes to give a simple history of it. All that I can say of it is, there was war between St. Denis and St. George; each had an army in America constantly skirmishing with each other, and both of them constantly stabbing me with lances, pikes, and spears. My sole object was to preserve the peace and neutrality of the country; and that, I thank God, I obtained, at the loss of my power and fame with both sides.

Now, gentlemen, President Jefferson ought to know something about this matter. He ought to know whether war or peace existed at that time. In his inaugural message of March 4, 1801, only eight months after this treaty, he says:

It is a circumstance of sincere gratification to me that on meeting the great council of the nation I am able to announce to them, on the grounds of reasonable certainty, that the wars and troubles which have for so many years afflicted our sister nations have at length come to an end; and that the communications of peace and commerce are once more opening among them. While we devoutly return thanks to the beneficent Being who has been pleased to breathe into them the spirit of conciliation and forgiveness, we are bound, with peculiar gratitude, to be thankful to Him that our own peace has been preserved through so perilous a season and ourselves permitted quietly to cultivate the earth and to practice and improve those arts which tend to increase our comforts.

Mr. Speaker, with this statement, in view of the limited time at my command, I am about done. I repeat that gentlemen on this floor can not name a man on either side coeval with the times in which these claims originated who said either that war existed or that we did not release all these claims of our citizens in return for the release by France of her national claim upon us.

[Here the hammer fell.]

Mr. DINGLEY. I yield one minute to the gentleman from Massachusetts [Mr. COGSWELL].

Mr. COGSWELL. Mr. Speaker, in answer to the gentleman from Georgia [Mr. TURNER], I want to quote from a treaty made in 1783, between this country and Great Britain, when I suppose no one will deny that there was a war existing. In that treaty it distinctly states, as a preamble, that this is a declaration relative to a suspension of arms.

And whereas the articles are agreed upon, and there has been a stipulation of a cessation of hostilities.

That is the language you use in a case of war, not where peace prevails. But in this treaty with France in 1800 you can not find anything mentioned therein but a desire to "terminate the differences" that have existed between the two countries.

[Here the hammer fell.]

Mr. DINGLEY. I reserve the remainder of my time.

The SPEAKER. The gentleman has two minutes remaining.

Mr. SAYERS. I yield three minutes to the gentleman from Tennessee [Mr. McMILLIN].

Mr. McMILLIN. Mr. Speaker, I think that the contemporaneous action of those under whose administration these claims were first considered, should have something to do and some weight in settling and dealing with the question as to whether the claims are well or ill founded.

Now, sir, during the Administration of Thomas Jefferson we had money enough to pay for that great territory that is now represented in part by the gentleman who just addressed the House, my friend from Missouri [Mr. MANSUR]. We bought and paid for that territory at that time. Still these claims were not paid, notwithstanding that we had an abundance of money in the Treasury.

Later on there again arrived a period when there was a considerable surplus of money in the Treasury, and the question was what should be done with it. If we had owed a great debt to our own citizens, is it to be presumed that any means would have been devised to dispose of that money, except by paying off that indebtedness? And yet we see when it was concluded that the money could not be distributed to the States, the device was

brought into play of loaning the money to the States, and thereby getting it out of the Treasury. Why if this debt was due then, those under whom it was contracted knew that the money was being loaned away from the Government and to the States, instead of being used to be paid to the citizens of the States who claimed this indebtedness.

But, Mr. Speaker, that is not all. We see that two great Presidents, whose administrations occurred in the lifetime of some of the men who participated in these transactions, when all the facts were fresh in the minds of living men, vetoed the claims and refused to let Congress pay them. But still on after that, after our great civil war was ended, under the administration of that great man who departed from this capital four years ago, and who comes back hundreds of thousands strong to-morrow, Grover Cleveland (applause); under his administration there was again an accumulation of money in the Treasury, our bonds were not due and premiums had to be paid on them, and yet we bought more than one hundred millions of bonds, but still he, and those who governed the country under his administration, refused to pay these claims. Every Democratic House has refused them and in the last hours of a bankrupt Congress we are asked to pay them now. We ought not to do so.

The SPEAKER. The gentleman from Texas has one minute remaining.

Mr. SAYERS. I desire to reserve that minute; not for the purpose of addressing the House, however.

Mr. DINGLEY. I yield two minutes to the gentleman from Massachusetts [Mr. HOAR].

Mr. HOAR. Mr. Speaker, when the treaty of 1800 was made both our own country and France admitted that these claims were due. Both the Government of Napoleon and our own said that these claims were due, or else they would not have offset nothing against the absolutely admitted claims of France against the United States of America.

From that day to this the great men who have had charge of that treaty, over and over again said that these claims were due, and then our Government submitted the question of the individual claimants to a court of its own making, and they also agreed that these claims were due. And Congress has paid one-fifth of these claims already, because they were due.

Now, Mr. Speaker, and gentlemen of this House, when the contracting parties in the first instance said there were such claims due, when the United States Congress itself, upon investigation, through its committees, says that those claims were due, when your own court says those claims were due, it comes with pretty bad grace for people to day to sneer at the claims because they are ninety-five years old. I should rather hide my head with shame, as an American citizen, that we had not paid them long ago, than to try to deride them now on account of their antiquity, for their antiquity is not a thing for laughter, but a thing for the American people to be ashamed of.

Mr. SAYERS. Mr. Speaker, I move that the House insist upon its disagreement to the amendments.

Mr. O'NEIL of Massachusetts. I have made a motion to concur.

Mr. DINGLEY. The gentleman from Massachusetts [Mr. O'NEIL] has made a motion that the House concur. That will take precedence.

The SPEAKER. The Chair will state the question. The gentleman from Texas [Mr. SAYERS] moves that the House insist on its disagreement to the Senate amendments. The gentleman from Massachusetts [Mr. O'NEIL] moves that the House concur in the Senate amendments. The question will first be taken upon the motion of the gentleman from Massachusetts [Mr. O'NEIL].

Mr. SAYERS. I demand the previous question on the motion. The previous question was ordered.

The SPEAKER. The question will now be taken on the motion of the gentleman from Massachusetts [Mr. O'NEIL] to concur in the Senate amendments.

The question was taken; and the Speaker announced that the yeas seemed to have it.

Mr. DINGLEY. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 97, nays 136, not voting 96; as follows:

YEAS—97.

Andrew,	Catchings,	Daniell,	Grady,
Atkinson,	Clark, Wyo.	De Forest,	Greenleaf,
Belknap,	Clarke, Ala.	Dingley,	Groat,
Bergen,	Cockran,	Dunphy,	Harmer,
Bingham,	Cogswell,	Durbin,	Harter,
Boutelle,	Coolidge,	English,	Hayes, Iowa
Bowers,	Covert,	Enochs,	Hitt,
Branch,	Cox, N. Y.	Epes,	Hoar,
Bunn,	Crosby,	Fellows,	Hooker, Miss.
Cable,	Cummings,	Fitch,	Hooker, N. Y.
Cadmus,	Curtis,	Geissenhalmer,	Houk, Ohio
Campbell,	Dalzell,	Gorman,	Houk, Tenn.

Huff,	O'Neill, Pa.	Shell,	Tucker,
Johnson, Ind.	O'Neill, Mo.	Shonk,	Turpin,
Lapham,	Outhwaite,	Smith,	Walker,
Loud,	Page,	Sperry,	Warner,
Mansur,	Pendleton,	Stephenson,	Weadock,
McAleer,	Perkins,	Stevens,	Wever,
McKaig,	Randall,	Stone, C. W.	Wilcox,
McKinney,	Ray,	Storer,	Williams, N. C.
Mereditb,	Reed,	Stump,	Winn,
Meyer,	Reyburn,	Taylor, V. A.	Wise.
Caies,	Rusk,	Tillman,	
O'Ferrall,	Russell,	Townsend,	
O'Neil, Mass.	Scull,	Tracey,	

NAYS—136.

Abbott,	Cooper,	Jolley,	Owens,
Alderson,	Cowles,	Jones,	Patterson, Tenn.
Allen,	Cox, Tenn.	Kem,	Pattison, Ohio
Amerman,	Crawford,	Kilgore,	Payne,
Antony,	Davis,	Kribbs,	Paynter,
Arnold,	De Armond,	Kyle,	Pearson,
Babbitt,	Dickerson,	Lane,	Peel,
Bacon,	Dockery,	Lawson, Va.	Pickler,
Bakery,	Dolliver,	Lawson, Ga.	Pierce,
Barwig,	Dungan,	Layton,	Powers,
Beltzhoover,	Edmunds,	Lewis,	Relly,
Bland,	Elliott,	Lind,	Richardson,
Blount,	Ellis,	Little,	Rockwell,
Bretz,	Enloe,	Livingston,	Sayers,
Broderick,	Everett,	Lockwood,	Scott,
Brostus,	Fithian,	Long,	Seerley,
Brown, Md.	Forman,	Lynch,	Simpson,
Brunner,	Funston,	Magner,	Sipe,
Bryan,	Gantz,	Mallory,	Snodgrass,
Buchanan, Va.	Gillespie,	Martin,	Snow,
Burrows,	Hall,	McClellan,	Springer,
Busey,	Hallowell,	McCreary,	Stockdale,
Bushnell,	Halvorson,	McGann,	Stout,
Butler,	Hamilton,	McMillin,	Terry,
Bynum,	Hare,	McRae,	Turner,
Caminetti,	Harries,	Miller,	Van Horn,
Capehart,	Haugen,	Mitchell,	Watson,
Caruth,	Haynes, Ohio	Montgomery,	Wheeler, Mich.
Castle,	Henderson, Iowa	Moses,	Whiting,
Clancy,	Henderson, N. C.	Mutchler,	Wike,
Clover,	Holman,	Norton,	Williams, Ill.
Cobb, Ala.	Hopkins, Ill.	O'Donnell,	Wilson, Ky.
Cobb, Mo.	Johnson, N. Dak.	Ohliger,	Wilson, Mo.
Coombs,	Johnson, Ohio	Otis,	Youmans.

NOT VOTING—96.

Alexander,	Chipman,	Hull,	Robinson, Pa.
Bailey,	Coburn,	Johnstone, S. C.	Sanford,
Bankhead,	Compton,	Kendall,	Shively,
Bartine,	Craln,	Ketcham,	Sahnecker,
Beeman,	Culberson,	Lagan,	Steward, Ill.
Belden,	Cutting,	Lanham,	Stewart, Tex.
Bentley,	Dixon,	Lester, Va.	Stone, W. A.
Blanchard,	Doan,	Lodge,	Stone, Ky.
Boatner,	Donovan,	Lodge,	Sweet,
Bowman,	Flick,	McKeighan,	Tarsney,
Brawley,	Forney,	McLaurin,	Taylor, Ill.
Breckinridge, Ark.	Fowler,	Milliken,	Taylor, Tenn.
Breckinridge, Ky.	Fyan,	Moore,	Taylor, E. B.
Brickner,	Geary,	Morse,	Taylor, J. D.
Brookshire,	Goodnight,	Newberry,	Wadsworth,
Brown, Ind.	Griswold,	Parrett,	Washington,
Buchanan, N. J.	Hatch,	Patton,	Waugh,
Bullock,	Head,	Post,	Wheeler, Ala.
Bunting,	Hemphill,	Price,	White,
Byrns,	Henderson, Ill.	Quackenbush,	Williams, Mass.
Caldwell,	Herbert,	Raines,	Wilson, Wash.
Cate,	Hermann,	Rayner,	Wilson, W. Va.
Causey,	Hilborn,	Rife,	Wolverton,
Cheatham,	Hopkins, Pa.	Robertson, La.	Wright.

So the House refused to concur in the Senate amendments. The Clerk announced the following additional pairs.

For the rest of the day:

Mr. SHIVELY with Mr. MORSE.

Mr. MOORE with Mr. SWEET.

Mr. HEMPHILL with Mr. BANKHEAD.

On this question:

Mr. BENTLEY with Mr. HEARD.

Mr. HATCH with Mr. BRAWLEY, on the French spoliation claims; Mr. HATCH would vote "no," and Mr. BRAWLEY would vote "aye."

Mr. JOHNSTONE of South Carolina with Mr. NEWBERRY.

Mr. HATCH. Mr. Speaker, I am paired with the gentleman from North Carolina [Mr. BRAWLEY]. If he were present I should vote "no."

The result of the vote was then announced, as above recorded.

The SPEAKER. The motion to concur is not agreed to, which is equivalent to nonconcurrency.

Mr. SAYERS. I move that the House consent to the further conference asked by the Senate, and that a conference committee be appointed.

The motion was agreed to.

The SPEAKER announced as conferees on the part of the House, Mr. SAYERS, Mr. HOLMAN, and Mr. DINGLEY.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10415) making

appropriations for current and contingent expenses and fulfilling treaty stipulations with Indian tribes for fiscal year ending June 30, 1894.

It also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10238) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the following resolutions:

A concurrent resolution relative to printing eulogies delivered in Congress upon the Hon. John E. Kenna, late a Senator from the State of West Virginia.

Also, a concurrent resolution relative to printing a new edition of the special report of the Chief of the Bureau of Statistics of the Treasury Department, relating to wool and the manufacture of wool, etc.

Also, a concurrent resolution relative to printing copies of a comprehensive index of the publications of the Fifty-first and Fifty-second Congresses prepared by John G. Ames.

Also, a concurrent resolution relative to printing extra copies of the annual reports of the health officer of the District of Columbia.

It also announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring). That the Public Printer be, and he is hereby, directed to have printed and bound in muslin 5,200 copies of the testimony taken by the Senate Select Committee on Failed National Banks, together with the report of the committee, of which 800 copies shall be for the use of the House, 400 copies for the use of the Senate, and 4,000 copies to be distributed by the Comptroller of the Currency.

INDIAN APPROPRIATION BILL.

Mr. PEEL. I call up the report of the committee of conference on the Indian appropriation bill.

The Clerk read as follows:

A bill (H. R. 10415) making appropriations for current and contingent expenses, and fulfilling treaty stipulations with Indian tribes, for fiscal year ending June 30, 1894.

The SPEAKER. The Clerk will read the statement.

The statement of the House conferees was read, as follows:

Separate statement of the managers on the part of the House on H. R. 10415, making appropriation for the current and contingent expenses of the Indian service and for fulfilling treaty stipulations with the various Indian tribes.

Senate amendments numbered 1, 6, 7, 8, 10, 11, 12, 14, 16, 17, 18, 19, 21, 23, 24, 26, 27, 31, 33, 34, 35, 36, 39, 40, 41, 42, 53, 54, 55; all immaterial.

Amendment 2 restores the one inspector, and 3 and 4 the salary as heretofore.

Amendment 13 increases pay of superintendent of the schools over House bill from \$3,000 to \$3,500. The Senate recedes, leaving compensation at \$3,000.

Amendment 5 reimburses Pawnee Tribe of Indians the appraised value of 160 acres of land taken for school purposes in Nebraska, \$960.

Amendment 15, Senate recedes.

Amendment 22 provides for the arrears of annuities of the soldiers and scouts of the Sisseton and Wapakoota Indians from 1889 to 1890, \$90,600.

Amendment 30 appropriates \$64,000 for irrigation on Navajo Reservation in Arizona. House conferees recede, with an amendment reducing the item to \$40,000.

Amendment 37, Senate recedes.

Amendment 38, Senate recedes.

Amendment 46, appropriates \$5,000, reimbursable, to finish allotments of Umatilla Reservation in Oregon.

Amendment 47, Senate recedes.

Amendment 48, appropriates \$15,000, to enable Secretary of Interior to negotiate with various tribes for reservations.

Amendment 50: Appropriates \$190,000 to pay damages to settlers on Crow Creek and Winnebago Reservation who made such improvements on said reservation under authority of Executive order of President Arthur and then removed by Executive order of President Cleveland.

Amendment 52: Senate recedes.

Amendment 53: Increases House bill \$10,000 for artesian wells at Standing Rock, Pine Ridge, and Rosebud Agencies, in South Dakota.

Amendment 58: Senate recedes.

Several amendments leave school appropriation on pages 64 and 65 at \$1,176,000, about the law of last year.

Amendment 92 (Cherokee Outlet) changed so that the lands will not be opened until the Cherokee Nation accept the modification provided for in the bill. The Senate amendment appropriates the entire purchase price, being \$8,595,000, to be paid as follows: The 595,000 to be paid when the Cherokee Nation accepts and ratifies the modification made to the original contract, the remainder to be paid in five equal annual installments, the first to be paid on the 4th of March, 1894. All deferred payments to bear 4 per cent interest. The lands to be opened to settlement by proclamation of the President after the acceptance of the modifications by the Cherokee Nation under the homestead laws of the United States, except that the settlers, in addition to the usual land office fees, are to pay for the eastern third, \$2.50 per acre; \$1.50 per acre for the middle third, and \$1 for the remainder, with 4 per cent interest on deferred payments.

Your conferees, having stated all the material changes in the House bill, ask that the conference report be adopted.

S. W. PEEL,
JNO. L. WILSON,
Managers on part of the House.

Mr. PEEL. Mr. Speaker, if the House will give me its attention, I will explain briefly the effect of the Senate amendments on the Indian appropriation bill. The bill proper, that carries the usual appropriation for current and contingent expenses of

the Indian service and for fulfilling treaty stipulations with the various Indian tribes, will aggregate some \$250,000 less than the same bill of the last session of Congress.

The Senate amendments that are material consist in amendment numbered 92, which ratifies the contract with the Cherokee Nation for what is known as the Cherokee Outlet. That contract was made by a commission appointed by the President of the United States, which was consummated over twelve months ago.

The contract has been on foot for three or four years, purchasing over 6,000,000 acres of most excellent land, for which these Indians have been offered \$30,000,000. The contract stipulates that the Government shall pay them \$8,595,000 for 6,000,000 acres. The contract further stipulated that unless we accept it and ratify that agreement before the 4th of March, 1893, the contract should be absolutely void and of no effect. The House of Representatives over a month ago passed a bill ratifying the contract, but deferred the appropriation, and agreed to pay it with in six years, paying 5 per cent interest semiannually on this amount until the six years shall expire.

The Senate passed a bill, or amended our House bill, by appropriating the entire amount of \$8,595,000, to be available immediately after the confirmation of the contract as made with the Indians. The amendment that the conferees have agreed upon appropriates the money, but only pays the \$595,000, when they accept the modifications that we make in the contract, all of which is to be referred to them for their acceptance. The remaining sum of \$8,000,000 is divided by the Senate amendment into five annual equal installments, the first installment to be due on the 4th of March, 1894.

I will state that the pith and essence of the difference between what we have already done and what we have agreed to do now is this, that the bill we passed through this House, agreed to the appropriation, but deferred the appropriation for six years, agreeing to pay 5 per cent interest, while this amendment appropriates the money, but only pays out \$595,000. The interest on the amount agreed to be paid by the House would be \$400,000 a year. The Senate amendment as now before the House changes that to this extent.

They appropriate the money, but provide that only \$595,000 shall be paid and made available immediately to the Cherokee Nation when they accept, by the act of their National Council, the modifications we have made in their contract. The other \$8,000,000, the balance of the purchase price, is to be paid in five equal annual installments, the first installment to be paid on the 4th of March, 1894, and instead of bearing 5 per cent interest only 4 per cent interest, and the change in the rate of interest per annum as the House passed it is a change from \$400,000 to \$320,000.

Mr. KILGORE. Will the gentleman allow me a moment?

Mr. PEEL. Certainly.

Mr. KILGORE. Do I understand the gentleman to say that the proposition submitted to the House to pay for this strip in installments has been changed by the Senate and they now propose to pay for it in full.

Mr. PEEL. My friend misunderstood me. The bill as it passed the House obligated the Government to appropriate the money within six years and in the meantime to pay 5 per cent semiannually on the amount.

Mr. KILGORE. I understand that.

Mr. PEEL. Now, the Senate modifies that by appropriating the money to be paid, but \$595,000 to be paid when the Cherokee Nation accepts the modification we make in the contract, the \$8,000,000 to be paid in five equal installments, the first installment to be paid on the 4th of March, 1894, the deferred payments to bear only 4 per cent interest, instead of 5 per cent, as the House bill provided.

Mr. KILGORE. Is that particularly objectionable?

Mr. PEEL. I do not think it is; but that is the difference, and I felt that I owed it to the House to explain the difference between the two Houses, between what the House has already agreed to and what this conference agrees to do.

Mr. KILGORE. Is that the only difference?

Mr. PEEL. That is the only difference in regard to the appropriation.

Mr. KILGORE. Now, were there any other propositions?

Mr. PEEL. I will come to them.

Mr. KILGORE. If the gentlemen around us would not talk so much about their private affairs we could know what is going on.

Mr. PEEL. We ratified the contract in its entirety as made by the Cherokee Nation, except the deferment of the appropriation. The Senate has changed the method of payments as I have stated, and has modified that clause which relates to the intruders in their own country, not the intruders upon the Outlet, but the intruders who live in the country where they reside.

The contract required the Government, upon the demand of

the principal chief, to remove these intruders. The Senate amendment says, "We will only agree to remove these intruders when you, the Cherokee Nation, pay them for their improvements"—that is to say, all of the intruders that went into the country and made improvements prior to the 11th of August, 1886—

Mr. KILGORE. Now, will the gentleman allow a question?

Mr. PEEL. Yes, sir.

Mr. KILGORE. As I understand, the proposition is to charge those intruders for the use and occupation of the land?

Mr. PEEL. The Senate amendment qualifies that so as to provide that the appraisers who are to be appointed to appraise these improvements must take into consideration reasonable rent and profits for the use and occupancy of the land during the time the intruders have had possession of it. That is set off against the value of the improvements, and the entire expenditures for the intruders is not to exceed \$250,000.

These, Mr. Speaker, are the points of difference between the bill as it passed the House and the Senate amendment as to the contract with the Cherokees for this immense tract of country.

Mr. WILSON of Washington. Will the gentleman permit me to ask him a question to bring out the facts?

Mr. PEEL. Certainly.

Mr. WILSON of Washington. We appropriate now in actual cash, to be immediately available, a little over \$500,000.

Mr. PEEL. That is right.

Mr. WILSON of Washington. If this amendment be not adopted will it not, in your judgment, cost more to send the Army there to keep out the settlers than the amount of money we appropriate here?

Mr. PEEL. I am satisfied, Mr. Speaker, that it will cost far more. If this contract is not ratified, if it becomes void on the 4th of March, which is to-morrow, as it will unless ratified by Congress, that immense army of home-seekers who have been watching that country for years with great interest, anxious to make homes there for themselves and their families, will flow over that region, and the Government, under the treaty with the Cherokees, will be compelled to use the Army to eject them and to prevent such invasion; and that, in my humble opinion, will cost us far more than the amount that we appropriate now to be immediately available.

Mr. FITCH. Does the gentleman know whether anyone has an interest, as attorney for these Indians, in this contract? I ask the gentleman that question, because I read in the papers that certain attorneys in connection with this matter are entitled to a fee of \$600,000.

Mr. PEEL. I will inform my friend that that is grand news to me; I never heard of it before.

Mr. FITCH. Is it not true in regard to the Choctaw contract?

Mr. PEEL. Not that I know of. The Choctaw contract was made with the agents of the Choctaw Nation.

Mr. FITCH. Are there not attorneys who are interested in a speculative fee in this contract?

Mr. PEEL. Not to the amount of one solitary cent to my knowledge—not one cent.

Mr. FITCH. And your knowledge is complete?

Mr. PEEL. I live within 25 miles of the Cherokee lands and know those people as well as I know the people of my own country.

Mr. WASHINGTON. Was not this agreement negotiated by a commission appointed by the President?

Mr. PEEL. It was.

Mr. WASHINGTON. And this is the result of a treaty negotiated by a commission appointed by the President, and it is now submitted to us for ratification?

Mr. PEEL. That is correct.

Mr. FITCH. That may be true; but is it not true also, as stated in the public press, that in connection with another contract, which was passed in this same way at the end of a session of Congress, certain attorneys in the city of Washington are entitled to and will receive a fee of \$600,000 in money?

Mr. PEEL. I can say to my friend from New York that if there is a single solitary red cent of that kind in connection with this matter I do not know it. Not one copper, as far as my knowledge goes, is paid or agreed to be paid, directly or indirectly, to a living human being upon earth in connection with this contract.

Mr. FITCH. But is it not true as to the Choctaw contract?

Mr. PEEL. Now, Mr. Speaker, I have not time to discuss all the matters connected with all the various Indians in this country in connection with this conference report.

Mr. MANSUR. Let me answer that. Give me two minutes.

Mr. PEEL. Wait till I get through.

Mr. WASHINGTON. In regard to this Cherokee Outlet, what change has been made by the conference report as to opening the land for settlement after the ratification of the treaty.

Mr. PEEL. I will state to my friend from Tennessee that in the House bill there was no provision made except for opening the lands by proclamation of the President after thirty days' notice. The Senate amendment provides that the President shall open those lands by proclamation issued (giving at least twenty days' notice) within six months after the Cherokee Nation accepts and ratifies these modifications of the contract.

Mr. WASHINGTON. Six months?

Mr. PEEL. Yes, sir. This contract as modified has to go back to the Cherokee Nation, and if they ratify it, then, under this law, the President is bound within six months thereafter to open these lands by proclamation for settlement under the homestead law.

Mr. WILSON of Washington. Will the gentleman permit another question?

Mr. PEEL. Certainly.

Mr. WILSON of Washington. I find that east of a certain meridian we pay \$2.50 per acre, and that farther west we pay \$1.50 per acre. We sell some of the lands for \$2.25, farther west for \$1.50, and farther west for \$1.

Mr. PEEL. That is correct.

Mr. WILSON of Washington. I have been and am now opposed to the Government parting with any of its lands for less than \$1.25. What is the reason that these lands farther west are to be sold for \$1 per acre?

Mr. Speaker, the bill as passed by the House contained a provision which is retained in this Senate amendment requiring the settler who may take these lands under the homestead law to pay in addition to the local land office fees, for lands in all that portion of this country constituting the eastern third, \$2.50 an acre and 4 per cent interest, the same that we pay to this Indian nation on these deferred payments. For land in the middle third the settler pays in addition to the land office fees, \$1.50 an acre; in the western third, in addition to the land office fees, \$1 an acre. The reason of the difference is that the eastern third is a great deal more valuable for agricultural purposes than the western third. We have endeavored to regulate these prices in proportion to the difference in the value of the land.

Mr. WILSON of Washington. What I was seeking to bring out is this: In the western country where I live, you charge the settler \$2.50 per acre for lands within railroad grants, within the 40-mile limit, and outside of those limits you require him to pay for any kind of land—scab land, wild land, land of any kind—\$1.25 an acre, and you require him also to reside on it. Now, I submit that it is unfair and unjust to give the settler in one portion of the country an advantage over the settler in another portion; in other words, "what is sauce for the goose should be sauce for the gander."

Mr. PEEL. Mr. Speaker, according to the policy adopted by Congress and the policy of the Committee on Indian Affairs in dealing with these matters, when we buy from an Indian tribe their surplus land for which they have no particular use we agree to give them a stipulated price per acre for the land which they cede; and then in order to open these lands to our citizens we charge the settler just enough to reimburse the Government, the idea being to transfer the surplus land of the Indian to the possession of the homestead settler at the same price that the Government pays the Indian for it. Thus when the transaction is complete the Government has not lost any money; the Indian has received compensation for his land, and the price which the Indian receives the settler pays.

Mr. BLAND. Is there not a great deal of public land that can not be sold for \$1.25 an acre?

Mr. PEEL. That may be true. Allow me to state that if the land now under discussion should be sold at the price fixed in this bill it will bring to the Treasury of the United States \$10,000,000 for that which will have cost the Government only eight and a half millions. Probably some of this land will not sell for the price fixed; but the committee believe, and it is the belief of the Interior Department and of all who have investigated the subject, that the price we fix will reimburse the Government; and that is the object we seek.

Mr. WASHINGTON. Will the gentleman explain to the House what provision there is in the conference report in regard to dividing this Cherokee Outlet into counties, and the setting apart of sufficient land in these new counties for county seats? By what machinery do you propose to establish counties, and in what order are they to be laid off?

Mr. PEEL. I am very sorry indeed that I can not say to the House that we have retained the provision reported in the House bill providing for locating county seats and selling the land to the highest bidder. But this amendment requires the Secretary of the Interior to cause counties to be laid off and certain locations to be retained as county seats.

Mr. WASHINGTON. Does it say anything about the sale of the lands thus reserved for county seats?

Mr. PEEL. Nothing at all.

Mr. Speaker, I now yield five minutes to the gentleman from Missouri [Mr. MANSUR].

Mr. MANSUR. Mr. Speaker, this question is not a new one with myself. In the Fiftieth Congress the Committee on Territories inaugurated the policy of opening all these lands to settlement. This is the burning question of the hour in all the Southwestern region. The eyes of the home-seekers of the nation have been turned to these lands with a longing restlessness that no other body of land has excited within the last thirty years.

Now we recognize the condition of the title; and the Committee on Territories, before this matter passed into the jurisdiction of the Committee on Indian Affairs, secured the passage through the House of a bill providing a commission to treat with these Indians and to offer them \$1.25 an acre for their lands, which would be \$7,800,000. And if they accepted that proposition they were to have the money at once appropriated out of the Treasury, and we were to take immediate possession of the land.

It took twenty-nine months to perfect the agreement. They exacted some other things, and failing to comply with our offer, which if accepted would have ended the whole matter, they put in the other propositions which they thought were important and for their interest and raised the price or limit from \$7,800,000, which was the amount fixed upon by us in our offer to them, and which they could have got in cash down, under the law of 1889, instead of which under this arrangement they get \$8,600,000 in round figures.

Now, Mr. Speaker, before this bill was reported to the House from the Committee on Indian Affairs, or even before it was even introduced in the House, I myself had introduced two bills, and had them reported from the Committee on Territories, looking to the possession of this same land; so that I think I can respond to the question of the distinguished gentleman from New York [Mr. FITCH], by saying that there could not be any room for the \$600,000 steal which he has suggested, because the difference between the price which we offered them in cash for the land and the price at which it was agreed by this Commission should be paid to them is not sufficient to justify the expenditure of such an amount as that.

Mr. FITCH. Will my friend also say, as the distinguished chairman of the committee has said, that these people are not represented by attorneys who have a speculative interest in the amount to be paid them?

Mr. MANSUR. I do honestly believe it; and I think if any man is able to judge of this matter I may say that I am; because I have thousands of letters from that part of the country, and no such suggestion has been made in any shape. I do not think that there is room for a dollar of steal in connection with the whole matter. We treated with them as a nation direct—one nation dealing with another.

Mr. FITCH. Does not the gentleman from Missouri know, in regard to the contract with the Choctaw Indians, that many hundred thousands of dollars was to be paid to a speculative lobby who got the contract through?

Mr. MANSUR. Two years ago I stood on this floor to put a stop to what I believed to be the biggest legislative steal that ever went through Congress—

Mr. FITCH. But did not succeed.

Mr. MANSUR. We did all we could.

Mr. WILSON of Washington. But the President refused to pay it.

Mr. FITCH. And I hope the next President will refuse to pay this.

Mr. MANSUR. That other has not yet been paid.

Mr. HOLMAN. No; it has not been paid yet.

Mr. MANSUR. We tried to stop it on the floor of the House; but I do not think, I will state to the gentleman, that there is room for the stealing of a single dollar here.

We are treating, I repeat, with the Cherokee Nation as a nation. There have been concessions; but our first proposition was to give them \$1.25 cash, all down—as shown by the law on the statute books—for 6,022,000 acres of land in round numbers, approximating the sum of \$7,800,000. So that in the arrangement made under the present treaty by which this land is to be ceded in view of this contract, there is no room for such an amount as \$600,000 to lobby with.

More than that, Mr. Speaker, we are treating with them, as I have said, as one nation treats with another and by a commission raised by ourselves and paid by ourselves.

[Here the hammer fell.]

Mr. KILGORE. I wish to make an inquiry of the gentleman from Arkansas.

The SPEAKER. Does the gentleman yield?

Mr. PEEL. Not now. I yield five minutes to my friend from Tennessee [Mr. WASHINGTON] first.

Mr. WASHINGTON. Mr. Speaker, this is a matter of very grave importance not only to this House but to the entire country. It is a question of the ratification of a solemn treaty, made by the commissioners of the United States with the Cherokee Indians, looking to the quieting of the title of the Indians to what is known as the Cherokee Outlet. The treaty which was made by the commissioners is in itself good and correct.

But, Mr. Speaker, I must most earnestly protest, at this late hour of this session, against having that treaty ratified in a conference committee where we do not know what the ratification means. [Applause.] And I hope this House will vote down the conference report, and insist on the bill which was framed by the Committee on Indian Affairs, which the Committee on Territories attempted to get possession of in the beginning of this Congress, and which this House passed in a modified form, and let us legislate with the Indians in the bright, open light of day and not in the darkened recess of a conference committee room. Because all manner of jobs can come in in this questionable shape, not only in the matter of paying for this land, but in the laying off of the counties, in the establishment of the county seats, in the location of town sites in that country, and sharks and thieves can make money at your expense, to the amount of millions of dollars.

Now I have the highest respect for my friends on the Indian Committee, and I say here for them that they have striven to have the wishes of this House carried out; but they have been overridden by gentlemen at the other end of the Capitol. And this House should rise up here to-night, at this late hour, and vote down this item in the bill, and let this treaty, if necessary, go over to the next Congress, in order that it may be settled in a separate bill, with a clear understanding by everybody of what it contains.

We upon the Committee on Territories tried to get possession of this bill at the beginning of this Congress, in order that we might legislate for this new Territory as has been done with all the other Territories of the Government. It was decided by the House that the bill should go to the Committee on Indian Affairs, in order that they might consider the questions involved, in the way of Indian treaties and Indian rights.

Now, they have gone beyond that and are attempting legislation which we ought not to sanction unless it is set before us in unmistakable terms. Who knows what is in that report? It is not here in the shape of a bill. It is here in the shape of a verbal statement. We had a bill, and a good bill, but it has not been passed by the Senate.

I hope the House will vote down this clause in the conference report and remand this question to the next Congress.

Mr. PEEL. Mr. Speaker, I must confess my surprise at my friend from Tennessee [Mr. WASHINGTON]. If members of the House will now give me their cool attention, there will be no occasion for any misunderstanding about this matter. I want to inform my friend that we have not been overreached by the Senate either.

We passed this bill in this House after free, fair, and open debate. It was reported nearly twelve months before it came up for consideration. It was to ratify this agreement with the Cherokee Nation, exactly as agreed upon by the commissioners appointed by the President for the purpose of negotiating the treaty. The treaty was published all over the country, signed officially by the United States commissioners, accepted and ratified by the Cherokee Nation in open council, and published to the world.

When this bill came up in this session of Congress, the only change that was made in the contract was at the instance of the gentleman from Indiana [Mr. HOLMAN], which change simply deferred the payment. Instead of appropriating the money as the contract required, his amendment deferred the appropriation for six years. In the meantime the House bound the Government to pay 5 per cent interest, payable semiannually, upon the purchase price. The contract was ratified, after discussion for hours and hours upon this floor.

Now, what is the change? The Senate amended the House bill and appropriated the money according to the contract. They had a constitutional right to do so. That bill then came back amended by the Senate, after full, free, and open debate in the Senate Chamber. Nobody's eyes were closed; there was no jugglery behind the curtain. The House bill was simply amended so that instead of obligating ourselves to appropriate the money some time in the next six years, and in the meantime to pay 5 per cent interest semiannually on that amount, to appropriate it outright according to the terms of the bargain.

We came back to this House and I sought at every opportunity in my power, under the rules of this House, to nonconcur in that Senate amendment and agree to the conference they had asked in order that we might adjust the differences strictly under the rules of this House.

I told this House in my remarks in the presentation of the Indian appropriation bill the importance of ratifying this contract, that it was unlike any other contract we had ever made. Other contracts we have made with the various Indian tribes have no stipulated time in which they are to be ratified by Congress.

The other contracts will keep. This will not keep. And when you talk about swindling the Cherokee Nation you had just as well talk about swindling Wall street in New York. It is nonsense to men who know them.

There are members of the Cherokee senate and the Cherokee Legislature, and governors and attorney-generals of that nation who would make honored and respected members upon this floor. They have a government in perfect form, and have had for fifty years. They own that country by patent in fee from the Government of the United States. It is their property. They ceded it to the Government in order that we might put other friendly Indians upon it, and we changed our policy and refused to use it for that purpose.

Under that treaty of 1866 they reserved the right to control possession of it, and to exercise their jurisdiction until we complied with the treaty of 1866. When we declined to use it for that purpose, they leased it to cattlemen for \$200,000 a year. When the Government went out to try to buy it, for the purpose of putting white men upon it, they told them, "Give us the worth of it and you can have it." They had been offered \$30,000,000 for this country. It is not a little patch, but is almost as large as a State.

It is over 6,000,000 acres of land, standing uninhabited by a living soul; and in order to put them in a condition that we might make a contract with them, we refused to allow them to lease it further and deprived them of this \$200,000.

Mr. FITCH. The gentleman has all the time. Now, I would like to ask him a question, in order to enable us to reach a conclusion as to the merit of this proposition.

Mr. PEEL. Certainly.

Mr. FITCH. I would like to know whether the gentleman really means that we are to get for \$8,000,000 property that other people have offered them \$30,000,000 for?

Mr. PEEL. I have stated here why that was, but the gentleman does not understand it.

Mr. MCMILLIN. If that be true, that we refused to let them sell it to anybody, or even to get a rental from it, and thereby force them to take less than the land is worth from us, would it not be disgraceful, or at least be a discreditable proceeding?

Mr. FITCH. I agree with that remark of the gentleman from Tennessee.

Mr. PEEL. It may be disgraceful to the Government of the United States, but it is not a disgrace to the Cherokee Nation.

Mr. FITCH. Will the gentleman yield five minutes to the other side?

Mr. PEEL. I will explain, Mr. Speaker, to the gentleman's perfect satisfaction the reasons why the Cherokee Nation could not sell this country for \$30,000,000. If the gentleman will examine the treaties with Indian tribes, he will find that they are not allowed to sell their land to any one but the Government. They can not sell it to individuals. They can only keep it and use it under their treaty stipulations and their patents or relinquish it to the Government.

Mr. MANSUR. The gentleman might say that the decision of two courts was that they have no patent to it.

Mr. PEEL. I want to say, Mr. Speaker, that that is the true status; that is the reason why they did not take \$30,000,000. They would jump at the opportunity if this Government would allow them to parcel it out and sell it as they please. They would be mighty glad to get that privilege. They would make more than \$8,000,000 out of it. They would make more than \$10,000,000; but under the status that now exists, they can not do that. They must relinquish it or sell it to the Government.

Mr. FITCH. Will the gentleman give us the five minutes that I have asked?

Mr. PEEL. Certainly; all the time the gentleman desires.

There is nothing covered up here. Let it be understood that no man who understands the importance of the matter and appreciates the situation will hesitate to vote for the adoption of this report. Now, Mr. Speaker, the situation was, that after the Secretary of the Interior notified them they could not lease it further, the revenue they got was cut off, and they have never received one dollar for grazing purposes for that land from that day to this.

The Commissioners who were appointed under act of Congress about four years ago are three gentlemen who stand above reproach or suspicion. One of them, the chairman, is ex-Governor Jerome, of Michigan. Gentlemen from Michigan know him very well. Another gentleman on that Commission is Judge Sayres, of Indiana, who is known to every member on this floor; and Albert M. Wilson, of Arkansas, as true and honest a man as can be

met. This Commission, clothed with the authority of the Government, negotiated in open day and bright sunshine with a commission appointed by the nation under the act of their national council.

After a free and open conference, and after months and months of interchange of opinions and propositions pro and con, they reached the contract that they have referred to us to ratify. That contract will relinquish all their right, title, and claim to this large amount of country for this \$8,595,000. Then, Mr. Speaker, it came here with the recognition of the President of the United States, and the Secretary of the Interior recommended its ratification. It has the official stamp of this Government on it from the very beginning to the end.

When the matter came up I reported a bill in the last session of this Congress ratifying this contract in its entirety. The contract itself stipulated that unless it be ratified by the 4th day of March, 1893, in its entirety it should be absolutely void. I reported a bill that I had drafted myself, ratifying the contract to pay them the money for that land, and let it be open to home-steaders of this country.

Mr. Speaker, when it came up for consideration in the short session, gentlemen believed that our Treasury was not in a condition to bear the outlay, and offered an amendment to modify the contract to some extent, providing that we would not pay the contract price at that time, but would agree to pay it within six years, and during that period would pay interest at the rate of — per cent semiannually. That is what this House did after full, free, and open debate.

The Senate of the United States, after a report from the Committee on Indian Affairs of the Senate, with that grand old man of Massachusetts [Mr. DAWES] at its head, recommended that we appropriate the money according to the contract and pay for the land as we had bargained. When that bill came back to this House with the Senate amendment I made every effort in my power to get a chance to move to nonconcur in the amendment and agree to a conference, in order that we might go on with the business in the regular way, but that was not done. The Senate of the United States was aroused to the importance of this contract.

The Senators knew what they were doing. The Senate Committee on Indian Affairs, counting among its members Senator DAWES, of Massachusetts, who has served this Government for years and years without reproach or suspicion; Mr. WILLIAM L. VILAS, ex-Secretary of the Interior; Mr. JOHN W. DANIEL, of Virginia; Mr. JOHN T. MORGAN, of Alabama; Mr. J. K. JONES, of Arkansas; and Mr. PLATT, of Connecticut, after they had considered this matter in their committee room, reported back our bill with an amendment to appropriate the money and confirm the treaty. But, finding that unless it could be put upon the Indian appropriation bill it was bound to fall at this session, finding that we could not get a chance to reach the original proposition, as the House had failed to nonconcur on the Senate amendment to our bill and go into conference, they put this matter upon the Indian appropriation bill.

It was no fault of mine. Every member on this floor knows that I used every means in my power to secure a nonconurrence in the Senate amendment and a conference on the House bill. I do not want to do these things on appropriation bills. I did not put this contract on this bill. I wanted to nonconcur in the Senate amendment to the House bill and go into conference, and let this question come up on the regular bill that we had reported and acted upon; but the Senate of the United States, finding that that bill could not be reached in the regular way, knowing the situation of these lands and knowing that hundreds of thousands of home-seekers had left their all and gone there intending to make homes, in the expectation that Congress would live up to its bargain and ratify this contract, and knowing also, as they do, that unless this is done before the 4th of March those settlers will break over into that country, and the Government will have to use the military to put them out, reported this amendment on the Indian appropriation bill with the changes I have explained to the House, and that is all there is of it.

Why, gentlemen, you need not be so astonished. In the closing session of the last Congress, the Republicans being in charge of this House, by unanimous consent five or six contracts with various tribes of Indians were put on the Indian appropriation bill, and we ratified each one of them, contracts that carried \$9,000,000 absolutely appropriated, and opened 19,000,000 acres of land to settlement; and no scandal ever arose from that transaction. Then why talk about a "nigger in the woodpile" in this case, when the Senate of the United States has taken this action in view of facts which you gentlemen who live in the East have had no opportunity to investigate and do not understand?

Mr. MANSUR. The gentleman from New York [Mr. FITCH] does not believe now that there is one in this proposition.

Mr. PEEL. I do not think he does, if he knows and under-

stands the facts. Mr. Speaker, I want to say here in my place—for this is the last bill that I expect to handle here—that my hair has grown too gray for me to be willing to leave this House with anything like even a suspicion upon my record.

I live within 25 miles of the Cherokee line; I know the Cherokee government; I know the people who negotiated this contract on the part of the Cherokees; I know the people who negotiated the contract on the part of the Government; I know this contract, and I swear before God that if there is a dollar, or a cent, or a quarter of a cent to go to anybody but directly to the Cherokee Nation, clean and square, according to the contract, and the lands to be opened to settlement under the homestead laws and payment to be made for those lands by the settlers to the United States, I do not know it, and I do not believe a word of it.

Now, Mr. Speaker, I have stated to this House the naked facts. The question is, shall we accept this report and have the Indian appropriation bill go into effect and open this country to settlement by simply paying these Indians the comparatively small sum of \$595,000 when they accept these modifications and the \$8,000,000 in five equal annual installments? That is the only difference between the House bill and this report.

Mr. ROCKWELL. I would like to ask the gentleman in reference to other provisions than those relating to this Cherokee Strip.

Mr. PEEL. I would not like to leave this subject just now.

Mr. ROCKWELL. I trust the gentleman will allow me some time to discuss those other propositions.

Mr. PEEL. That is all right.

Now, I wish the House to understand distinctly that I do not want any man to vote for this conference report if he believes that there is anything covered up anywhere. The question is simply whether we shall accept the Senate amendment and ratify this contract or whether we shall refuse to have an Indian appropriation bill. The Senate has put on this amendment under its constitutional authority to deliberate and debate freely and fairly. They believe that this contract—a peculiar one, which if not ratified becomes extinct on the 4th of March—is of so great importance that it is proper to ratify it in this way.

I say again that I challenge the most careful scrutiny of every letter and line of this Senate amendment in regard to this Outlet. If any gentleman can find in it anything that looks suspicious he is a better detector than I am.

Mr. FITCH. Where can we see this amendment? It is not printed.

Mr. PEEL. Why it has been printed for days and days.

Mr. FITCH. Not in this House.

Mr. PEEL. Yes; I have before me the print of the Indian appropriation bill with the Senate amendments. Here is a copy on my desk which any man can read. Everything has been done in the regular way. There is not a change, not an intimation of a change that has not been made in perfect keeping with the laws of the country and the rules of this House. I would rather die and be buried in Washington without seeing my wife and children than attempt to deceive a single man on this floor. We have pursued an open, frank, square, manly policy in this matter.

When the Indian appropriation bill was before this House I stated that I regretted above all things in my political and legislative life that I could not get a nonconurrence upon the House bill and settle this question in conference upon that bill. But I could not get an opportunity to do that. The Senate came to our relief. They knew that unless these lands were opened there would be in that country calamity which could not be averted, that the troops of the United States would be necessary to disperse the hundreds and thousands of restless people who have been looking wishfully on these lands, and who know that unless they are permitted to go and make their homes there the cattlemen will slip in and will graze their cattle there for nothing.

Mr. MANSUR. Is it not true that at this moment there is a United States statute by which those Indians can file their certificates and take nearly \$8,000,000 out of the Treasury to-morrow if they see fit to settle the matter in that way?

Mr. FITCH. They can not take it out, because it is not there.

A MEMBER. Why do they not take the money in that way?

Mr. MANSUR. Because they want this much more. There is to-day a statute offering them \$1.25 per acre for their land, making \$8,000,000 that they can take to-morrow if they choose.

Mr. PEEL. I understand what the gentleman is talking about. Away back in 1835 Mr. Ryan, then a member from Kansas, submitted an amendment offering to the Cherokee Nation \$1.25 an acre for this Outlet.

Mr. MANSUR. No, sir; that is not the matter to which I refer. I allude to a measure reported by the gentleman from Illinois [Mr. SPRINGER], and myself at a later period—only four years ago.

Mr. PEEL. Mr. Speaker, there was a standing offer which would have given these Indians something like \$3,000,000 if they had accepted it. When the Commission was appointed four years ago to negotiate with these Indians that Commission went with a law behind them which enabled them to say, "If you will accept \$1.25 an acre for your land, it can be opened at once by Presidential proclamation." For years we have had upon the statute books that standing bid for these lands. But when this Commission approached the Indians with this offer of \$1.25 an acre, the Indians refused, because the Indians knew the land was worth more money; and finally they settled on the contract which is before the House to-night, under which the average price allowed for these lands is \$1.40 an acre. And the average price fixed for the settlers is about \$1.66 per acre.

Mr. KILGORE. I would like to inquire of the gentleman in regard to one or two points, but he seems so busy he can not stop to answer his colleagues.

Mr. PEEL. I will hear my friend from Texas with pleasure.

Mr. KILGORE. Well, I think it would be a good idea. [Laughter.]

I want to understand if the only difference between the proposition which passed the House in relation to that Strip and the Senate amendment does not consist in the time and manner of the payment and the amount of the interest?

Mr. PEEL. That is correct.

Mr. KILGORE. And that is the amount of the difference between the two propositions?

Mr. PEEL. That is entirely accurate.

Mr. KILGORE. The proposition put on by the conference committee allows less interest than that provided in the House bill?

Mr. PEEL. One per cent less.

Mr. KILGORE. Now, another amendment I want to inquire about, carrying \$190,000 of appropriation—

Mr. PEEL. Do you refer to anything connected with this Cherokee Outlet?

Mr. KILGORE. No; it has reference to another matter.

Mr. PEEL. Well, we can very easily explain the other matters. Let us get through with this Outlet question before that.

Mr. KILGORE. I want to understand the difference between the Senate and House propositions.

Mr. PEEL. I will come to that presently.

Now, if the House will give me its attention for a few moments I can make it so plain that no man can fail to understand the difference between the House bill which we passed and the Senate amendments to this bill.

The House bill obligated the Government to pay to the Cherokee Nation the sum of eight million five hundred and ninety-five thousand and some odd dollars, the amount stipulated in the contract.

The SPEAKER. The time of the gentleman from Arkansas has expired.

Mr. PEEL. Mr. Speaker, I will ask unanimous consent to be permitted to proceed for a few moments longer to explain a question asked by the gentleman from Texas.

Mr. DINGLEY. There is some time desired on this side of the House. It has all been consumed so far on the other.

Mr. FITCH. I object for a moment, Mr. Speaker. The gentleman promised me some time.

Mr. PEEL. But I have no time to give. I ask an extension for five minutes.

Mr. FITCH. The gentleman agreed to give me ten minutes, and I hope we will be able to come to some understanding as to this time before any consent is given.

Mr. ALLEN. Mr. Speaker—

The SPEAKER. The Chair recognizes the gentleman from Mississippi, one of the conferees on the bill.

Mr. ALLEN. I will yield five minutes of my time to the gentleman from Arkansas, if he wishes.

Mr. FITCH. Will you yield to me also?

Mr. ALLEN. Oh, yes; I will give you five minutes. I am a very liberal man. [Laughter.]

Mr. PEEL. Now, Mr. Speaker, if the House will give me its attention for five minutes I can show exactly the difference between what we are going to vote on now and what the House passed. The House passed a bill which obligated the Government to pay to the Cherokees the amount of the purchase price within six years, and bound the Government also to pay them 5 per cent semiannually as interest on the sum. That bill was passed here without opposition.

Now, the Senate amendment changes that, and appropriates the money, but places it in this way: It does not pay all of it now, but only the sum of \$595,000, when the Cherokees accept these modifications, and the balance of \$3,000,000 in 5 equal annual installments, bearing 4 per cent interest, instead of 5 per

cent as fixed in the House bill. That is all the difference so far as the payment is concerned. We save \$80,000 per annum in the way of interest. The House bill would have made the Government pay over \$400,000 every twelve months, and the Senate amendment only requires the payment of \$320,000, or the difference between 4 and 5 per cent on the total amount, which is a saving of that much to the Government by reason of the Senate amendment if adopted.

Mr. McMILLIN. How many years do you take to make the payment?

Mr. PEEL. The \$8,000,000 is divided into five equal installments.

Mr. McMILLIN. Instead of six?

Mr. PEEL. Equal installments, the first installment falling due on the 4th of March, 1894, a year from now.

Mr. ALLEN. I yield five minutes to the gentleman from New York [Mr. FITCH].

Mr. FITCH. Mr. Speaker, I admit that I am one of a number of members from the East who have very little practical knowledge of the Indians or the problems which surround them. What my friend has said about that is perfectly true, and I have been here six years following every suggestion of those gentlemen who are supposed to know what the facts are; but to-night I am in rebellion, and the reason is that while I know very little about Indians, I know a good deal about lawyers, and about the value of legal services, and I have read in the Washington papers, and I have repeated here in the House without contradiction, that in connection with a similar contract and a similar bill Indian attorneys in this city are about to collect, as the result of just such legislation as this, passed on the last night of a session, between six and seven hundred thousand dollars of the money which we voted to the Indians.

Now, I know something about legal services, and I deny that any lawyer could honestly have earned such a sum of money as that, and a man does not need to know very much about Indians or about the value of their lands in the West to know that this kind of thing is an outrage upon the House of Representatives. And I propose hereafter, in any Congress in which I may serve, to get up whenever at midnight, at the end of a session, the Indian Committee or any other committee comes in here with this sort of legislation, which has never been properly considered in committee, and which the House has had no chance to examine with care.

I myself have no kind of doubt that as the result of this sort of legislation lawyers will earn great fees, more than any honest professional man can earn during the course of his whole life; and I propose from now on, without any imputations upon any gentleman—

Mr. MANSUR. Will the gentleman permit a question?

Mr. FITCH. No, sir; I will not yield. I have but five minutes. I object to the heat and excitement with which this matter is handled by gentlemen, who if they are right, if they know all about it, should not attack those of us who are not so conversant with these matters. Their course of procedure has aroused a corresponding heat and a corresponding excitement on our side.

The payment of \$600,000 from legislation which my friend from Arkansas [Mr. PEEL] says he stood here and fought against, although he advocates this legislation, is something that ought not to be repeated in this House; and I ask, with my friend from Tennessee [Mr. WASHINGTON], that this matter may go over to be reexamined by a House that will have time enough to look into it with care and attention, such as this kind of legislation demands from every honest legislator.

GENERAL DEFICIENCY BILL.

Mr. SAYERS. Mr. Speaker, I ask unanimous consent to call up the conference report on the general deficiency bill. It has to be agreed upon first here, and then sent to the Senate.

Mr. DOCKERY. It will not require any debate.

The SPEAKER. The gentleman from Texas [Mr. SAYERS] asks unanimous consent to call up the conference report on the general deficiency bill. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the conference report. The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on amendments of the Senate to the bill (H. R. 10258) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1893, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 30, 63, 64, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 84, 95, 96, 97, 98, 99, 108, 150, 165, 166, 167, 168, 169, 170, 171, 173, 174, and 176.

That the House recede from its disagreement to the amendment of the Senate numbered 177, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 160, and agree to the same with an amendment as follows: Strike out, after the word "dollars" in line 24, page 1, of said amendment, down to and including line 30, and lines 1, 2, 3, and the words "thirty-two cents" in line 4, page 2, of said amendment; and the Senate agree to the same.

JOSEPH B. SAYERS,
W. S. HOLMAN,
NELSON DINGLEY, JR.,
Managers on the part of the House.
EUGENE HALL,
W. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.

Mr. SAYERS. Mr. Speaker, the general effect of that report is to eliminate from the bill what is known to the French spoliation claims, the appropriation to pay the Pacific Railroad Companies, and also the item for the payment of clerks for Senators and clerks to Senate committees.

Mr. HENDERSON of Iowa. Those were all the amendments that were undisposed of.

Mr. SAYERS. There was another amendment that was not disposed of besides these, but it merely concerned a judgment which had already been rendered and an appropriation made. There was a mistake in the name of the person.

Mr. DINGLEY. And the amendment merely corrected the name.

Mr. SAYERS. And also to regulate its payment.

The SPEAKER *pro tempore*. What motion does the gentleman submit?

Mr. BLANCHARD. I will ask the gentleman if it be true that the action of the House is sustained by that of the conferees?

Mr. SAYERS. Certainly, with the exception of that amendment, thrown in to make the correction I have mentioned.

I move that the House agree to the report of the committee of conference.

The motion was agreed to.

On motion of Mr. SAYERS, a motion to reconsider the vote by which the House agreed to adopt the report of the committee of conference was laid on the table.

INDIAN APPROPRIATION BILL.

[Mr. ALLEN withholds his remarks for revision. See Appendix.]

Mr. ALLEN. I yield seven minutes to the gentleman from New York [Mr. ROCKWELL].

Mr. ROCKWELL. Mr. Speaker, I simply desire to call attention to the other matters in controversy here, and which I believe should be passed upon by the House before this conference report is adopted.

The Cherokee matter is not the only new legislation that has been added to this bill. When the bill left the House it had 70 printed pages. It comes back with 99, and 29 pages are in italics, having been added by the Senate.

After the Cherokee amendment there is another treaty, involving a matter of \$90,710, with the Tonkawas, for the purchase of lands under a treaty that has never been examined and never had any consideration in this House.

Following that is the ratification of another treaty, added in a Senate amendment, that has never had any examination in this House, paying \$80,000 to the Pawnees.

Following that is still a provision for the creation of another commission to treat with these same Cherokees and other tribes, in addition to the Commission which has been alluded to so highly, and which has brought in all these treaties and stipulations. It is now proposed not only to keep this Commission, but to create a new commission. Another amendment has been agreed upon in conference, to create that commission and to appropriate \$50,000 for the expenses of it. In addition to that, there is an appropriation of \$25,000 to survey the lands of the civilized tribes who wish to take their lands in severalty.

These are included in the legislation added to the bill by the Senate amendments, in addition to what has been discussed on the floor here to-night.

Mr. WASHINGTON. Will the gentleman yield for a question?

Mr. ROCKWELL. Yes.

Mr. WASHINGTON. On page 59, amendment 50, for the purpose of paying such damages resulting to settlers as went upon the Crow Creek and Winnebago Indian Reservation, in the State of South Dakota, between the 27th day of February, 1885, and the 17th day of April, 1885, and were afterwards removed therefrom, as shall be determined to be justly due said settlers by the Secretary of the Interior, the sum of \$190,000, or so much thereof as may be necessary.

I would like to have the gentleman explain that item.

Mr. ROCKWELL. I was coming to that. That was put in

the bill in pursuance of a letter written by the Secretary of the Interior to the Committee on Indian Affairs of the Senate, which letter is as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 4, 1893.

SIR: I am in receipt by Department reference for report of a letter by Senator DAWES, of January 31, 1893, sending therewith a print of the following amendment intended to be proposed by Senator PETTIGREW to the Indian appropriation bill shortly to be framed, which proposed amendment was referred to the Committee on Indian Affairs on the 14th ultimo, and upon which that committee would like the views of this Department.

"For the purpose of paying such damages resulting to settlers who went upon the Crow Creek and Winnebago Indian Reservation, in the State of South Dakota, between the 27th day of February, 1885, and the 17th day of April, 1885, and were afterwards removed therefrom, as shall be determined to be justly due said settlers by the Secretary of the Interior, the sum of \$190,000, or so much thereof as may be necessary."

Under authority of an act of Congress approved October 1, 1890 (26 Stats., 650), authorizing the Secretary of the Interior to ascertain damages resulting to any person who had settled upon the Crow Creek and Winnebago Reservation, in South Dakota, between February 27, 1885, and April 17, 1885, the same to be transmitted by him to Congress with his recommendations thereon, Henry B. Pease was designated as a special agent of this Department to make inquiry and report to the Secretary thereof upon the claims for losses of all persons who in good faith, between the two dates last above mentioned, settled upon and made claims under the land laws of the United States to any of the lands in said reservations, which by the proclamation of the President, of February 27, 1885, were declared to be opened for settlement.

Agent Pease entered upon the discharge of his duties on or about December 2, 1890, and under date of December 15, 1892, he submitted his report, together with testimony and affidavits taken by him during the prosecution of his investigations, to this office. The mass of matter constituting said report, together with all the papers submitted, is very large, filling a box 3 feet in length by a foot and a half in width and height. Only a cursory examination of said report was, therefore, possible for the purpose of this report. To make a proper examination of all the papers in the case and pass upon the individual claims will require extended time and labor.

Your attention is invited to the following summary taken from the report of Agent Pease:

Number of persons who filed claims for losses and upon which reports are submitted	948
Number of persons known to have settled on the said reservations between the 27th of February and the 17th of April, 1885, who failed to file claims for losses	141
Estimated total number of persons who made settlement on the said reservations between the 27th of February and the 17th of April, 1885	1,200
Total valuation of losses claimed by the 948 persons who filed claims for damages	\$312,155.18
Total amount of compensation allowed and recommended by the special agent to said 948 claimants	177,888.63
Total valuation of losses actually sustained by the whole number of persons who settled on said reservations between the 27th of February and the 17th of April, 1885, estimated from the best data obtainable	225,000.00

From the foregoing summary it will be seen that the average amount of the claims for damages filed is about \$329 for each claimant, while the average amount recommended by the special agent is about \$188 per claimant.

Agent Pease states that the latter figures include only items of direct and immediate loss, such as are recoverable in a court of law for breach of contract; and that all claims for indirect and consequential damages are disallowed.

I can see no objection to the proposed amendment in view of the fact that no portion of the appropriation can be used to pay any claim until all of the claims reported by the special agent shall have been passed upon by the Secretary of the Interior and by him approved.

I inclose herewith the letter by Senator DAWES with accompanying print of proposed amendment and a copy of this report.

Very respectfully, your obedient servant,
R. V. BELT, Acting Commissioner.

The Hon. THE SECRETARY OF THE INTERIOR.

Let me say right here that as this bill went from the House it carried \$7,083,000. It comes back here appropriating \$16,500,000, and a half million dollars is composed of appropriations for various items, \$190,000 of it being the matter referred to in this letter which the gentleman from Tennessee [Mr. WASHINGTON] has just asked me about.

Mr. WASHINGTON. Now, I want to know how the settlers went onto those lands, and why should our Government pay them any damages?

Mr. ROCKWELL. The settlers are said to have gone on the lands in pursuance of an executive order made by President Arthur. That order was afterwards revoked under Cleveland's Administration, and these settlers were forced to leave the land. In 1890 a bill was passed authorizing the Secretary of the Interior to ascertain the damages resulting to any persons who had settled on the Crow and Winnebago Reservation in South Dakota, between the dates named, the same to be transmitted by him to Congress, with his recommendation thereon.

Now, in pursuance of that act of Congress, Mr. Hiram R. Pease was designated to go there and take proofs. He stayed there two years taking proofs, and that fact is referred to in the letter which I have quoted. Gentlemen will observe that it is stated in the letter that Mr. Pease entered upon the discharge of his duties in December, 1890, that he submitted his report in December, 1892, together with the testimony and affidavits taken by him. The mass of matter constituting the report, together with all the papers submitted, is stated to be very large, filling

a box 3 feet by a foot and a half in width and height. The letter says:

Only a cursory examination of said report was therefore possible for the purpose of this report. To make a proper examination of all the papers in the case and pass upon the individual claims will require extended time and labor.

Now, it is upon these books or papers, which have never been examined except cursorily, that these claims are to be paid.

Mr. McMILLIN. Do I understand that upon those statements, that have not been thoroughly examined and require further examination, these claims have been admitted?

Mr. ROCKWELL. That is what they are to be paid on.

Mr. PICKLER. But they are to be passed upon by the Secretary of the Interior.

Mr. ROCKWELL. Now, the point I make about it is this: We have no proof upon which to base a claim in a case that is in any way settled. They take this box of claims and say that the average is \$329, and then recommend that you pay them about half of that amount; but if this is paid now it is not paid in settlement. It is simply distributed, and this thing will be brought forward from term to term until a final settlement is made.

Therefore, I contend that it is not the time to make this appropriation. The matter should be left until there can be a careful estimate of the damages suffered by each one, and then let the money be appropriated; and when the money is appropriated it should be to pay the claims in full.

Mr. PEEL. Will the gentleman yield to me for just one moment?

Mr. ROCKWELL. Certainly.

Mr. PEEL. The language of the amendment says that the Secretary shall pay such amounts as he finds to be just and due.

Mr. ROCKWELL. Let us wait until he does find the amount that is just and due; and then let them present the claims to Congress, and not be in such haste to appropriate \$190,000 without knowing what is just and due.

Mr. PICKLER. There is sworn evidence in every case.

Mr. ALLEN. I yield two and a half minutes to the gentleman from Oklahoma [Mr. HARVEY.]

Mr. HARVEY. Mr. Speaker, being from the Territory of which this Cherokee Outlet is a part, it is presumed that I should have more time than two minutes and a half. I could hardly repeat the Lord's Prayer with proper deliberation in that time.

Mr. SWEET. Can you repeat it any way? [Laughter.]

Mr. HARVEY. The situation is this, to make it clear: The Cherokee Outlet is a very large tract of country and a very fertile region. The decision of the Attorneys-General from Devens down to the present time has been that the Cherokee Nation can not lease that land or occupy it. They had a defective title to that entire tract.

And so far as coercion being used, as has been suggested by the gentleman from Tennessee [Mr. McMILLIN], the delegates of the Cherokee Nation are here at this time urging this legislation. Instead of an appropriation of \$8,000,000, it is made an appropriation of a little more than \$500,000; and a commutation was made in the room of the Committee on Indian Affairs by which it was discovered that the payments made by the settlers upon the land would more than pay the subsequent payments which we agree to pay to the Cherokees as they become due. Within sixty days it was computed that the filing fees would amount to more than half a million dollars, or more than we pay in the first installment. My information from that country is that there are now at least 40,000 people camped along the border of that Strip.

The SPEAKER. The time of the gentleman has expired.

Mr. ALLEN. I reserve the balance of my time.

Mr. WILSON of Washington. Mr. Speaker, I only desire at this late hour to occupy the attention of the House for a moment relative to amendment numbered 50 in this bill, appropriating \$190,000 for repayment to settlers who went into an Indian reservation just at the close of President Arthur's administration, who had thrown these lands open for settlement, and thereby given invitation to settlers and to people to go onto the public domain.

A large number of people, in view of this invitation, went on the land and made valuable improvements. When Mr. Cleveland came into office a re-examination was made and it was found that the land was not "Executive order reservation," and the settlers were driven from the land by troops being placed around them. Now, the Government, having invited them to go there, was responsible and liable in the court for damages, and Mr. Pease, a gentleman of ability, a lawyer by profession, was sent out to make an examination of these claims. He found that the total number of persons who made settlement on the reservation between the 27th day of February and the 17th day of April, 1885, was estimated at \$1,200; the total value of the loss claimed by 948 persons who filed claims for damages amounted to \$312,155.18.

The total amount of compensation allowed, or recommended by the special agent, to those 948 claimants was \$177,866.63. The total valuation of the losses actually sustained by the whole number of persons who settled upon the reservation between the 27th day of February and the 17th day of April, 1885, was estimated to be \$225,000.

Now, Mr. Speaker, this is a case between the Government and the settler upon the public domain. They induced him and invited him by proclamation, and by their orders, to understand that this land was open for settlement, and permitted him to go on there and out of his small amount of money make his improvements; and when a settler goes on the public domain he has a right to go there and settle; and then to go on and drive him out by force is a wrong and injustice to the settler upon the public domain; and the Government of the United States ought to reimburse him in the amount that the examination by a special agent shows is justly due him.

And the amendment in the closing lines has these words:

As shall be determined to be justly due said settlers by the Secretary of the Interior.

After all, therefore, the Secretary of the Interior has to determine all these cases. The investigation has been had, the amount has been found due to the settler, and the Secretary of the Interior is to approve that amount upon the sworn testimony which is on file in the Department of the Interior. Now, is it right for this Congress, is it right for this great nation, to deprive these poor people, who, through no fault of their own, but by and through the special invitation of the President of the United States, went onto those lands and improved them, and attempted to develop them—is it right to deprive those poor people of their homes and of their rights without compensation?

I think not, and I think this amendment ought to stand. At first, as one of the conferees of the House, when I glanced at it I was in favor of nonconcurring; but when I got the information which the gentleman from New York had read here I felt that in justice to these people even my distinguished friend from New York would unite with me and vote for the item.

Mr. FITCH. Let me ask the gentleman this question: If that was so just and proper, why is it that your Committee on Indian Affairs never thought of it until the Senate stuck it on the bill?

Mr. PEEL. It was not before the committee.

Mr. WILSON of Washington. Well, sir, the Committee on Indian Affairs is not, like the gentleman from New York, able to think of all things in the heavens above, and on the earth beneath, and in the waters under the earth. [Laughter.]

Mr. FITCH. I thank the gentleman.

Mr. JOSEPH D. TAYLOR. Mr. Speaker, I wish to inquire of the gentleman whether this amendment is not more favorable to the Government than the House bill in about the sum of \$130,000?

Mr. WILSON of Washington. Yes, sir. I will read the gentleman what this lawyer says:

Agent Pease stated that the latter figures include only items of direct and immediate loss, such as are recoverable in a court of law for breach of contract; and that all claims for indirect and consequential damages are disallowed.

This relates to the estimated items to which I have already called the attention of the House.

Mr. JOSEPH D. TAYLOR. Another question. Does the gentleman think that the Government would be out of this money very long, in view of the great anxiety existing among those people to acquire homes? Does he not believe that the Government would be reimbursed at an early date? Or what is the gentleman's view?

Mr. WILSON of Washington. I will answer that. I was discussing another portion of this bill, but, as one of the conferees of this House, it was with considerable reluctance that I agreed to sign this report, because during this entire session of Congress we have heard the other side of the Chamber stating that the Treasury was bankrupt, and I came to a conclusion in favor of the report only after very mature deliberation.

My proposition was the same that had been made to me in the Fifty-first Congress as to lands in the State of Washington, that is, that as fast as the lands were sold the money received therefrom should be placed in the Treasury of the United States and then should be prorated out by the Government to all these people, according as the Secretary of the Treasury should find them entitled to it. That proposition, however, did not meet the approval of the conference.

Mr. JOSEPH D. TAYLOR. I am informed that in all probability if this amendment is not agreed to this bill will fail to pass at this session of Congress. How about that?

Mr. WILSON of Washington. There has been no such conversation as that among the conferees. If the bill goes back to conference we will do the best we can.

Mr. ENLOE. I want to ask the gentleman a question. Does

he not think that the bill will be very effectually killed by the course of the committee in debating it at this hour of the night to the extent that they are doing? [Laughter.]

Mr. HENDERSON of Iowa. There seem to be a great many questions asked that justify it.

Mr. WILSON of Washington. Well, sir, I suppose that even if it is a late hour of the night, or an early hour of the morning, a bill may come into this House and receive the consideration it ought to receive when it carries \$15,000,000, and I hope the gentleman will bear himself with patience. I will try not to occupy the floor very long.

Mr. ENLOE. I will be as patient as I can under the circumstances.

Mr. WILSON of Washington. We will thank you even for that much. This bill, however, has not taken up half as much of the time of this Congress as has been occupied by the Sibley tent bill. [Laughter.]

Gentlemen ought not to wish to deny us a little time on this proposition involving \$15,000,000.

Mr. Speaker, I now yield ten minutes to the gentleman from Maine [Mr. DINGLEY].

Mr. DINGLEY. Mr. Speaker, I desire to ask the gentleman from Arkansas [Mr. PEEL], or any other member of the committee, how much this bill carries?

Mr. WILSON of Washington. In round numbers the bill as now reported carries \$15,800,000—fifteen million and three-quarters.

Mr. FITCH. It carried about \$7,000,000 originally.

Mr. WILSON of Washington. Seven million two hundred and fifty thousand dollars. The increase is \$8,590,000 in round numbers.

Mr. ROCKWELL. There is more than half a million dollars increase in the running expenses all along the line.

Mr. DINGLEY. I believe the payment of this appropriation of \$8,590,000 is distributed through four or five years.

Mr. WILSON of Washington. The bill makes immediately available \$590,000 in round numbers, and provides that there shall be five annual payments of \$1,000,000 each, bearing interest at 4 per cent.

Mr. DINGLEY. And the \$590,000 which will be immediately available is to be paid in this fiscal year. And \$1,000,000 will be paid in the next fiscal year, and so on until the payments are concluded.

Mr. WILSON of Washington. With interest at 4 per cent.

Mr. ROCKWELL. Instead of there being eight annual payments of \$1,000,000 each, are there not four annual payments of \$2,000,000 each?

Mr. DINGLEY. Mr. Speaker, I recognize the necessity for opening this Cherokee Strip at an early day. Perhaps a more satisfactory arrangement could not have been made than that which is here proposed. At the same time this proposition is made somewhat in disregard of the existing financial situation. I suppose no one expects that there can be any revenue to the Treasury from the sale of these lands within the present fiscal year. Does the gentleman from Arkansas expect that there will be any immediate income from the sale of these lands to meet this expenditure, or are the committee relying upon drafts on the Treasury?

Mr. PEEL. The sale of the lands would yield within sixty days more than enough to reimburse the Government for the immediate outlay of \$595,000.

Mr. DINGLEY. Then a million and a half would be carried into the next fiscal year; that ending June 30, 1894. Now, will there be any sales of land that will bring into the Treasury this amount of revenue during that year? I wish to know whether the committee have taken into consideration the question of revenues to meet the payments for these lands.

Mr. PEEL. We have simply made the best bargain we could with the conferees of the Senate in order to protect the Treasury and at the same time do justice between the Indians and the Government.

Mr. DINGLEY. We have been doing a large amount of this kind of business, the purchase of Indian lands, and the purchases are increasing rather than decreasing. Here are eight and a half million dollars carried in this appropriation bill for this purpose.

I observe in a statement of the Treasury Department that \$5,379,859 have been expended during the last four years for the purchase of Indian lands; and \$3,000,000 is to be added which has been ordered to be paid for Choctaw lands by a resolution adopted at the present session, making an expenditure of nearly \$8,500,000 from the Treasury for this purpose in the past four years. Now, can the gentleman from Arkansas inform me how much revenue has been obtained from the lands for which these large expenditures have been made. How much revenue has been derived, for instance, from this expenditure of five and a

half million dollars, authorized, I presume, by the Fiftieth and Fifty-first Congresses?

Mr. PEEL. I have never called upon the Department for information on that point; but the lands have all been taken by settlers at a larger price than the Government paid.

Mr. DINGLEY. But how much has been paid in cash?

Mr. PEEL. I think in some instances cash payments have been paid and in other instances the payments have been deferred. But the deferred payments are all secured upon the land.

Mr. MANSUR. In Oklahoma, on a rough estimate, half the lands have been paid for in cash.

Mr. DINGLEY. There is one point upon which inquiry has been made during the session to-night, but I did not hear the answer. I have seen in the newspapers or have heard otherwise a statement to the effect that the agents who have been pressing the sale of these lands are to receive a large percentage for their assistance in this direction. Is there any truth in that statement?

Mr. PEEL. If my friend from Maine will reflect for a moment, he has never seen a line in a paper intimating that there was such a thing in existence.

Mr. DINGLEY. It has been suggested. I do not know how.

Mr. PEEL. You will not find, I think, that there has been a suggestion in regard to any man or attorney getting a cent out of it.

Mr. DINGLEY. Then so far as you know there are no agents standing between the Government and the Indians to get a percentage on this amount?

Mr. PEEL. Not a single solitary soul, except the Indians themselves, who sent their own delegation here.

Mr. SMITH of Arizona. And the fund goes through their own Legislature?

Mr. PEEL. Certainly. It is all subject to appropriation by their Legislature.

Mr. DINGLEY. I have asked these questions, Mr. Speaker, for the purpose of bringing out some facts in connection with this matter, because I do not pretend to be acquainted myself with these Indian affairs.

It seems to me that there remains for us nothing to do but simply to pass the bill, taking the conference report perhaps in the shape it is presented here, if there is to be any legislation in this direction or any appropriation bill passed before the expiration of this Congress to-day noon. I do not see any way out of it except that; and while I do not like such legislation upon appropriation bills, and think this matter ought to have been considered by the House upon a separate bill and on its own merits, yet I see that the committee of conference felt compelled almost, in order to get any action at all in the House of Representatives under our rules, to bring it in in this form. But it is a vicious system of legislation.

The SPEAKER *pro tempore*. The time of the gentleman from Maine has expired.

Mr. DINGLEY. I ask the gentleman to yield me five minutes more, now, on another point. [Cries of "Vote!" "Vote!"]

Mr. WILSON of Washington. I will yield to the gentleman five minutes if he desires it.

Mr. DINGLEY. I shall not occupy much of the time of the House, only a few moments, but I wish to submit a further statement in connection with the large expenditures of money for Indian lands and public works during the last four years as compared with the preceding four-years period, because the increased expenditures during the former period are covered almost entirely by these items, except of course the increase in the amounts paid for pensions.

For fortifications and armament from March 1, 1889, to 1893, we have expended \$10,686,000, and during the previous four years but \$2,694,000 in round numbers. We have expended for the improvement of rivers and harbors during the four years ending the 1st day of March \$52,676,000, and during the previous four years but \$28,271,000. We have expended during the past four years for the new Navy and for the armament for it \$43,177,992.

In the previous four years, the work having been then authorized and commenced, we expended \$8,541,972, or a total expenditure of over \$51,000,000 since we commenced the construction of our new Navy. We have expended for public buildings throughout the country and in Washington during the past four years \$23,977,477, against \$16,341,064 in the previous four years.

There has come into this last four years, in consequence of its being the decennial period, a large expenditure on account of the census, amounting to \$9,022,000 against almost no expenditure for that purpose in the previous four years. We have expended within the four years for the refund of the direct tax—not an expenditure but a refund—\$14,476,525. For rebate of tax upon tobacco \$1,119,080, not an expenditure but a rebate.

We have expended for the bounty on sugar, which is a new and special item of expenditure, \$12,099,000, bringing up the expenditures for cession of Indian land, and for permanent works of defense, and for improvements of rivers and harbors \$135,898,251 in the last four years, against an expenditure for the same permanent works in the previous four years of only \$56,191,036, thus making an increase in the expenditure of the nation for these public works, and for the purchase of Indian lands, census, sugar bounty, and refunds, in excess of the previous four years, of over \$116,000,000.

And when there is added to this the increase of expenditures on account of pensions, nearly all of the increase of expenditures in the past four years is entirely accounted for. Here is the tabular statement furnished me by the Treasury Department, which does not include the extraordinary expenditures for the World's Exposition, colleges of agriculture, etc.:

Expenditures.	March 1, 1885,	March 1, 1889,
	to March 1, 1889.	to March 1, 1893.
Fortifications and armament	\$2,604,764.00	\$10,686,857.00
Rivers and harbors	28,271,608.89	52,676,135.91
New Navy and armament	8,541,972.40	43,177,992.67
Cession of Indian lands	205,284.10	5,379,888.33
Public buildings, including buildings in Washington	16,341,064.97	23,977,477.06
Census	136,342.25	9,022,073.74
Refund of direct tax		14,476,525.36
Rebate of tax on tobacco		1,119,080.43
Bounty on sugar		12,099,979.70
Total	56,191,036.61	172,615,980.20

Mr. BLAND. Can the gentleman in that connection give us the increase on pensions?

Mr. DINGLEY. About \$220,000,000, or an average of \$55,000,000 per annum.

THE TREASURY SURPLUS.

The gentleman from Mississippi [Mr. ALLEN], in alluding to the condition of the Treasury, has referred to the fact that four years ago this very day there was in the Treasury of the United States a large surplus, and now (as he alleges) a deficit.

The exact surplus four years ago to-day, aside from the \$100,000,000 greenback redemption fund, was \$83,827,190. The surplus eight years ago to-day was \$59,356,506, an increase of the surplus during the four years of President Cleveland of \$24,000,000; and that, too, notwithstanding in that period the Treasury had the benefit of the duty on sugar which yielded a revenue of over \$200,000,000 in those four years.

The abolition of the duty on sugar took effect April 1, 1891. By this abolition at least \$125,000,000 of duties on sugar, which would have otherwise gone into the Treasury, have been remitted to the people, and the revenue diminished to that extent. In other words, if this duty on sugar had gone into the Treasury instead of into the pockets of the people, with precisely the same expenditures and payments on the debt that we have had, there would to-day be in the Treasury a surplus of about \$139,000,000 instead of twenty-four millions, which would have been fifty-seven millions more than the surplus when President Cleveland's term expired.

I repeat, the comparatively small surplus of twenty-four millions now in the Treasury, as compared with the eighty-three millions March 1, 1889, is due to the abolition of the duty of 2 cents per pound on sugar, and the large payments to reduce the interest-bearing debt. Moreover, the reduction of this surplus by a reduction of taxation is precisely in line with the demand of the Democratic leaders from 1885 to 1890.

The statement has been several times made by gentlemen on the other side that the Fifty-first Congress turned into the Treasury the bank redemption fund which existed when President Cleveland went out, and that this has been nearly used up by the Republican Administration in meeting drafts on the Treasury.

This statement is so reckless a disregard of the facts that I turn aside for a few minutes to correct it. Under the law as it was when President Cleveland retired on the 1st of March, 1889, there was in the Treasury a fund of \$82,577,250, deposited in legal-tender notes by banks reducing their circulation, etc., for the purpose of redeeming their outstanding notes. This fund had been much larger earlier in the Cleveland Administration, and had been reduced rapidly as the notes had been presented. On the 14th of July, 1890, it had been reduced to about \$54,000,000 by the redemption of outstanding bank notes.

Inasmuch as the notes were being presented very slowly, and the withdrawal of so large an amount of legal tenders from circulation was contracting the currency and causing the loss of interest on the fund, Congress at that date decided that this fifty-four million fund should be turned into the Treasury, with

a view of using it in the reduction of the interest-bearing debt. There was no opposition to this.

Now, what was done with this fifty-four million fund? Not one dollar of it was used for the payment of current expenditures, as has been so frequently insinuated. On the contrary, every dollar of it was used in buying outstanding interest-bearing bonds of the United States, and thus reducing the principal and interest of this debt. Since March 4, 1889, the interest-bearing debt has been reduced \$259,073,240. The event has shown that it would have been better not to have used all of it, because it necessarily reduced the gold reserve in the Treasury; but every dollar of it went to reduce the interest-bearing debt, and in response to a general demand for the return to the channel of circulation of the money locked up in this fund.

Not one dollar of this bank redemption fund, I repeat, was used to pay current expenses. Indeed, there was no need of using any of it, for the reason that up to this hour the current revenue has fully met the current expenditure. In the fiscal year 1891 there was a surplus of \$17,000,000. In 1892 the surplus was \$9,000,000. And even for the present fiscal year the Secretary of the Treasury estimates a surplus of \$2,000,000, an estimate fully supported by the actual receipts and expenditures up to date.

IS THERE A DEFICIT?

When the gentleman from Mississippi [Mr. ALLEN], following the example of several other gentlemen, asserts that there is to-day a deficit in the Treasury he states what is not supported by the facts. There is no deficit in the Treasury, and if there shall be any the next fiscal year it will be due either to lavish and uncalled for appropriations by this Congress or extraordinary expenditures by the incoming Administration, or to legislation, actual or threatened, by the next Congress that will reduce the revenue.

I have before me the official statement of receipts and expenditures for the first eight months of the present fiscal year, and I find that the receipts (exclusive of the national-bank deposit fund) have been \$258,952,235, and the expenditures (including the recent large payment for January interest on the bonded debt) \$259,620,556, with a surplus of \$24,128,087 in the Treasury in addition to the one hundred million greenback redemption fund. Inasmuch as the interest payment on account of war debt will be comparatively small in the next four months either there must be a falling off in the revenue or expenditures not now foreseen, to leave any deficit on the 1st of July next.

Whether or not there will be any deficit in the fiscal year that will commence July 1st next, can not now be accurately determined. Certainly there would not have been, in my judgment, if radical changes in tariff legislation had not been determined upon, and if the present Congress had not so largely increased the appropriations for rivers and harbors and purchase of Indian lands.

The Secretary of the Treasury, in his annual report submitted to Congress last December, estimated the revenue for the next fiscal year at \$405,000,000 (exclusive of eighty-five millions from the postal service), of which \$210,000,000 was estimated as the revenue from customs. Now, the expenditures for the present fiscal year, estimated by the Secretary at \$386,000,000 outside of postal expenses paid by postal revenue, would have had to increase \$19,000,000 above those of the present year in order to cause a deficiency. There is certainly no reason why the expenditures of next year should increase a single dollar beyond the ten millions, or at most fifteen millions, probable increase of pensions. In other words, there is no good reason why the expenditures for the next fiscal year, to be paid from ordinary revenue, should exceed four hundred millions. More than this, they will not exceed four hundred millions (exclusive of postal expenditures paid by postal revenue), unless the expenditures for rivers and harbors shall far exceed the expenditures for the last fiscal year. And the revenue would not fall below \$405,000,000 if it should be understood that the next Congress would not make radical changes in our tariff laws.

The suggestion has been made by gentlemen on the other side that largely increased expenditures for the next fiscal year has been rendered necessary by the legislation of the Fifty-first Congress. There is not the slightest excuse for this suggestion beyond the increase of expenditures for pensions caused by the pension act of 1890, and the slight increase necessitated by the bounty on sugar. In all other respects the legislation of the present Congress has imposed far greater liabilities to be met by appropriations of future Congresses than did the legislation of the Fiftieth Congress.

The gentleman from Indiana [Mr. HOLMAN] has stated that at the first session of the present Congress future liabilities were incurred, or as he expressed it, "the future was mortgaged" to the tune of \$76,000,000. I am safe in saying that if the expenditures of the next fiscal year are increased over fourteen

millions above those of the present year, it will not be because of legislation by the Fifty-first Congress, but because of legislation and appropriations by the present Congress.

When, therefore, the majority of the Ways and Means Committee, representing the other side, report (as it is stated they have agreed to) that there will be a deficit of \$40,000,000 in the fiscal year beginning July next and ending June 30, 1894, they must base it on the assumption, first, that President Cleveland's administration, acting under the legislation and appropriations by the present Congress, contemplates an enormous increase in the expenditures; and secondly, that the tariff legislation threatened or to be enacted by the next Democratic Congress will reduce the revenue far below what was certain to be received if the present tariff legislation had been left undisturbed.

It is indeed true that the appropriations made by the present Congress have been lavish in many directions, notably for river and harbor improvements. A year ago we heard a great deal from the other side in denunciation of the extravagance of the last Republican Congress—"the billion dollar" Congress, as it was styled, because the appropriations, including the annual estimate of about \$49,000,000 for the sinking fund, which is simply for the reduction of the debt, made by that Congress for the fiscal years 1891 and 1892, reached nine hundred and eighty-eight millions. But now that the appropriations made by the present Democratic Congress for 1893 and 1894 have amounted to one thousand and twenty-six millions—a billion and twenty-six millions—or \$38,000,000 more than the last Republican Congress, the "billion dollar Congress" electioneering cry has subsided.

THE GOLD RESERVE.

Mr. Chairman, the serious difficulty which confronts the Treasury is not a deficit in the Treasury, for that can come only by unwise expenditures or unwise tariff legislation, either actual or threatened, but a depletion of the gold reserve in the Treasury. Our currency to-day (outside of national-bank notes) consists of gold coin, one hundred and twenty-two million gold certificates, a limited amount of standard silver dollars actually in circulation, three hundred and twenty-eight million silver certificates, representing that number of silver dollars deposited in the Treasury, three hundred and forty-six millions of United States notes, commonly known as greenbacks, and nearly one hundred and thirty-two millions of Treasury notes issued under the act of July 14, 1890, for the purchase of silver.

So far as the gold and gold certificates are concerned they take care of themselves and are worth their face in any market of the world. The silver dollars, silver certificates, Treasury notes of 1890 and greenbacks are all held at par with gold, because it is everywhere understood that the United States Treasury will redeem the notes in gold when called upon to do so, and will receive the silver dollars and silver certificates as an equivalent of gold. This express or implied engagement of the United States to maintain a parity between all kinds of legal-tender currency is buttressed by a gold reserve or redemption fund of \$100,000,000, and also by the authority given the Secretary of the Treasury by the resumption act of 1875 to sell 4 or 4½ or 5 per cent bonds of the United States to maintain this gold reserve.

It will be seen, therefore, that this hundred million gold reserve, or redemption fund, with the authority to sell bonds to maintain this reserve, plays a very important part in keeping all our currency at par. It is in fact the central fact that maintains confidence and secures to the people the blessings of a sound currency of gold, silver and certificates representing gold and silver on deposit, and notes of the United States promising to pay coin. In consequence of serious financial disturbances in Europe and the efforts of Austria and Russia to increase their gold reserves by purchasing gold, the gold in the United States Treasury has been seriously depleted.

The free gold in the Treasury, *i. e.*, the gold less outstanding gold certificates, was on February 28 \$103,284,218, or a little more than three millions in excess of the one hundred million gold redemption fund. Should it fall below one hundred millions unquestionably it would tend to impair the public confidence in our currency system so far as it consists of silver dollars, silver certificates, and Treasury notes issued under the act of July 14, 1890, otherwise known as the Sherman act, unless it should be understood that it is the purpose of the Secretary of the Treasury to maintain this gold fund by the sale of bonds under the act of 1875, if this should become necessary.

Public confidence in that part of the currency of a country which consists of anything which does not possess inherently the value printed or stamped on its face, depends upon the confidence reposed by the people in the disposition and ability of the Government or authority which issues it to maintain its equivalency with gold by some effective redemption. It is not so much such actual redemption as the public conviction that such actual redemption will be maintained that secures this equivalency.

So long as it is believed that the Government has the disposition and the available means to so redeem, very few persons desire the actual redemption. But let it once be understood that the Government has not this disposition and means at its command, and then everybody who holds this kind of currency wants actual redemption, and when it can not be had the confidence in such currency is shaken and it begins to depreciate, which depreciation is shown by a premium on gold.

It is for this reason that a reaffirmation by Congress of that provision of the redemption act of 1875 which authorizes the issue of bonds to preserve the gold redemption fund, as proposed by the Senate at the instance of Secretary (to be) Carlisle, would have been of great value in maintaining public confidence in our currency, aside from the fact that it authorized an issue of bonds at a lower rate of interest and on a shorter time. Indeed, I am confident that such action of Congress, taken with reasonable unanimity, would have at once restored confidence and would have rendered unnecessary the issue of bonds for this purpose. However, there ought to be no serious impairment of confidence in our currency if Secretary Carlisle and the new Administration shall make it known that they intend to avail themselves of the power conferred by the act of 1875 to maintain the equivalency of all kinds of our currency with gold.

I will not undertake to forecast the future of our currency. The Republican party, which goes out of power to-day, brought back our currency to a sound basis fourteen years ago, after it had been demoralized by the most gigantic war of modern times. It was a great task, undertaken and carried through against the most violent opposition. For fourteen years we have had a sound currency, every dollar of which has been maintained at par with gold. To this sound currency is in part due the great prosperity of the country in these years. To-day, at high noon, the Democratic party, for the first time since it went out of power thirty-two years ago, takes possession of not only the executive but also of both branches of the legislative power. The responsibility of maintaining a sound currency and of carrying on the Government now rests with the Democratic party and the new Democratic Congress.

Mr. WILSON of Washington. I yield three minutes to the gentleman from Kansas [Mr. SIMPSON].

Mr. SIMPSON: Mr. Speaker, I am satisfied that if the members of this House were as familiar with the character of the lands comprising the Cherokee Strip as I am, they would readily vote this appropriation. That is a strip of land about 60 miles wide and 150 miles long. It lies in about the same climate as central Virginia. Fully 95 per cent of that land can be cultivated, and it is as rich and productive land as lies under the sun on the North American continent.

What is the proposition? It is that we get the title of the Indians to that land for an average of \$1.40 an acre. We charge the settlers, on an average, fully \$2 an acre. It has been estimated time and again within the last six months by people living in that country that there are to-day 10,000 families waiting to go upon that land; and I think it is a safe and conservative estimate to put upon it that before six months every available acre of the land will be taken up, and somebody will be trying to build a home upon each quarter section.

Now, gentlemen, in the closing hours of this session, some of you good Democrats want to be careful about the expenditure of omney. How does the record stand to-day? You have, under suspension of the rules of this House, after fifteen minutes debate on a side, passed a bill appropriating \$21,000,000 for a Navy without any opposition; yet here you refuse to appropriate the small sum of a little over a half million dollars that you will be called upon to pay this year, to furnish homes to the poor people of the country. Here is the record that will go out into the great Northwest.

For fortifications and armament, from March 1, 1880, to March 1, 1893, we have expended ten millions; for rivers and harbors during the last four years we have expended fifty-two millions; we have expended during the last four years for our new Navy forty-three millions; for public buildings, during the past four years twenty-three millions, and for bounty on sugar twelve millions; there has also been an increase in expenditures for pensions in the last four years of \$22,000,000, and it was but a day or two ago that we appropriated \$300,000 for the naval display at Hampton Roads; \$50,000 of that goes to the officers so as to enable them to go on a grand spree on the people's money; and yet here to-night we have men standing up and opposing this small appropriation to buy homes for the people.

Gentlemen, can you go out upon that record? I do not believe you can. People have been living in tents and wagons for the last year waiting for this Strip to be opened, in order that they might avail themselves of it and get homes for themselves.

There is another consideration in this matter; that is, the fact that a large body of unoccupied land lying uncultivated along

the southern border of Kansas furnishes the conditions that create hot winds, that when in the summer months the sun beats down on the short grass the hard earth reflects back the heat that permeates the whole atmosphere and is carried up over the cultivated fields of Kansas, blasting everything in its course.

The steady movement westward of the rain belt in Kansas shows that settlement and cultivation increase the rainfall and moisture. That is the experience in all the West, and we firmly believe that if this land is thrown open to settlement and, instead of the great waste of wild prairie there should spring up cultivated fields, it will make a vast difference in the climate in that section of the country.

There is another consideration that should move you to make this appropriation, to furnish an outlet for the people of our overcrowded cities. It is well remembered that after the panic of 1873 it was fortunate for this country that we had so much vacant land. The great West was just beginning to attract the attention of the settler, and hundreds of thousands of poor people that found lack of employment in the cities went out to the country, established themselves homes, and thereby became good, law-abiding citizens, and, instead of being tramps and beggars in society, became wealth-producers, and contributed to that large flow of wealth that has been poured into the lap of the East from the great Northwest.

The opening of these lands serve as a safety valve to our Government and perhaps delay for a time the trouble that is sure to arise from the rapid increase of our homeless people.

Already again we begin to hear the warning cry of an impending panic, when again we will witness the exodus from the great cities.

Will it not be well, then, to have this country ready for the millions of people that will eventually find homes in this territory?

And yet another consideration should move you. It is well known that this great vacant territory is a harbor for lawless people, where they flee from justice, where they can issue forth at times to prey upon their neighbors.

Open this up and let in the law and light that come with the settlement, with the building of the churches and the school-houses.

Grant this appropriation, gentlemen, open this territory to settlement, and thereby blot out this dark spot on the map of our fair country, and in time to come the State of Oklahoma will be one of the brightest gems in the starry banner and will complete the foundation on which is being built the great empire of the West, that in time to come will rule the world.

Mr. WILSON of Washington. I yield two minutes to the gentleman from Nebraska [Mr. KEM].

Mr. KEM. Mr. Speaker, and gentlemen of the House, I do not wish to occupy the time of the House in the discussion of the Cherokee bill; but simply wish to state in that connection that it meets with my hearty approval, and I know from experience that that strip of land ought to be opened.

But I desire at this time to call the attention of the House to the fortieth amendment to this bill, relating to the allotments of land to the Omaha tribe of Indians, on the Omaha Reservation in the State of Nebraska, in my district. I want to say in this connection that there was a lobby here in the interest of this amendment.

I had a talk with an Indian in regard to the matter, and he said that he had received a communication from that locality protesting against this matter being enacted into law, and they agreed at that time that they would not press it any further at this time. I find upon investigation of the bill this very matter embodied in the bill; and I here enter my protest against it, because it doubles the allotment under the original act; and if these allotments are doubled the children born to those Indians until the time that the original contract shall run will come into civilization as citizens of this country without a dollar beyond that.

I have received a communication from there which intimates that this is in the interest of a few individuals who hope to get control of that land, and after getting control of it, sublet it and stand as speculators between the Indians who own the land and the men who desire to work it. And I say to you that as the matter stands it ought to have a thorough investigation before it should pass this House. Therefore I hope this amendment will not prevail.

Mr. WILSON of Washington. I now yield five minutes to the gentleman from Arkansas [Mr. PEEL].

Mr. PEEL. I desire to say to this House in all candor and seriousness—

Mr. WILSON of Washington. Before yielding to the gentleman from Arkansas I desire to occupy the attention of the House for one minute. As the commissions were provided to treat with the Indians during the Republican Administration that is going

out of power, it has been the rule to appoint from the minority and majority parties; but this House and the Senate will not consent, now that the Democratic party is going into power, to treat us, who are going out of power, with the same consideration and the same kindness that we have treated you.

I think it is to the best interests of the Government; I think it is to the best interests of the people; I think it is to the best interests of the Indians that these commissions should be composed of representatives from both parties in this country, and from all the parties, I will say to the gentleman from Kansas [Mr. SIMPSON].

The gentleman from Missouri [Mr. BLAND] makes a suggestion, and I will carry it out. In view of the fact that the incoming President of the United States has taken into his Cabinet a stalwart Republican as the premier of his Administration, he may appoint a Republican upon an Indian commission.

Mr. SIMPSON. Will the gentleman allow me to make a suggestion?

Mr. WILSON of Washington. Now, I yield to the gentleman from Arkansas five minutes.

Mr. PEEL. Now, Mr. Speaker, I want to say to the House in all candor and seriousness, if they will give me their attention, that in this appropriation bill for the coming fiscal year the appropriation is a quarter of a million dollars less than in the bill of last session. The only trouble seems to be in ratifying this contract with the Cherokee Nation.

Now, I want to say, Mr. Speaker, that the only difference between the Senate amendment that ratifies this contract in this bill and the bill the House passed for the same purpose at this session is this: The House bill bound the Government to pay \$8,595,000 and agreed to pay that in six years at 5 per cent interest, payable semi-annually until we paid it. This amendment appropriates eight million and a half dollars, but pays only \$595,000 of it now; and that is not to be paid until the Cherokees ratify the modifications made in the contract, and the other \$8,000,000 is divided in five equal installments at 4 per cent interest.

Mr. CUMMINGS. Will the gentleman allow me to ask him a question?

Mr. PEEL. Certainly.

Mr. CUMMINGS. Do I understand the gentleman to say that this money all goes back into the Treasury of the United States?

Mr. PEEL. Why, certainly. We will get from the settlers on the land more than we are paying for it, and the filings in sixty days will more than pay for the amount of money we are making a stipulation to pay now.

And I want to say, sir, that one of the conferees of the Senate has informed me that Senator DAWES had gone home and we can not get together to-night, and is it possible that this little discrepancy will be allowed to defeat the Indian appropriation bill entirely?

Mr. COOMBS. The gentleman should not say that.

Mr. PEEL. I am stating the case as it is. I am only giving the information that is brought to me. Now, Mr. Speaker, I ask the previous question on the adoption of the report.

Mr. McMILLIN. Before the gentleman does that, will he yield to me for five minutes?

Mr. WILSON of Washington. I yielded to the gentleman to call the previous question. If he withdraws that, I will be very glad to yield time to the gentleman. [Cries of "Vote!"]

Mr. ALLEN. I have five minutes of my time, and I yield that to the gentleman from Tennessee.

Mr. McMILLIN. I ask the indulgence of the House for a short time.

Mr. WILSON of Washington. If the gentleman withdraws the demand for the previous question I will yield to the gentleman.

Mr. McMILLIN. There has been a good deal of discussion, and the bulk of it has been on the side the gentleman espouses. I have the time that the gentleman from Tennessee yields to me.

Mr. WILSON of Washington. I will yield five minutes to the gentleman from Tennessee.

Mr. McMILLIN. I have the time yielded to me by the gentleman from Mississippi, in which I may be able to state what I desire. Now, Mr. Speaker, there are three troubles about this appropriation. When it passed the House it provided for \$7,083,000. It comes back here about \$16,000,000, and the majority of it is for other purposes than appropriations. Among these items is the one that has been so much discussed, for the opening of the Cherokee Strip.

There is another which provides for the establishment of an irrigation system among the Indians which, I believe, has never been entered upon for the whites.

Thus much for the particulars of the bill, and I regret that I can not go more extensively into them, but it is well for this

House to understand what the condition of the Treasury is. There will be more than \$30,000,000 deficiency for the next fiscal year, and yet it is proposed to inject over a million and a half dollars on account of this Indian treaty alone, and also to send out another roving commission not provided for by any other law to establish new treaties.

Can you afford it, gentlemen? What reform are you going to inaugurate? Already the Appropriations Committee have told you that the appropriations for this year amount to \$530,000,000, without taking this item into account, and this will swell it to \$537,000,000. Gentlemen, where are you going to get the money? Whom are you going to tax? I ask again, what reform are you going to inaugurate—what relief are you going to give the people, when you propose to double these bills by Senatorial action introducing new legislation? Let us strip this bill of everything that is not an appropriation for the Indian service, and pass it. Let us not be bulldozed in dealing with it. [Applause.]

There is no danger of its failure; but if there is, rather than pay 200 per cent where 100 is due, let the failure come. If we can not stand on such a reform as this we have no business here. Not one-half of the members of this House could ever get here to sustain our present system of appropriations if the people had to pay these taxes directly. Ours are the worst taxed people in the world. We have promised them relief. We are bringing in a new Administration. The people have done their work well. They have sent a House here, they have sent a President here, they have sent a Senate here, let us not manacle them before we inaugurate them! [Applause.]

I tell you, gentlemen, it is a serious business. I see no means of reform if the House of Representatives tears down every barrier, admits every outrageous appropriation, and yields to every expenditure that has heretofore been refused by Congress. This bill may be well enough; but I tell you, gentlemen, that it is not well to make this appropriation in any other form than that indicated by the gentleman from Mississippi [Mr. ALLEN].

We do not want anything of the Indians that we ought not to have; but if this is a good bargain we can take the lands and simply guarantee to the Indians the proceeds of them when sold. I do not believe in making an out and out appropriation for this land. I do not want it said that we have passed the biggest Indian appropriation bill ever passed by Congress. I do not want this Congress amenable to the charge that we have had no regard for the oppressed condition of the people. You are appropriating money to open up new homes, when the homes of the very people you represent have run down in value by excessive taxation, 40 per cent in the last ten years.

I have thought that I would be justified in making this plain statement concerning the condition of the Treasury. We can send this bill back to conference and the Senate can act sensibly upon it. When we were proposing to inaugurate reforms we were met every time by the argument that riders ought not to go upon appropriation bills; but as soon as we abandoned those reforms, as soon as we turned John I. Davenport loose upon the people and abandoned other changes which we had proposed in the interest of good government, we heard no more of that clamor, and the bills began to come back to us here loaded down like camels freighted for the desert.

Mr. FITCH. Before the gentleman takes his seat will he permit me to ask him a question?

Mr. McMILLIN. With pleasure.

Mr. FITCH. Is it not a fact that the Indian appropriation bill has frequently failed?

Mr. McMILLIN. I do not know how that is.

Mr. FITCH. I am so informed.

Mr. McMILLIN. It may be so. But there is no need of a failure. No party can justify itself in causing the failure of an appropriation bill simply because the House of Representatives will not consent to load it down with appropriations other than such as the law requires for the Indian service. It is getting to be too much the fashion that what the Senate can not get through in any other way they propose to put through as riders on appropriation bills. We have changed our rules to conform to a contrary idea. Let us enforce on others something of the rules that we have prescribed at their request for ourselves.

Mr. PEEL. I demand the previous question.

The previous question was ordered.

The question being taken on agreeing to the report, it was rejected, there being ayes 53, noes 72.

Mr. ALLEN. I move that the House further insist on its disagreement to the amendment of the Senate and ask for a further conference.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. PEEL, Mr. ALLEN, and Mr. WILSON of Washington as the conferees on the part of the House.

NEW CUSTOM-HOUSE AT NEW YORK CITY.

Mr. WARNER. I move to suspend the rules and pass the bill which I ask the Clerk to read:

The Clerk read as follows:

A bill (H. R. 9412) to extend the limit of cost of the site for a new custom-house at the city of New York, and for other purposes.

Whereas, pursuant to the provisions of chapter 1018 of the Statutes of the United States, approved September 14, 1888, entitled "An act for the erection of an appraisers' warehouse in the city of New York, and for other purposes," and of chapter 635 of said Statutes, approved June 28, 1890, amending said last-named act, there is in the Treasury, not otherwise appropriated, the sum of about \$1,500,000 applicable towards the purchase of a site for a new custom-house at the city of New York; and

Whereas, in proceedings now pending under said acts for the condemnation of such site, it appears this said sum of about \$1,500,000 will be insufficient to pay the award or awards for said site and the expense of condemnation: Therefore,

Be it enacted, etc., That the cost of the site selected for the custom-house in the city of New York is hereby fixed at the sum awarded or to be awarded therefor by the commissioners of appraisement in the proceedings instituted by the Secretary of the Treasury for the condemnation of said site, together with the expenses of such proceedings, not to exceed in all \$2,250,000; and in the event that such award or awards, together with such expenses, shall in the aggregate exceed the sum now available and heretofore appropriated under the above-mentioned acts, such excess, not to exceed \$750,000, is hereby appropriated, in addition to the sums heretofore appropriated for the purpose of paying such award or awards and defraying the expenses of such proceedings, out of any moneys in the Treasury not otherwise appropriated.

Sec. 2. That the provisions of this act shall apply to any award or awards now or hereafter made by said commissioners of appraisement in said proceedings and the confirmation thereof by the court.

Sec. 3. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Mr. BLAND. I demand a second on the motion to suspend the rules.

Mr. BLAND and Mr. WARNER were appointed tellers.

Mr. WARNER. I ask that a second be considered as ordered.

Mr. BLAND. I think we had better have a count.

Mr. WARNER. There will be plenty of time to vote on this proposition after a second is ordered. A two-thirds vote will be necessary.

The SPEAKER. Is there unanimous consent that a second be considered as ordered?

Several members objected.

The tellers proceeded with the count.

Mr. HOLMAN (before the tellers had reported). Mr. Speaker, is it in order to move that the House take a recess for half an hour?

The SPEAKER. That motion is not in order pending a motion to suspend the rules.

The House proceeded to divide.

Mr. ENOCHS. Mr. Speaker, what is the parliamentary status now? What is the pending question?

The SPEAKER. The question is on ordering a second on the motion of the gentleman from New York.

Mr. HATCH. I ask unanimous consent that the gentleman from New York [Mr. FELLOWS] may have five minutes to make a statement in regard to this bill. I understand the building is located in his district.

Mr. SIMPSON. I object.

Mr. MEREDITH. Mr. Speaker, I ask unanimous consent that the same status shall exist as now with regard to the pending motion and that the House give me leave to put on its passage a Senate bill No. 3880, providing for a bridge across the Potomac. It will not take three minutes, and it is a very important matter to the people of parts of the District and Virginia. I hope there will be no objection to its passage.

Mr. LITTLE. I object.

Mr. WARNER. Mr. Speaker, 112 members, two-thirds of a quorum, have already voted to second this bill. I ask that—

Mr. DOCKERY. Debate is not in order. I make the point of order against the gentleman.

The SPEAKER. The gentleman from New York is out of order.

Mr. WARNER. I was going to ask that a second be considered as ordered by unanimous consent.

Several MEMBERS. Regular order.

The SPEAKER. Will the gentleman announce the vote now in the negative?

Mr. WARNER. Two votes in the negative.

The SPEAKER. The Chair will announce the result.

Mr. WARNER. But the vote is not yet completed.

Mr. SIMPSON. No quorum has voted anyway.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate further insisted on its amendments disagreed to by the House on the Indian appropriation bill, and agreed to a further conference asked thereon; and had appointed Mr. DAWES, Mr. CULLOM, and Mr. CALL as conferees on the part of the Senate.

Also, that the Senate had passed a bill (S. 3882) granting a pension to Honora Shea; in which concurrence was requested.

ORDER OF BUSINESS.

Mr. MILLER (at 3 o'clock and 15 minutes a. m.). Mr. Speaker, a quorum is not present. I move a call of the House. The motion was not agreed to.

Mr. DOCKERY. Evidently there is a quorum present, Mr. Speaker.

Mr. DINGLEY. Mr. Speaker, I ask permission to make a suggestion in the interest of the public business.

It is very evident that no progress can be made with the pending bill, and yet it seems to me if we leave the status of that bill as it is at present there are a number of gentlemen here tonight who have bills of importance to them which can probably be passed, such as bridge bills and similar matters, if we endeavor to obtain unanimous consent. I have none myself, but other gentlemen have.

Mr. WARNER. With the understanding that this bill retain its status I do not object.

Mr. WATSON. I object. That would be an unprecedented thing to allow one gentleman to stand in the way here and hold back all business waiting for a quorum.

Mr. DINGLEY. But this will obviate that difficulty to a certain extent. Other gentlemen here should not be punished for that.

Mr. WARNER. If gentlemen can pass their bills I will not object. I am not making the point of no quorum.

Mr. BRECKINRIDGE of Arkansas. But there is strong opposition to the bill you have called up.

Mr. DINGLEY. I appeal to the gentleman from New York. If the gentleman will only yield for a while, allowing the status of his bill to remain as it is, to be called up hereafter if desired, there are gentlemen present who will be greatly accommodated, by securing the passage of bills of importance to their constituents, and to which there would probably be little objection in the House. As long as it is evident that no progress can be made with the bill which the gentleman has called up, it seems that it would be good policy at least to give way and let others have an opportunity. This will allow unobjectionable measures to come in, and be acted upon by the members present. I make that proposition to my friend and hope it will be accepted.

Mr. WARNER. Mr. Speaker, I appreciate the situation, which, however, is not our fault.

Subsequently

Mr. ENLOE said: Mr. Speaker, I desire to make a report from the tellers. One hundred and thirteen gentlemen have voted in the affirmative, and 2 in the negative.

Mr. WARNER. Mr. Speaker, I hope that report will not be received. There are others in the room who have not come forward and voted.

Mr. ENLOE. We have waited an hour, Mr. Speaker, for gentleman to vote.

The SPEAKER. If the gentleman insists upon a report, of course the Chair will have to receive it.

Mr. O'NEILL of Pennsylvania. Mr. Speaker, we might as well wait until 12 o'clock. It is not very far off.

The SPEAKER. The tellers report—ayes 113, noes 2.

Mr. DUNPHY. No quorum, Mr. Speaker.

Mr. ENLOE. I move a call of the House, Mr. Speaker. The question was taken; and on a division (demanded by Mr. ENLOE) there were—ayes 35, noes 67.

Accordingly a call of the House was refused.

Mr. ENLOE. I make the point that the vote discloses no quorum voting.

The SPEAKER. That is a fact.

Mr. BRYAN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BRYAN. Suppose we have a call of the House, and that call discloses a quorum present, and then we suspend further action under the call, does that leave us in the same position as now, and will the tellers take their places again upon the motion to suspend the rules?

The SPEAKER. The gentleman from New York [Mr. WARNER] has been recognized to make the motion.

Mr. HOLMAN. I think we will have the sundry civil bill before the House in a very few minutes. The record does not disclose the absence of a quorum.

The SPEAKER. But the point has been made that no quorum voted, and only two motions are in order; one for a call of the House, and the other to adjourn.

Mr. HAUGEN. Would it be possible now to ask unanimous consent to take a recess until 8 or 9 o'clock in the morning?

Mr. HOLMAN. The bills will be in in a very short time, both of them. I hope the gentleman will not suggest anything of that kind.

Mr. ENLOE. We have been here all night, and I want to bring gentlemen here who are absent. I demand a call of the House.

The SPEAKER. That motion is not in order.

Mr. ENLOE. Other business has intervened. The House has discussed the question of adjournment.

The SPEAKER. Other business has not intervened.

Mr. ENLOE. I move that the House do now adjourn. The motion was disagreed to.

Mr. ENLOE. Now, Mr. Speaker, I move a call of the House.

The SPEAKER. That motion is now in order, other business having intervened. The gentleman from Tennessee [Mr. ENLOE] moves a call of the House.

The question being taken, the Speaker announced that the noes seemed to have it.

On a division (demanded by Mr. ENLOE) there were—ayes 36, noes 33.

Accordingly a call of the House was refused.

Mr. SIMPSON. I move that the House do now adjourn.

Mr. HATCH. I make the point of order that that motion is not in order. Only one motion to adjourn can be entertained pending a motion to suspend the rules.

The SPEAKER. But the absence of a quorum has been disclosed, so that the other rule operates. In the absence of a quorum only two motions are in order.

Mr. HATCH. The motion to suspend the rules and pass the bill is still before the House.

The SPEAKER. Ah, yes; but when the absence of a quorum is disclosed, then the House operates under the other rule, which provides that in that condition of affairs only two motions are in order, either for a call of the House or to adjourn.

Mr. HOLMAN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOLMAN. Upon the coming in of a conference report, the statement having been made by the Chair as to the situation, would it not be in order to proceed without reference to the question of a quorum?

The SPEAKER. It would not.

Mr. HOLMAN. Then a call of the House will be necessary.

The SPEAKER. The point has been made that no quorum has voted.

Mr. HOLMAN. Does not that apply exclusively to a recorded vote?

The SPEAKER. Where there is a recorded vote the Chair must make the point, but where there is no recorded vote any gentleman can make the point of no quorum.

Mr. HOLMAN. I move a call of the House.

Mr. DINGLEY. The motion of the gentleman from New York to suspend the rules could be withdrawn, and then a call of the House would not be necessary.

The SPEAKER. Of course.

Mr. McMILLIN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McMILLIN. If the tellers resume their places under the appointment heretofore made, if pending that the question of no point was withdrawn, a conference report would then be in order, would it not?

The SPEAKER. The Chair will read the rule:

The presentation of reports of committees of conference shall always be in order, except when the Journal is being read, while the roll is being called, or the House is dividing on any proposition.

Mr. SIMPSON. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SIMPSON. The Chair announced the ayes but not the noes. Should not that vote be announced?

The SPEAKER. The Chair had overlooked that. The Chair will again submit the motion, but before doing so the Chair will state that if the House do now adjourn it adjourns *sine die*, as it can not again assemble.

The question was again taken on the motion to adjourn, and the House refused to adjourn.

Mr. ENLOE. I now move a call of the House.

Mr. SPRINGER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. SPRINGER. If the gentleman from New York [Mr. WARNER] now withdraws his motion to suspend the rules and we then proceed to the consideration of a conference report, in case one comes in, can not we proceed without a call of the House?

The SPEAKER. The Chair will state to the House that where there is a call of the roll on which there is a recorded vote, the Chair must take notice of the fact, if it be a fact, that no quorum has voted; but where a proposition is pending before the House, and the vote is by division, then the Chair takes no notice of the absence of a quorum; but if a gentleman makes the point that

no quorum has voted; that stops further consideration of that measure until a quorum appears. But if the measure is no longer before the House, the point of no quorum is no longer before the House; and the Chair would take no official cognizance of the fact whether there was or was not a quorum, there being no recorded vote of it.

Mr. McMILLIN. That certainly is correct.

Mr. HOLMAN. Mr. Speaker, the conference report on the sundry civil bill will be before the House in a few minutes.

Mr. ENLOE. I think that we have reached that point where we need a quorum, and I do not intend that we shall do any more until one appears.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to make a statement of not more than a minute in length, if the House will indulge me.

The SPEAKER. The gentleman from Illinois asks unanimous consent to make a statement of a minute in length. Is there objection? [After a pause.] The Chair hears none.

Mr. SPRINGER. Mr. Speaker, I have been informed that the report of the committee of conference on the sundry civil appropriation bill will be reported to this House in a very few minutes; and if a call of the House were ordered, the House will be compelled to procure the presence of a quorum before we can do any other business; and we may not be able to do so before 9 or 10 o'clock in the morning.

Mr. ENLOE. I want members here, and to have a call of the House is the way to get them here.

Mr. SPRINGER. I want to suggest that if we postpone action on this conference report until 9 or 10 o'clock in the morning there will not be time to pass the bill and have it enrolled before the 4th of March.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had agreed to the report of the committee of conference on the bill (H. R. 10233) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes.

ORDER OF BUSINESS.

Mr. ENLOE. Mr. Speaker, I call for a vote on the motion for a call of the House.

The question was taken, and the motion was rejected.

Mr. HOLMAN. The conferees on the part of the two Houses on the disagreeing votes on the sundry civil bill have reached an agreement and submit it to the House.

Mr. WARNER. I call the gentleman to order.

Mr. McMILLIN. Will the gentleman suspend for a moment?

Mr. ENLOE. Regular order, Mr. Speaker.

The SPEAKER. The regular order is that tellers take their places. The Chair will state that the vote having been announced which disclosed the fact that there is no quorum, there is no motion in order except a motion to adjourn or for a call of the House.

Mr. McMILLIN. I suggest that the vote be taken *de novo*.

The SPEAKER. That could be done.

Mr. McMILLIN. I suggest that the gentlemen let in the appropriation bill and let it be considered. It is not in the interest of anybody to force the defeat of these bills.

Mr. WATSON. Let this custom-house get out of the way, then.

Mr. WARNER. Let those who are filibustering against the custom-house get out of the way.

Mr. FITCH. Let there be a vote on the demand for a second, and if we are beaten we will be satisfied.

The SPEAKER. The Chair would suggest that a call of the House would disclose the presence of a quorum.

Mr. HOLMAN. I move a call of the House.

A call of the House was ordered.

The roll was called, and the following named members failed to respond:

Abbott,	Bullock,	Dixon,	Hilborn,
Alexander,	Burrows,	Dungan,	Hilt,
Andrew,	Busey,	Edmunds,	Hoar,
Antony,	Byrns,	Ellis,	Hooker, Miss.
Atkinson,	Caldwell,	Flick,	Huff,
Bankhead,	Capelhart,	Forney,	Hull,
Beeman,	Cate,	Fowler,	Johnstone, S. C.
Belden,	Causey,	Fyan,	Ketcham,
Bentley,	Cheatham,	Gantz,	Kilgore,
Bingham,	Clancy,	Geary,	Lagan,
Blanchard,	Cobb, Ala.	Gillespie,	Lanham,
Blount,	Cockran,	Goodnight,	Lester, Va.
Boatner,	Compton,	Groat,	Lewis,
Boutelle,	Coolidge,	Hall,	Lodge,
Brawley,	Cooper,	Harner,	Magner,
Brickner,	Cowles,	Haynes, Ohio	McAleer,
Broderrick,	Crain,	Heard,	McClellan,
Brookshire,	Culbertson,	Hemphill,	McCreary,
Brosius,	Cutting,	Henderson, Ill.	McKeighan,
Brown, Ind.	Dalzell,	Herbert,	McLaurin,
Buchanan, N. J.	Davis,	Hermann,	Milliken,

Mitchell,	Raines,	Stevens,	Washington,
Moore,	Rayner,	Stewart, Tex.	Wheeler, Ala.
Morse,	Reed,	Storer,	White,
Moses,	Robertson, La.	Sweet,	Wike,
Norton,	Robinson, Pa.	Tarsney,	Wilcox,
Oates,	Russell,	Taylor, Tenn.	Williams, Mass.
Owens,	Sanford,	Taylor, E. B.	Williams, Ill.
Parrett,	Scully,	Taylor, V. A.	Wilson, Ky.
Pattison, Ohio	Shell,	Tilman,	Wilson, Mo.
Paynter,	Shively,	Townsend,	Wise,
Perkins,	Smith,	Tucker,	Wright.
Pierce,	Snodgrass,	Van Horn,	
Price,	Snow,	Wadsworth,	
Quackenbush,	Stahlnecker,	Walker,	

The SPEAKER. The doors will now be closed. The Clerk will call the names of the absentees; and on this call excuses will be in order.

During the second call,

Mr. HOLMAN said: Mr. Speaker, I ask unanimous consent that all further proceedings under the call be dispensed with.

The SPEAKER. The gentleman from Indiana asks unanimous consent to dispense with the call of the absentees, as there is more than a quorum disclosed on the first call.

There was no objection, and the call of the roll for absentees was dispensed with.

The SPEAKER. One hundred and ninety-two gentlemen have answered to their names, and the gentleman from Indiana moves to dispense with all further proceeding under the call.

The motion was agreed to.

The SPEAKER. Tellers will now resume their places.

Mr. HATCH. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HATCH. Will this vote be taken *de novo*?

The SPEAKER. It will.

Mr. WILLIAM A. STONE. Mr. Speaker, I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAM A. STONE. If the majority passing between the tellers vote against ordering a second, a quorum appearing, does that take this measure out of the way?

The SPEAKER. It does. The motion is not before the House unless it is seconded.

Mr. REILLY. Seconded by a majority.

The SPEAKER. Seconded by a majority.

The tellers again took their places.

The House divided; and the tellers reported—ayes 56, noes 112; so the motion of Mr. WARNER to suspend the rules and pass the bill was not seconded.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. HOLMAN. Mr. Speaker, I now call up the conference report on the sundry civil appropriation bill. This is quite an important report, and if gentlemen will pay close attention to the reading of the statement of the House conferees it may prevent the consumption of time in explanations.

I think that if the House will act promptly on this report one way or the other we shall be ready in good time to adjourn. I now call for the reading of the statement and ask unanimous consent that the reading of the formal report be dispensed with, as it would not convey any information to the House.

There was no objection.

The statement of the House conferees was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the sundry civil appropriation bill submit the following written statement in explanation of the action agreed upon and recommended in the accompanying conference report, namely:

On amendment numbered 67: Appropriates \$150,750, instead of \$201,750, for the Government exhibit at the World's Columbian Exposition.

On amendment numbered 68: Strikes out the provision proposed by the Senate that \$25,000 of the appropriation for the Government exhibit shall be used for a statistical exhibit illustrating the progress of the colored people.

On amendment numbered 69: Appropriates \$211,375, instead of \$236,375, as proposed by the Senate, for the World's Columbian Commission, including \$93,190 for the Board of Lady Managers.

On amendment numbered 70: Appropriates, as proposed by the Senate, \$570,880 for committees, judges, and examiners for the Exposition, and the granting of awards, with the provision added that before said sum shall be available the World's Columbian Exposition shall, to the satisfaction of the Secretary of the Treasury, give full and adequate security for the return and repayment by the said Exposition to the Treasury of the said sum on or before October 1, 1893.

On amendment numbered 71: Amends, as proposed by the Senate, section 3 of the act in aid of said Exposition approved August 5, 1892.

The total appropriations finally agreed upon by the conference committee on account of the World's Columbian Exposition amount to \$933,005, with the provision that \$570,880 thereof shall be returned to the Treasury out of the funds of the said Exposition. The amendments of the Senate proposed an unconditional appropriation for those objects in the aggregate amounting to \$1,009,005.

On amendment numbered 104: Strikes from the bill the provision proposed by the House to amend section 7 of the act to repeal the timber-culture laws approved March 3, 1891.

The bill as agreed upon appropriates \$41,701,311.15, being \$2,233,164.51 less than as it passed the Senate and \$2,255,358 more than as it passed the House.

W. S. HOLMAN,
JOSEPH D. SAYERS,
WM. COGSWELL,
Managers on the part of the House.

Mr. HOLMAN. Mr. Speaker, I will occupy but a very few minutes.

Mr. BLAND. Mr. Speaker, I wish to ask the gentleman whether he will not yield some time to those who are opposed to the proposition to which the conferees have agreed. The gentleman certainly can not call that a compromise.

Mr. HOLMAN. I will not occupy any time on this report without giving an opportunity for reply.

Mr. BLAND. I would like about five minutes.

Mr. HOLMAN. Mr. Speaker, of course it is not necessary for me to say that this report is not at all satisfactory to the conferees on the part of the House. The bill is simply presented to the House in the best possible shape that your conferees could obtain from those of the Senate. It is a matter of necessity that at this late hour the question should be brought to the attention of the House for either its approval or disapproval; and I think I am authorized to say that the conferees on the part of the House have been actuated by that consideration alone. I will state in as condensed a form as I can the exact effect of this report.

Amendment No. 67, the first of the series of amendments which went to the conferees, gives for the Government exhibit \$150,750, instead of \$201,750. No. 68 strikes out the authority to use \$25,000 for a colored people's exhibit. No. 69 appropriates \$118,185 for the Commission, and \$93,190 for the Lady Managers. The last item is the amount as fixed by the Senate provision; but the \$118,185 is a reduction from the original amount. No. 70 appropriates the \$570,880 for judges, etc., with the proviso which I will ask the Clerk to read again so that the effect of it can be understood.

The Clerk again read the proviso.

Mr. HOLMAN. Now, the effect of that is readily seen. The fact that there is a portion of that \$2,500,000 still in the Treasury, to the extent, it is said, of some eight or nine hundred thousand dollars, would of itself be a pretty good security, but this appropriation is not available until ample security is furnished to the Secretary of the Treasury as here provided, so that all that is to be regretted about this provision is that it covers the appropriation of the \$370,880, makes it an appropriation outright. That was not satisfactory to the House conferees, but it had to be accepted.

Mr. COOMBS. How can it be called an appropriation when the Government takes security for its repayment?

Mr. HOLMAN. It is nominally an appropriation; but it goes into our accounts all the same.

Amendment numbered 71 amends section 7 of the act of August 5, 1892. That is quite unimportant. That section provided originally for issuing 50,000 medals. The subsequent amendment is that not more than 50,000 shall be issued.

Amendment No. 104 has been deemed by the conferees on the part of the House a very important one. It is an amendment striking out a provision of the House bill which was intended to secure to contestants in land cases the benefits of the seventh section of the act of March 3, 1891, as understood by all the conferees on that bill except one. A different interpretation having been placed upon that act, some twenty-five persons, I believe—a gentleman near me suggests less than twenty-five—were deprived of the right to perfect their appeals which had been taken prior to the passage of that act.

The Senate was inexorable in the determination that this measure should not become a law. The House conferees relinquished it with great reluctance at the last moment. We were assured by Senators that unless this concession was made no report could be agreed to. The interest that I felt in this matter must be very manifest, because I was the author of that provision and was one of the conferees on the bill which resulted in the act of March 3, 1891. I felt greatly mortified when I heard of the construction which had been placed on that section; and at an early moment introduced this provision to correct a construction which was manifestly not intended and which did great injustice. But Senator after Senator came before the conferees, or at any rate came into the committee room where we met, and it was found impossible to obtain any concession whatever on this point from the Senate.

I only allude to the authorship of the provision to show the interest that I felt in the matter. My two associates, the gentleman from Massachusetts [Mr. COGSWELL] and the gentleman from Texas [Mr. SAYERS], were equally firm; and there would have been no concession made had there been time to continue the contest further.

Now, the result of all this is as follows: The amount appropriated for the World's Fair exhibit is \$150,750; for the Commission \$118,185; for the Board of Lady Managers \$93,190; for the jurors, called in some parts in the act judges, \$570,880; making a total of \$933,000 as against \$1,009,000.50.

Mr. LIVINGSTON. How much of that goes to the World's Fair?

Mr. HOLMAN. All of it is intended for the World's Fair; whether it will go there or not I do not know.

I was about to remark that this amount—\$570,880—is to be reimbursed, leaving the actual appropriation of money which is not to be returned to the Treasury \$362,125.

In the midst of the complaints and regrets that such a conclusion had to be reached, there is at least this satisfaction, that the measure in its present shape is not as bad as when it came back from the Senate. Instead of appropriating \$1,009,000.50, we appropriate only \$362,125.

This is the amount which the people of the United States lose. The remainder of the appropriation is sure to be returned if the Secretary of the Treasury performs his duty, because the money now in the Treasury can not be withdrawn unless satisfactory security is furnished. This security is to be full and ample, with no limitations or conditions whatever.

Mr. RICHARDSON. What security is to be taken when this loan of \$570,000 is made?

Mr. HOLMAN. The language is "full and ample security for the return of the money on or before the 1st day of October, 1893."

Mr. RICHARDSON. This, then, is a loan by the Government?

Mr. HOLMAN. It is.

Mr. RICHARDSON. I would like to ask the gentleman whether it is any more lawful to loan money upon such security than it would be to loan money upon farm products?

Mr. HOLMAN. No; that is just as lawful. I wish to add that Congress took similar action in the case of the Centennial Exposition. There we loaned \$1,500,000; and we recovered the money—at the end of a lawsuit, I admit.

Mr. BAILEY. Was the gentleman then a member of Congress?

Mr. HOLMAN. Yes, sir.

Mr. BAILEY. Was the gentleman from Illinois [Mr. SPRINGER] also a member at that time?

Mr. HOLMAN. He was.

Mr. BAILEY. Do you know how he voted?

Mr. HOLMAN. I do know how he voted.

Mr. BAILEY. He voted against loaning the money.

Mr. HOLMAN. And so did I. I never voted for any loans of that kind.

Mr. Speaker, I now yield five minutes to the gentleman from Texas [Mr. SAYERS].

Mr. SAYERS. Mr. Speaker, I will ask the indulgence of the House but a very few moments in regard to this report. In the first place, sir, my colleague from Indiana [Mr. HOLMAN] who has charge of the bill makes quite a mistake when he says that this is a loan. It is not a loan; because by the terms provided, and which the House conferees placed on the Senate amendment, we take hold of the moneys that belong to the Columbian Exposition. It is not the property of the Government. It is money that was given by Congress to the Exposition and is now in the Treasury.

Mr. ENLOE. You want to hold that until you get other security.

Mr. SAYERS. It amounts to that.

Mr. DE ARMOND. If I understood the proviso correctly, it is to the effect that a sum of \$570,000 of the souvenir coins shall be held up until security is given?

Mr. SAYERS. Just so.

Mr. DE ARMOND. When the said security is given the souvenir coins go out?

Mr. SAYERS. Until the security is given for the return of the money which belongs to the Exposition, and which the Government permits it to take out of the Treasury.

Mr. DE ARMOND. Is it not practically this: That there is \$570,000 to go to this Exposition that has to be paid out at once. At the same time there is to be held, of the souvenir coins, an equal sum until there is satisfactory security given? Then all the souvenir coins can go out and the said security stands there to be released by the United States Congress, and if the gentleman from Illinois lives it will be here next Congress.

Mr. LIVINGSTON. Who settles the question of security?

Mr. SAYERS. The Secretary of the Treasury.

Now, sir, \$1,009,000 does not cover all the appropriations that are asked by the Senate for the Exposition. By reference to the deficiency bill it will be found that there are two items in each, amounting to about \$50,000, either directly for the Columbian Exposition or for kindred purposes. The Senate has agreed to abandon these appropriations. Again, the sundry civil bill has two items of \$25,000 each, which the Senate propose to appropriate for the entertainment of visiting strangers.

Mr. HOLMAN. They have been stricken out.

Mr. SAYERS. Yes; the Senate receded from them upon the insistence of the House conferees. But of the amount involved

in this immediate appropriation, \$1,009,000, considering it a loan, if you please, \$570,880 is to be returned to the Treasury.

The appropriation for the governmental exhibits and for the Board of Control was reduced by \$76,000. That is to say, instead of giving the amounts covered by the Senate amendments for this purpose we have given them less by \$76,000—

Mr. LIVINGSTON. What is the amount appropriated?

Mr. SAYERS (continuing). So that the amount to be lost to or expended by the Government will be \$362,125.

Mr. LIVINGSTON. Add that to the \$575,000—

Mr. WATSON. Let me ask the gentleman from Texas this question—

Mr. SAYERS. Certainly I yield for a question.

Mr. WATSON. Do you think it right for the House to surrender its position on a matter of principle in regard to the appropriations for these people in Chicago?

Mr. SAYERS. I will say this to my friend, to be entirely candid with him—

Mr. WATSON. As I know you will be.

Mr. SAYERS (continuing). That, if I understand aright the duties of conferees—

Mr. WATSON. Pardon me, if you please, but that is not the question.

Mr. SAYERS. I will answer your question very shortly.

If I understand the duty of conferees, it is, if possible, to bring the two Houses as near together as possible and submit an agreement to the two Houses for their ratification or rejection.

Your conferees have been steadily at work trying to reduce the Senate amendments upon this bill ever since it was put into conference. Again and again have we approached the Senate conferees. Feeling that the hour was fast approaching when this Congress must finally adjourn, we deemed it our duty, instead of maintaining an unavailing contest, to bring this question back to the House and let the House assume the responsibility of defeating this appropriation bill, if defeated it should be.

Now I will answer the gentleman's question. I will say to the gentleman from Georgia [Mr. WATSON] that I have uniformly voted against appropriations of this character. The records will show that from first to last I have opposed such projects; but I can not and will not take upon myself the responsibility, at this late hour of the session, to advise the House to reject the agreement which the conferees have made.

Mr. WATSON. Will my friend indulge me for one moment?

Mr. SAYERS. The loss of the sundry civil bill, in my judgment, means an extra session of Congress.

Mr. HOLMAN. That would be inevitable.

Mr. COOMBS. And at an enormous expense.

Mr. WATSON. Now, if we are right and the Senate is wrong will not the responsibility rest with the Senate, and ought we not to put it on them and let them bear it?

Mr. SAYERS. I will say to my friend that this is my fourth term in Congress, and that I have served three terms on the Committee on Appropriations, and there never has been a bill that came from the Senate which in every particular met my approbation. The office of a legislator is to do the best he can under the circumstances and with the opportunities at his disposal.

Mr. DE ARMOND. Will the gentleman yield for a question?

Mr. SAYERS. Yes.

Mr. DE ARMOND. If the conferees had again disagreed, as they did before, the House having twice voted not to concur in these amendments, would not the matter have come back to the House so that it could have considered each amendment separately, and is not the result now that they are so bunched that they will either have to be rejected or approved as a whole upon one vote?

Mr. SAYERS. Not at all. The very same amendments, the very same appropriations against which the House has voted, are involved in this report.

Mr. DE ARMOND. The gentleman misunderstood my question.

Mr. SAYERS. If I understand the gentleman from Missouri [Mr. DE ARMOND] and the gentleman from Georgia [Mr. WATSON], they are opposed to any appropriation whatever for this purpose.

Mr. DE ARMOND. That is true, but the question—

Mr. SAYERS. So that, if you be opposed to any appropriation whatever, you are put at no disadvantage by reason of the conference report.

Mr. DE ARMOND. The gentleman misapprehends my question. I say, if the conferees had again disagreed, the matter would have come back to the House, so that the House would have had a separate vote upon each one of these amendments, while as it now comes back to us the fate of the whole depends upon one vote.

Mr. SAYERS. You can vote it down if you wish.

Mr. DE ARMOND. Then we are put to that disadvantage?

Mr. SAYERS. No, you can vote the proposition down and send your conferees back with instructions not to agree to any proposition emanating from the Senate upon the subject of the World's Columbian Exposition.

Mr. HOPKINS of Illinois. And thereby compel an extra session of Congress.

Mr. SAYERS. I think so.

Mr. DOCKERY. But the situation is not different in respect to this conference report, from the situation with reference to any other conference report.

Mr. DE ARMOND. It is different. I have pointed out the difference in the situation. As it was before we had five or six amendments and five or six questions submitted, and now there is only one.

Mr. HOLMAN. If there had been time it would have been reported back in the other form.

Mr. WILLIAM A. STONE. Do not all the amendments pertain to the same matter?

Mr. SAYERS. Yes. Now, Mr. Speaker, a few words more and I am done. I feel that I, as one of the conferees, have done the very best that I possibly could do to carry out the wishes of the House. The conferees representing the House are not required to jeopardize the entire bill on account of a few items that may be in it.

If we had not come to some agreement and brought this bill back to the House, and then allowed the hour of 12 o'clock today to arrive, we would have assumed a very grave responsibility, such a one as I would not care to assume before the House and the country.

Mr. BLAND. For this \$570,000 that is voted we are to take security, are we not? Do I understand the gentleman from Texas to say that the money is now in the Treasury?

Mr. SAYERS. That is the information we have. That there is about \$900,000 in the Treasury.

Mr. BLAND. Is there anything in this bill to require that money to remain there until this \$570,000 is paid back again?

Mr. SAYERS. Not at all. There is a provision to pay that sum, but before that amount can be taken from the Treasury or one dollar of this appropriation can be used, the Columbian Exposition, that is, the private corporation, must furnish adequate security to the Secretary of the Treasury to return the money it takes out of the Treasury.

Mr. BLAND. That is very true; but I understand the gentleman to say that the conferees made the impression upon my mind at least that we give them the use of the money now in the Treasury belonging to this corporation, which could be held until this is refunded.

Mr. SAYERS. I did not so intend.

Mr. BLAND. Then I understand it to be that the whole of this \$570,000 will be paid out and all we will have will be some sort of a security.

Mr. SAYERS. I would have the gentleman to understand—

Mr. BLAND. Is that true?

Mr. SAYERS. It is, in part.

Mr. BLAND. Now, I want to know why it is that if private corporation can come to this Congress with security for that \$570,000, why can not it go to any banker and get the money; and why is it that we are to loan money to that corporation when we all know that when we meet here in Congress again they will come in again, as they have done before, and as they will always do, and beg us to give them relief, and that they will finally be released.

Mr. SAYERS. Mr. Speaker, the gentleman is in error. This is not a loan to a corporation.

Mr. BLAND. Why is it loaned to that private corporation?

Mr. SAYERS. It is to pay the jurors, who are under the control of the National Commission, which represents the Government.

Mr. BLAND. Will it be paid back by the National Commission?

Mr. SAYERS. No, sir.

Mr. BLAND. Then who does pay it back?

Mr. SAYERS. The private corporation.

Mr. BLAND. Why not let them borrow it from someone else?

Mr. SAYERS. The private corporation is not borrowing from the Government.

Mr. BLAND. You are appropriating money to them.

Mr. SAYERS. Not so. The private corporation does not pay the awards or jurors.

Mr. BLAND. Then why do you take any security about it? Why not make an appropriation?

Mr. HOPKINS of Illinois. That, I think, ought to be done.

Mr. SAYERS. Because I do not think the Government ought to be at that expense.

Mr. BLAND. I do not think so either. Then why should they borrow it? We are simply to let them have this money upon some security which they will have released when Congress assembles again.

Mr. SAYERS. I repeat that the gentleman from Missouri quite misunderstood the question.

Mr. BLAND. I do not misunderstand it.

Mr. SAYERS. In the first place, under the law the private corporation is not required to pay the expenses of the jurors.

Mr. REILLY. I do not agree with the gentleman from Texas there. There is a special provision which requires them to pay them.

Mr. SAYERS. The Government of the United States, if this conference report be adopted, will pay these jurors, and the corporation will refund or reimburse the Government.

Mr. ENLOE. Will the gentleman from Texas allow me to ask him a question?

Mr. SAYERS. Certainly.

Mr. ENLOE. If this enterprise should prove to be unprofitable and a loss should be sustained, will the loss be sustained by this private corporation? Are we going to stand the loss of that private corporation?

Mr. SAYERS. Not at all. If the Secretary of the Treasury does his duty he will take from the corporation the security that is required of him by this provision.

Mr. ENLOE. If there is a profit made out of it, is the profit made by the private corporation?

Mr. SAYERS. Certainly.

Mr. ENLOE. If a loss is sustained, will the loss fall upon the Government or the private corporation?

Mr. SAYERS. It would and should fall upon the corporation. Now, Mr. Speaker, I say as to this conference report that so far as I am concerned it makes no difference to me whether the report be adopted or not. I have never voted for any of these propositions.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed without amendment the bill (H. R. 10375) establishing a standard gauge for sheet and plate iron and steel.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. SAYERS. If I had not been a conferee, representing the House, I should not have troubled myself whether the appropriation was made or not. Now, gentlemen have the report before them, and they can do just as they please.

Mr. BLAND. I want to say to the gentleman from Texas that I know he has done the best he could; but I wanted to give my reason for voting against it, too. [Cries of "Vote!" "Vote!"]

Mr. DE ARMOND. Mr. Speaker—

Mr. HOLMAN. I will yield five minutes to the gentleman from Missouri [Mr. DE ARMOND].

Mr. BANKHEAD. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. BANKHEAD. The gentleman from Indiana, in charge of the bill—

Mr. HOLMAN. I yield five minutes to the gentleman from Missouri.

Mr. BANKHEAD. I am making a parliamentary inquiry. The gentleman from Indiana, controlling this bill and the time, is giving it out to the friends of the measure.

Mr. BLAND. Oh, no; he is not.

Mr. BANKHEAD. I do not care to take any suggestions from a gentleman sitting in his chair. Now, I want to know if the gentleman from Indiana intends to call the previous question when he gets through without giving anybody an opportunity to be heard?

The SPEAKER *pro tempore*. That is not a parliamentary inquiry, but a question that should be addressed to the gentleman from Indiana.

Mr. HOLMAN. If any other gentleman desires time, I will yield it to him.

Mr. REILLY. I want five minutes.

Mr. HOLMAN. I have promised the gentleman from Pennsylvania five minutes.

Mr. DE ARMOND. Mr. Speaker, I thought I was recognized by the Chair.

The SPEAKER *pro tempore* (Mr. PENDLETON). The gentleman from Indiana has the floor.

Mr. HOLMAN. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. REILLY].

Mr. REILLY. Mr. Speaker, I think that the amendments proposed by the Senate to the sundry civil bill are all somewhat

meritorious and defensible upon fairly reasonable grounds, excepting the amendment numbered 70, making appropriations for the payment of judges and jurors of awards, which, I think, is wholly indefensible and unwarranted. While I have at all times and on all occasions been a warm advocate and friend of every measure calculated to promote the success of this grand Exposition, I think that that appropriation ought never to have been inserted in this bill. It was originally included in the five-million bill introduced in this House at the last session, and was referred to the Committee on the Columbian Exposition, where it was rejected by a practically unanimous vote.

Now, let me say, for the information of the House, that in the course of the progress of the arrangements as to the plan and scope upon which this Exposition should be conducted, there was some clash between the Exposition Company and the National Commission, but finally an arrangement was amicably decided upon by which it was agreed that the Exposition should be conducted on the plan and scope of fifteen great departments, and it is now being and is to be carried on upon that basis to the end.

When that arrangement was made, when the written agreement was entered into, the local corporation, while they were obliged to make all appropriations for the payment of the expenses, reserved the right by the terms of the agreement to cut down or suspend altogether any of the necessary appropriations for organizing and carrying on these great departments, so that it was in their power at any time to cripple the plan adopted for conducting this Exposition.

Now, sir, when the act of August 5, 1892, granting the \$2,500,000 to the Fair passed, we took the precaution to insert in that bill the following provision:

SEC. 2. That the appropriation provided in section 1 of this act shall be upon condition that the said World's Columbian Exposition maintain and pay all the expense, cost, and charges of the great departments organized for the purpose of conducting the work of the Exposition, such expenses, cost, and charges to be paid out of the funds of the said World's Columbian Exposition.

The very purpose and object of this provision, Mr. Speaker, was to set at rest and place this liability beyond controversy or question.

Now, I submit that there would be just as much propriety or justice in their coming here and making a demand for an appropriation from the Treasury to pay the wages of the gate-keepers or the ticket-sellers or the patrolmen who are to have the care and custody of the exhibits at the Exposition as there is in this demand, and I had hoped and had suggested to the gentleman from Indiana [Mr. HOLMAN] that a compromise might be effected in the conference upon this subject which would eliminate altogether from the sundry civil bill this amendment numbered 70 and allowing the others to stand.

Mr. COGSWELL. Will the gentleman suggest what sort of a compromise better than this the conferees could make when the House has voted three times to insist upon knocking the items out altogether? The gentleman wants the conferees to represent the sentiment of the House and then he proceeds to criticize them for not having done something else. Will he tell us what else they could have done?

Mr. REILLY. I beg the gentleman's pardon. I made no reflection on the conferees. But in answer to the gentleman's question I may ask him whether the conferees on the part of the House proposed to the Senate conferees any such compromise as I have suggested.

Mr. SAYERS. Again and again.

Mr. REILLY. To strike out amendment No. 70 and leave the rest stand.

Mr. HOLMAN. No. 70 and the whole of them.

Mr. REILLY. That is it. The contention between the two Houses, as I understand, has been upon all these World's Fair amendments.

Mr. HOLMAN. Yes; the House conferees objected to making any appropriation whatever.

Mr. REILLY. That is the way I understand it, and my recommendation or suggestion is that a more satisfactory adjustment of the differences between the two Houses would have been to strike out the \$570,000 appropriation for payment of jurors and yield as to the other items, which, as I have already said, have some merit. For instance, the item of \$201,000 for the completion of the Government exhibit is, I think, quite justified. The act of April 25, 1890, inaugurating this Exposition, authorized and directed the preparation of a Government exhibit and the construction of a Government building in which to install the same.

By the terms of that act the liability of the Government was fixed at \$1,500,000—and of this \$400,000 was to be applied to the construction of the Government building and other amounts as specified in the act to the expenses of the National Commission,

etc. The Board of Management charged by that act with the duty of preparing this exhibit were without specific directions as to the extent or cost of the Government exhibit, and it naturally occurred to them by fair inference that it was the intention to have the Government exhibit cost about \$1,000,000, and they have accordingly been arranging the exhibit on that basis, and it is necessary that the amount included in this bill should be appropriated to carry out that idea, and unless that is done it will seriously impair the scope of the Government exhibit determined upon and in course of preparation.

I have not time to elaborate upon this; but I assume that every one is not only willing but anxious that the Government exhibit should be on a scale and of a character comporting with the dignity and greatness of the Republic and fitting to be displayed at this great international Exposition; and so as to the other items, save this matter of paying jurors out of the national Treasury.

Mr. Speaker, it was eminently proper and wise that the control of awarding premiums at the Exposition should be in the hands of the National Commission. This feature of this Exposition is one of the most valuable franchises granted to this Exposition.

If it be determined that the selection of jurors is the proper way of awarding the premiums then I submit that under the provisions of the act above cited they should be paid out of the receipts or funds of the Exposition, just as other expenses incurred in conducting and carrying on the Exposition. This compromise practically accomplishes this, but I can see no necessity for ever loaning this amount out of the nation's Treasury, and whilst I shall support the conference report, yet I would have preferred that this item had been eliminated entirely from the bill.

Mr. LITTLE. I wish to ask the gentleman from Indiana whether it is claimed that this money to pay the jurors or judges will be required before the gates are opened?

Mr. HOLMAN. No, sir; I think not.

Mr. LITTLE. Then, what advantage is it to the Columbian Exposition to grant this money when the very day the Fair opens they will have one or two hundred thousand dollars, and will in a few days have far more than will be needed to pay back this appropriation?

Mr. HOLMAN. That consideration was urged with all earnestness—

Mr. LITTLE. I ask the gentleman to answer the House—

Mr. HOLMAN. I have answered the House.

Mr. LITTLE. What advantage is it?

Mr. HOLMAN. None, as I have contended.

Mr. LITTLE. If they have to pay this money back there is no advantage—

Mr. HOLMAN. None whatever.

Mr. LITTLE. Except perhaps the little consideration of interest. The probability is that the Fifty-third Congress will be asked to allow these people to withdraw the security they may have given.

Mr. HOLMAN. Such a thing is very possible.

Mr. SIMPSON. Very probable.

Mr. HOLMAN. I now yield ten minutes to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. Mr. Speaker, I do not feel that I know very much about the duties of conferees, and I have no disposition to criticise the gentlemen who have acted in that capacity for the House in this case. Conferees, as I understand, represent the body appointing them. This body, which sent out these gentlemen commissioned as conferees, had three several times, as the gentleman from Massachusetts [Mr. COGSWELL], one of the conferees, has stated, declared by positive votes after discussion its opposition to the adoption of these Senate Columbian Exposition amendments.

Not knowing fully what conferees have to do, I naturally supposed that in view of this reiterated expression of the judgment of this House, our conferees would go into conference to say to the conferees of the Senate, "We come charged, trebly charged, by the body which sent us here to decline to agree to these amendments." That, I think, would have been carrying out the will and wish of the House; and while I have no sort of criticism to make of these gentlemen, that would have been a more complete expression, in my judgment, of what this House itself has said and of what we have reason therefore to believe this House meant.

Mr. HOLMAN. That was said one hundred times by the conferees.

Mr. DE ARMOND. But it was not said by the report brought back here. It is said that the conferees protested and protested. Yet protesting, they yielded. The protest which amounts to anything is the protest which is an abiding one. What is the

use of arguing and saying, "Our House does not want us to yield; our House has told us not to yield; our House has declared that these amendments are obnoxious, and that it will not adopt them. But if you insist upon it, in order to be amiable, in order to bring the two Houses to a conclusion, we will yield what we were told not to yield; we will surrender that which we were sent to defend; we will allow you to tack upon this bill bad legislation entirely foreign to it. We will suffer you to repeat again the legislative outrage which you have heretofore perpetrated upon the House and the people. We will protest; we will proclaim and argue, over and over, that those who commissioned us were right in the position they took; but we will yield; complacently we will comply with your suggestions instead of standing for the rights of the House; instead of standing upon our constitutional powers; instead of standing where we ought to stand and letting the hour of 12 o'clock on this 4th day of March come, with the responsibility resting where it properly belongs."

If our conferees had stood as the House has stood and said, "We will have none of this legislation," where would the responsibility be if an extra session should follow? With the Senate. If the sundry civil bill should fail, where would the responsibility rest? Upon the body that insisted upon engrafting on this measure, which should contain only ordinary and necessary appropriations, a subject foreign to it, a subject unauthorized, a proposition which the House has opposed and sent conferees to assert its opposition.

Would not that have been the parliamentary situation? What have we now? There has been a surrender of the vantage ground; the advantage we had is transferred by the conference agreement to the Senate. Here they come with an agreement—an agreement which is a surrender; an agreement which gives away everything that we contended for; an agreement that has some little promise of hope to the ear—hopes that will be dashed. Who supposes that anything will come of the provision for the refunding of the \$570,000? Will that money be put back into the Treasury on the 1st day of next October? No. What then?

There will lie the obligation, but not the money. Soon will come the session of Congress, and the distinguished gentlemen who now appear—not for the Chicago corporation; oh, by no means, but for the people of the United States of America—will be here again, and, appearing for that mighty and magnificent people, will ask that the obligation for the return of this sum of \$570,000 be surrendered.

Mr. DICKERSON. What is the use of holding this bill back and forcing an extra session, if we are to yield when we come together the next time?

Mr. DE ARMOND. Well, perhaps some of the yielding gentlemen will not be here the next time. Mr. Speaker—

Mr. DICKERSON. We will be all here then.

Mr. DE ARMOND. Not all by any means. The people have made some arrangements by which certain persons will not be here, and when they come to understand, as they will understand, that Congress after Congress, and time after time, the House surrenders to the Senate, that the House belittles itself, that the House fears the coming of the hour of adjournment with necessary appropriations lacking, with necessary bills failing unless the House yields, others may not be here as long as they wish to be.

The gentleman from Indiana mourns that valuable provision in regard to the public lands, and its untimely death. But weeping and mourning and protesting, he presents over his own sign manual an agreement which, if the House ratifies it, will defeat and destroy that valuable provision of this bill.

This conference report comes to us, Mr. Speaker, with the sanction of these gentlemen's names. It comes to us with them on record in favor of it. It comes from them protesting that it is bad—they know it to be bad—with them telling the House not to do what they themselves have done and yet asking the House to do it. All the same, some dire necessity, some terrible coercion, some fearful impending calamity impels them to accept it, and ask the House to adopt it. We must still yield to the Senate.

I protest, Mr. Speaker, that we can no more fittingly illustrate the power and dignity of the House, the House of Representatives that ought to contain the strongest defenders of the American people, than by resisting here until 12 o'clock to-day, and thus defeating this iniquitous measure. [Applause.]

[Here the hammer fell.]

Mr. HOLMAN. I yield now to the gentleman from Massachusetts [Mr. COGSWELL].

Mr. COGSWELL. Mr. Speaker, let us for a moment take a practical view of the situation. Here is a great appropriation bill carrying over \$40,000,000, and after several conferences in trying to reconcile the differences between the two Houses, involving over \$5,000,000, we went over there eight hours ago into

the conference on a disagreement upon certain amendments which take nearly \$1,000,000 out of the Treasury. It was the duty of these conferees to represent the views which had been emphatically expressed by this House to the best of their ability, and their staying qualities.

It was also their duty, if possible, to reconcile the differences between the two great bodies. They have gone over with your vote and insisted on a disagreement to take out over one million of dollars from the Treasury.

What have they done? They have brought back a report signed by the conferees of the House and Senate which takes from the Treasury a little over \$300,000. Do you call that a surrender? I call it a pretty good piece of work to go into a conference with a coordinate body and get 75 per cent of your disagreement. And what else have they done? Here is the Government exhibit that must have money to pay for the cost of repacking and sending back its valuable exhibits. It must have money to run along and have their exhibits installed, and on that item we save \$25,000.

Mr. LIVINGSTON. Allow me a question.

Mr. COGSWELL. Not yet; I will answer you directly. I do not want to interrupt my statement. Here was your Columbian Commission. It had got to have some money to run along until the Exposition closes. And we have taken off \$50,000 for that item, and then we come to the great item of \$570,000. The honor of this country is pledged to every foreign exhibitor by your own Commissioners, who were sent abroad, and who were told by the foreign exhibitors that they would not send an exhibit to this country unless they knew it was to be properly installed, and the room provided by the United States instead of the city of Chicago or the State of Illinois. We will not send our exhibits unless judges to make the awards are appointed by the Government.

I say our honor was pledged to these foreign exhibitors. The Senate proposed that we should take \$570,000 out of the Treasury. We have not only saved our honor, but we have saved the Treasury by providing that the Chicago corporation shall pay for it.

Mr. LIVINGSTON. Now, will the gentleman answer my question?

Mr. COGSWELL. Yes.

Mr. LIVINGSTON. The question is this: Did not the Chicago corporation stipulate to repack all those things and send them to Washington again, free of expense to the Government?

Mr. COGSWELL. Our own Government exhibits?

Mr. LIVINGSTON. Yes.

Mr. COGSWELL. I do not so understand.

Mr. LIVINGSTON. Did they not agree to take a million and a half of money and not call upon the Government for a cent more?

Mr. COGSWELL. But this Government exhibit we are making ourselves.

Mr. LIVINGSTON. Oh, answer the question.

Mr. COGSWELL. We have a commission of our own.

Mr. LIVINGSTON. I want to ask you this other question: Do you doubt the veracity and honor and integrity of Chicago to comply with her contract?

Mr. COGSWELL. I do not see that that is involved.

Mr. LIVINGSTON. They promised it.

Mr. COGSWELL. That has nothing to do with our taking care of our own exhibit. Chicago has got nothing to do with that. She never promised to send it back, nor to send it on.

Mr. HOLMAN. I yield to my colleague [Mr. BYNUM].

Mr. BYNUM. Mr. Speaker, what little I have to say will be directed to that amendment which has been stricken out, which proposed to save certain rights to contestants of fraudulent entries of the public lands. I am seriously disappointed that the conferees have not made a stronger stand in behalf of this amendment. My understanding of the necessity of that amendment is this: We all know that our public lands have been taken up by syndicates and by companies and by individuals who are able to and have hired parties to fraudulently preempt and secure title.

In this way a large tract of most valuable public land has been taken up. Under the law as it formerly stood the contest could be entered at any time before the patent was issued. Fraudulent entries were made almost without limit, upon the most valuable tracts of land in the Western country. Contests were begun and were absolutely won. Thousands of dollars have been expended by these contestants to try their cases before the land offices, and they had actually gone on and had many of these fraudulent entries so declared. Of course the success of the contestant in one case opened up the entire fraud. Now, just at that critical time there appeared upon the bill repealing the timber-culture law a provision which was really not germane in conference.

I wish to say here that no more important ruling has been made here during my time of service in this House than that which the Speaker made to-night, requiring conferees to confine their action within the strict limits of the rules. If that ruling had been adhered to in the last Congress, this provision which we are seeking now to get rid of by this amendment would not have been the law, because it was not legitimately in conference when the conferees went out.

Mr. HOLMAN. Oh, no; that provision was the seventh section of the act of the 3d of March, 1891, to repeal the timber-culture laws.

Mr. BYNUM. I know it is a part of the law which repealed the timber-culture act; but the conferees inserted this provision that in all cases where the final proofs were made within a certain time patents should issue. It is an open secret that these dates were fixed for the very purpose of covering up one of the greatest frauds that were ever perpetrated. The provision was that in all cases where the proofs were made within a certain time the patent should issue, and all contests that had been commenced, unless within two years of that time, should be barred. Now, what was the fact?

There was a contest then in the Commissioner's Office that had not been commenced within the two years by one month, and the Assistant Commissioner had decided the case in favor of the contestant; and yet that provision of the act repealing the timber-culture act cut him out of his rights.

Mr. HOLMAN. My colleague seems to think that it was on an appropriation bill.

Mr. BYNUM. No; I do not think it was on an appropriation bill, but it was on the timber-culture act, and it was not germane to that bill.

Mr. HOLMAN. But had my friend carefully examined the seventh section, and how does he think it deprives the parties of their rights?

Mr. SMITH of Arizona. What relief is there for the settlers?

Mr. HOLMAN. Does the gentleman regard that decision of the Secretary of the Interior as a just decision?

Mr. BYNUM. Well, I do not know, so far as I am concerned, but this amendment that was agreed to at that time I have no doubt was designed for that very purpose. Now, I will acquit my colleague, of course, of all blame for that.

Mr. HOLMAN. I opposed this very measure as soon as that decision was made.

Mr. BYNUM. Now, Mr. Speaker, here is the question: We are told now that Senator after Senator has come forward and protested against this proposed amendment saving the rights of contestants. I want to know, Mr. Speaker, if we are to stand here and cover up this fraud? I do not care if every Senator in the Senate protested against it, I would stand here and let this bill fail but the Senate should remove it. [Applause.]

Mr. HOLMAN. I yield three minutes to the gentleman from New York [Mr. COOMBS].

Mr. COOMBS. Mr. Speaker, I suppose that my education as a business man makes me look at this question rather differently from you legislators; but it seems to me that this committee of conference has done remarkably well. It has always been recognized, I believe, that the Senate has some rights in these appropriation bills. At all events it has always been the practice of the House to make concessions and to get the best they could, the nearest to what was believed to be right. Now, as a business man, if I can not get all I want, I get all I can; and if I find myself in a difficulty, I get out of it the very best way I can. We all know that it would be a serious matter to the country if this appropriation bill should fail.

The SPEAKER *pro tempore* (Mr. REILLY in the Chair). The gentleman from New York will suspend to receive a message from the Senate.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10415) making appropriations for current and contingent expenses and fulfilling treaty stipulations with Indian tribes for the fiscal year ending June 30, 1894.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. COOMBS. Now, as I was saying, we all know that it would be an immense expense to the Government if this appropriation bill should fail and it should be necessary to call another session of Congress; and even if it is not up to our highest idea of right, we must believe that the Senate has some right on their side. At any event, they must be consulted and consid-

ered. We can not take that high moral ground that has been taken here if we succeed in carrying on this Government.

Mr. BYNUM. Will the gentleman yield to me for one question?

Mr. COOMBS. Certainly.

Mr. BYNUM. Has it not become a general practice that whenever a gentleman wants a measure that he can not get through here he goes over to the Senate and gets it put on an appropriation bill, and has not that practice grown until we have almost ceased to be a coordinate branch of the Government ourselves?

Mr. COOMBS. Unfortunately, that is too often true; but very fortunately we succeed in striking out most of them; and I think this committee has done well to reduce this appropriation to \$300,000.

Mr. HOLMAN. I yield five minutes to the gentleman from North Dakota [Mr. JOHNSON].

Mr. JOHNSON of North Dakota. Now, Mr. Speaker, there is not a member in this House who can turn to that bill and take that amendment numbered 104 and read it through, even the five or six lines of it, without seeing that it is a just and righteous amendment. And, in answer to what has been said on this floor in the advocacy of the policy of striking out that amendment, let me give you a little instance—a specific instance to show you how this works in its actual operation.

For instance, up on the Upper Missouri, at the Great Falls; a syndicate of capitalists went in there a few years ago, and in the course of three years they gobbled up about 10 miles of those lands up and down the falls by this system of hiring men to swear that they were taking these lands for their own homes when they were taking them as the employés of that syndicate, and they have capitalized that land for \$5,000,000. Then Mr. Graham made an honest contest if there was ever one made on a part of this land.

He won his case before the receiver and the register of the land office at home. He carried it to the office of the Commissioner of the General Land Office here at Washington and won it there on the 25th of February, 1891, and on the 3d day of March, 1891, only about six or seven days afterwards, you passed this law legislating away from him his rights. No power under heaven could have deprived that man of his honest rights under the laws that Congress had made before, but this timber-culture act and the construction that was placed upon it afterwards did it by not saving to these honest contestants the vested rights that they had acquired under the forms of law.

These laws were made by Congress for the beneficent purpose of giving these men their homes. By the provision of the act of March 3, 1891, you have, by the action of Congress, given this corporation power to take away from these men the rights which they had already won in two courts and surely would have won before the Secretary of the Interior.

Mr. HOLMAN. Does my friend complain of the act itself or of the decisions made under it?

Mr. JOHNSON of North Dakota. I complain of the construction put upon it.

Mr. HOLMAN. Exactly. I do not believe that any good lawyer would sustain that opinion of the Secretary of the Interior.

Mr. SMITH of Arizona. Let me ask the gentleman from Indiana what remedy have these settlers unless this House puts into this bill exactly the amendment that my friend from Indiana himself insisted on putting into it? Otherwise, what remedy will these settlers have who are under the domination of this land-grabbing gang?

Mr. HOLMAN. I have always taken it for granted that the rights of those people might be decided in a competent court.

Mr. BYNUM. If it is thought that the construction put upon the law is wrong, or even if it is not, why is there such strong opposition to this provision in the Senate?

Mr. HOLMAN. I was told that several members of that body claimed that under the provisions of this seventh section every right was secured, and one gentleman insisted that the intention of their conferees was to secure the rights of the settlers.

Mr. SMITH of Arizona. Then why did the Senate object to the amendment which you yourself had put in the bill?

Mr. HOLMAN. I yield two minutes to the gentleman from Tennessee [Mr. ENLOE].

Mr. ENLOE. I am very much obliged to the gentleman from Indiana. All I want to say is this: After we have heard the explanations of the gentlemen who constitute the conference committee I think the House ought to return its thanks to them for having succeeded in saving us so much in the compromise which they have managed to effect with the representatives of the World's Fair at Chicago. Every time Congress meets we have to make a compromise with them, and we are fortunate to get off with anything. I feel quite certain if we make this loan

which is recommended in the conference report we shall have to make another compromise next Congress involving the surrender of the whole amount. We ought to return our profound thanks to the managers of the World's Fair for their moderation in not exacting more. [Laughter.]

Mr. HOLMAN. Mr. Speaker, I demand the previous question on the conference report.

Mr. POWERS. Mr. Speaker, as this report now stands, will it be allowable to propose any amendment to any of the items covered by the bill?

The SPEAKER. It will not.

The previous question was ordered.

The question was taken on agreeing to the conference report, and the Speaker declared that the ayes seemed to have it.

Mr. BLAND. I ask for a division.

The House divided; and there were—ayes 18, noes 50.

Mr. BLAND. No quorum.

Mr. SPRINGER. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BUSHNELL. I rise to a parliamentary inquiry. If the House refuses to agree to the conference report in relation to striking out the provision touching the investigation of fraudulent entries of land, will that matter go back with the rest of the report for a fresh conference?

The SPEAKER. If the report is voted down the whole matter will be open.

The question was taken; and there were—yeas 107, nays 77, not voting 145; as follows:

YEAS—107.

Alderson,	De Armond,	Houk, Tenn.	Post,
Bacon,	Dickerson,	Johnson, Ind.	Powers,
Belknap,	Dingley,	Jolley,	Randall,
Bergen,	Doan,	Lane,	Ray,
Bowers,	Dockery,	Lapham,	Relly,
Bowman,	Dolliver,	Land,	Reyburn,
Breckinridge, Ky.	Durborow,	Lockwood,	Rife,
Bretz,	Elliott,	Loud,	Rockwell,
Bunn,	Enochs,	Mansur,	Rusk,
Bunting,	Fellows,	Martin,	Sayers,
Cable,	Funston,	McGann,	Seerley,
Cadmus,	Geissenhainer,	McKinney,	Shonk,
Caminetti,	Gorman,	Meyer,	Springer,
Campbell,	Greenleaf,	Miller,	Stephenson,
Caruth,	Griswold,	Mutcher,	Stone, C. W.
Castle,	Hamilton,	Newberry,	Stone, W. A.
Catchings,	Hare,	O'Donnell,	Stump,
Chipman,	Harries,	O'Neill, Mass.	Taylor, Ill.
Clark, Wyo.	Hatch,	O'Neill, Pa.	Tracey,
Clarke, Ala.	Haugen,	O'Neill, Mo.	Warner,
Cobb, Mo.	Hayes, Iowa	Outhwaite,	Waugh,
Cogswell,	Henderson, Iowa	Page,	Weadock,
Coombs,	Holman,	Patterson, Tenn.	Weaver,
Cox, N. Y.	Hooker, N. Y.	Patton,	Whiting,
Crosby,	Hopkins, Pa.	Payne,	Wilson, Wash.
Curtis,	Hopkins, Ill.	Pendleton,	Wolverton.
Danilell,	Houk, Ohio	Pickler,	

NAYS—77.

Allen,	Covert,	Kribbs,	Richardson,
Amerman,	Cox, Tenn.	Kyle,	Simpson,
Antony,	Crawford,	Lawson, Va.	Sipe,
Arnold,	Cummings,	Lawson, Ga.	Sperry,
Babbitt,	De Forest,	Layton,	Stockdale,
Bailey,	Donovan,	Lester, Ga.	Stone, Ky.
Baker,	Enloe,	Little,	Stout,
Bankhead,	Epes,	Livingston,	Taylor, J. D.
Beltzhoover,	Everett,	Long,	Terry,
Bland,	Fithian,	Mallory,	Turner,
Branch,	Forman,	McKaig,	Turpin,
Breckinridge, Ark.	Grady,	McMillin,	Watson,
Brown, Md.	Hallowell,	McRae,	Wheeler, Mich.
Brunner,	Halvorson,	Meredith,	Williams, N. C.
Bryan,	Harter,	Montgomery,	Wilson, W. Va.
Buchanan, Va.	Henderson, N. C.	O'Ferrail,	Winn,
Bushnell,	Johnson, N. Dak.	Ohliger,	Youmans.
Butler,	Johnson, Ohio	Otis,	
Bynum,	Jones,	Pearson,	
Clover,	Keel,	Peel,	

NOT VOTING—145.

Abbott,	Busey,	Edmunds,	Hoar,
Alexander,	Byrns,	Ellis,	Hooker, Miss.
Andrew,	Caldwell,	English,	Huff,
Atkinson,	Capehart,	Fitch,	Hull,
Bartine,	Cate,	Flick,	Johnstone, S. C.
Barwig,	Causey,	Forney,	Kendall,
Beeman,	Cheatham,	Fowler,	Ketcham,
Belden,	Clancy,	Fyan,	Kilgore,
Bentley,	Cobb, Ala.	Gantz,	Lagan,
Bingham,	Coburn,	Geary,	Lanham,
Blanchard,	Cockran,	Gillespie,	Lester, Va.
Blount,	Compton,	Goodnight,	Lewis,
Boatner,	Cooldge,	Groat,	Lodge,
Boutelle,	Cooper,	Hall,	Lynch,
Brawley,	Cowles,	Harmer,	Magner,
Briekner,	Crain,	Haynes, Ohio	McAleer,
Broderick,	Culberson,	Heard,	McClellan,
Brookshire,	Cutting,	Hemphill,	McCreary,
Brostus,	Dalzell,	Henderson, Ill.	McKeighan,
Brown, Ind.	Davis,	Herbert,	McLaurin,
Buchanan, N. J.	Dixon,	Hermann,	Milliken,
Bullock,	Dungan,	Hilborn,	Mitchell,
Burrows,	Dunphy,	Hitt,	Moore,

Morse,
Moses,
Norton,
Oates,
Owens,
Parrett,
Pattison, Ohio
Paynter,
Perkins,
Pierce,
Price,
Quackenbush,
Raines,
Rayner,

Reed,
Robertson, La.
Robinson, Pa.
Russell,
Sanford,
Scott,
Seull,
Shell,
Shively,
Smith,
Snodgrass,
Stahlnecker,
Stevens,

Steward, Ill.
Stewart, Tex.
Storer,
Sweet,
Tarsney,
Taylor, Tenn.
Taylor, E. B.
Taylor, V. A.
Tillman,
Townsend,
Tucker,
Van Horn,
Wadsworth,
Walker,

Washington,
Wheeler, Ala.
White,
Wike,
Willcox,
Williams, Mass.
Williams, Ill.
Wilson, Ky.
Wilson, Mo.
Wise,
Wright.

The following pairs were announced:

For the rest of this day:

Mr. ENLOE with Mr. TOWNSEND.

Mr. MOSES with Mr. BROSIUS.

Mr. CRAIN with Mr. WILSON of Kentucky.

Mr. MITCHELL with Mr. BURROWS.

Mr. SPRINGER with Mr. REED.

Mr. OATES with Mr. WALKER.

Mr. TUCKER with Mr. GROUT.

Mr. BLANCHARD with Mr. HERMANN, until March 4, at 10 o'clock.

On the World's Fair appropriation:

Mr. CAPEHART with Mr. ENOCHS.

Mr. HERBERT with Mr. COOPER.

Mr. HITT with Mr. EDMUNDS, if present.

Mr. HITT would vote for and Mr. EDMUNDS against the appropriation.

Mr. GANTZ with Mr. SCOTT, on the Indian bill and the Columbian Exposition. Mr. SCOTT favoring and Mr. GANTZ against them.

So the report of the committee of conference was agreed to.

Mr. DE ARMOND. I ask for a recapitulation of the vote.

Mr. OTIS. I ask that my colleague, Mr. DAVIS, be excused on account of sickness.

There being no objection, Mr. DAVIS was excused.

Mr. RICHARDSON. My colleague, Mr. SNODGRASS, is detained at his room by sickness.

The SPEAKER. The gentleman from Missouri [Mr. DE ARMOND] asks a recapitulation of the vote.

The Clerk recapitulated the vote.

Mr. DE ARMOND. I wish to change my vote from "no" to "aye" for the purpose of moving a reconsideration.

The result of the vote was announced as above stated.

Mr. HOLMAN. I move to reconsider the last vote—

Mr. DE ARMOND. Mr. Speaker—

Mr. HOLMAN. And to lay that motion on the table; and I move to suspend the rules to adopt the latter motion.

Mr. DE ARMOND. Pending those motions, I move that the House take a recess until 10 o'clock.

Mr. DOCKERY. I make the point of order that the motion of the gentleman from Missouri [Mr. DE ARMOND] is not in order under the rules.

The SPEAKER. The Chair will state the position of the question. The gentleman from Indiana [Mr. HOLMAN] moves to reconsider the last vote, and moves to suspend the rules to lay the motion to reconsider on the table. The Chair will state to the gentleman from Missouri [Mr. DE ARMOND] that pending the motion to suspend the rules a motion to take a recess is not in order.

Mr. DE ARMOND. Then I move that the House adjourn.

The SPEAKER. That is in order.

The question being taken on the motion to adjourn, there were on a division (called for by Mr. DE ARMOND) ayes 2, noes 118.

Mr. DE ARMOND. Tellers.

Tellers were not ordered, only three voting in favor thereof.

So the motion to adjourn was rejected.

Mr. DE ARMOND. I demand a second on the motion of the gentleman from Indiana to suspend the rules.

Mr. DE ARMOND and Mr. HOLMAN were appointed tellers.

Mr. DE ARMOND (after the count had proceeded for some time). Mr. Speaker, I would like to have the vote declared.

Mr. HOLMAN. I think we shall get a quorum soon.

Mr. DE ARMOND. It is very tiresome standing here.

The SPEAKER. If all gentleman who desire to vote have done so the Chair must declare the result.

After a few more members had voted—

Mr. WATSON. Let the result be announced.

The SPEAKER. If no other gentleman desire to vote the Chair will be obliged to declare the result.

Several more members came forward and voted.

Mr. DE ARMOND. I would like to have the result declared, Mr. Speaker, if it is in order.

The SPEAKER. There is no rule in regard to this matter. As the Chair has already said, he is always inclined—

Mr. COGSWELL. Can we not have a little indulgence at

half past 6 o'clock in the morning, while we wake up a few members who have been exhausted by the prolonged session and who are now lying around on lounges? I say that in the interest of the public business we are entitled to a little more indulgence.

The SPEAKER. If there are no more gentlemen desiring to vote, the Chair must, of course, declare the result.

Pending the vote by tellers

Mr. BAILEY said: Mr. Speaker, I desire to ask how many gentlemen have voted?

The SPEAKER. The tellers up to this time have reported 161 in all.

Mr. BAILEY. I do not think that delay can change the result, and therefore I will vote myself. (Applause.)

The count having been concluded, the tellers reported—ayes 158, noes 9.

So a second was ordered.

The SPEAKER. The Chair will recognize the gentleman from Indiana [Mr. HOLMAN] to control the time in support of and the gentleman from Missouri [Mr. DE ARMOND] in opposition to the motion:

Mr. HOLMAN. I reserve my time.

Mr. DE ARMOND. Mr. Speaker—

Mr. BYNUM. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. BYNUM. I wish to inquire whether this motion is debatable? Is not a motion to suspend the rules debatable only when the original motion to which it is applied is debatable? This, being a motion to lay on the table, is not a debatable motion, and therefore I ask if the other motion pertaining to it is debatable?

Mr. DE ARMOND. I would like to debate the question of order.

Mr. BLAND. Mr. Speaker, when a motion is made to suspend the rules it suspends all rules, the one to which the gentleman from Indiana refers as well as the others. Under the rules of this House a motion to suspend the rules is debatable, as we all know.

The SPEAKER. The Chair is going to call attention to the rule. While it is true a motion to lay on the table a motion to reconsider is not debatable, yet this is a motion to suspend the rules and lay on the table, and the rule provides that all motions to suspend the rules shall be debatable after being seconded.

When a motion to suspend the rules has been seconded, it shall be in order, before the final vote is taken thereon—

That is, on the motion—

to debate the proposition to be voted on for thirty minutes on each side.

The Chair thinks the motion is properly debatable.

Mr. DE ARMOND. Do I understand the gentleman from Indiana reserves his time?

The SPEAKER. The gentleman is entitled to fifteen minutes and reserves that.

Mr. DE ARMOND. Mr. Speaker, it may seem that this proceeding at this date in the session is simply a factious opposition. I am one of those who believe that opposition is opposition, and that support is support. I have always understood that the best way to oppose a proposition is to oppose it, not simply by words, but to oppose it by all of the means and methods legitimately within one's command.

I have also thought that the ordinary way of supporting a thing is to support it. I find that here a large part of the support of a measure consists in excuses for surrendering the measure.

Now this parliamentary method is one with which I am not entirely familiar, though we have had some exhibitions of it on this floor. The conferees on this bill have not offered, nor has any gentleman here offered, a solitary reason why the House should take another position on this question than that which it has already taken. Not a solitary argument has been offered in favor of the House receding from its disagreements to these Senate amendments, not one.

Gentlemen say there must be concessions in order to reach an agreement. The concession which gives away principle, which purchases the agreement at the expense of what we claim to be in favor of, is either a contradiction of one's own argument, or a strange way of asserting it.

Mr. OUTHWAITE. If your statesmanship prevailed at both ends of the Capitol, how would we get anything from the conferees?

Mr. DE ARMOND. It is hardly practical to consume time now, in the condition of the House and the condition of its business, to answer the gentleman's question. I am very well aware of the fact that my style of statesmanship does not prevail here. I am very well aware of the fact that gentlemen like the gentleman from Ohio will take a position contending that it is bottomed on justice, and then what they call "concessions" will take them away from it.

I am very free to confess, sir—not to dignify my notion of these things with the name of statesmanship—that my notion of what is right and wrong, my notion of standing up for what you believe in and opposing what you oppose, has not that degree of support in this House at this time which I would like to see it have; but at the same time there are not very many gentlemen upon this side of the House, aside from those gentlemen who pose as the authorized representatives of the people of the United States, but who are trying to reach into the Treasury—and succeed in doing it—for the benefit of that Chicago corporation, this World's Columbian Exposition; aside from those gentlemen, there are not many upon this side of the House who dare to justify this action, except upon the poor plea that unless this be done the sundry civil bill will fail and an extra session be made inevitable.

Who will make it inevitable? Will it be made inevitable by the obstinacy of the Senate in persisting in putting upon a bill strange riders which have no business there and refusing to recede from their amendments, or the cowardice of the House in surrendering its rights and prerogatives and stultifying itself?

A MEMBER. Take his words down.

Mr. DE ARMOND. Take them down and welcome.

Mr. Speaker, my words may not be taken down here. My words may not drift far, but if they reach the ears of the people who pay the taxes, the people who, I must say, are forgotten, when for the sake of compromise and concession and agreement we give away their money—if my words, feeble as they are, can reach their ears, I will meet with a response there which is denied here.

Now, every man who has spoken upon the subject of that land provision has claimed that it is just, honest; that it ought to be adopted; that it is a great wrong that it is not adopted; and yet I can hardly believe—I almost think I am dreaming—I can hardly think I am among reasonable men when I realize that the very same men, almost in the breath that utters that statement, say, "We yielded it because the Senate demanded it."

The very men who have voted against the appropriation for the World's Fair, the men who have said by their votes, until the crisis came, that it was wrong, that this was a robbery of the people, now join in, for the sake of concession and compromise, in doing—what? In giving away the people's money. That is what they do. They have made a happy provision for loaning \$570,000 to this rich corporation, to which was given \$2,500,000 in the former session of this Congress. Then, as they are careful and cautious in the preservation of the people's rights, they provide that we shall hold of that outright gift to this World's Fair \$570,000 worth of these souvenir coins until security satisfactory to the Secretary of the Treasury is given.

Then out will go the souvenir coins, and unless the people in their majesty—unless the people, feeling the deep injury done them, feeling that they are forgotten here in these last hours of the session, rise up and proclaim, with a voice that can not be mistaken, that concessions for the benefit of this corporation at Chicago at their expense must cease; unless that happens, then in the next Congress, for the sake of compromise and peace, in the sweet name of concession and harmony, there will be again these same votes, overwhelming against what every man's judgment condemns; there will be the same palaver, there will be the same regrets, there will be the same apologies, and again the same surrender.

I hope, Mr. Speaker, if it be possible to emphasize these things so that the people who pay the taxes, the people who sent us here, may know what we are doing, that I shall succeed in part in doing it. Sir, I was appealed to, when I made this motion a little while ago and called for this division and stood out there as a teller, to withdraw my demand on the ground that it would be unavailing. I consider not whether it may avail aught.

I will not stultify myself, from my own view of things, by taking a position which I believe to be right, and then abandoning it because somebody tells me I shall not be successful in my efforts to hold it. I say now, that any power I can use, any legitimate weapon to which I can lay my hands, shall be used to prevent the passage of this bill.

I realize perfectly that in this spirit of compromise of the people's rights and the judgment of the Representatives, in this condition of affairs, opposition is likely to be useless; but if there be but a solitary man left to protest against this to the end, that man, with whatever feeble power I may have, will be myself.

I do not go into this kind of thing on any theory except that I am right. I feel that I am right. The judgment of my colleagues tells them, and they have told this House, that I am right. What sort of a way is there, Mr. Speaker, to defeat what is wrong and promote what is right except using all the weapons that may be at hand for that purpose?

I reserve the remainder of my time.

Mr. HOLMAN. I yield five minutes to the gentleman from Texas [Mr. BAILEY].

Mr. BAILEY. I would like to have ten minutes.

Mr. HOLMAN. It is impossible to give that much.

The SPEAKER. The question is on the motion of the gentleman from Indiana [Mr. HOLMAN].

Mr. HOLMAN. I yield one minute to the gentleman from Ohio [Mr. JOSEPH D. TAYLOR]. [Cries of "Vote!" "Vote!"]

Mr. JOSEPH D. TAYLOR. Just one word, Mr. Speaker. I desire to say that I voted against the adoption of the conference report for the sole purpose of expressing my disapproval of the suppression of the \$25,000 which the colored people were to have to enable them to make a statistical exhibit of their progress. I think this appropriation ought to be made.

Mr. COGSWELL. That the Senate receded from.

Mr. JOSEPH D. TAYLOR. I know that and I do not make any criticism whatever on the conference committee of the House. I think they are entitled to full credit for having done their duty faithfully, and I have no sympathy with any factious opposition to this report. My vote meant that I was opposed to striking out this \$25,000, and it meant no more, and I cordially supported the rest of the report in all my previous votes. I do not think that any of the criticisms of the conferees have any just foundation.

Mr. HOLMAN. Mr. Speaker, I yield to the gentleman from Texas [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, when Congress located this Fair at the city of Chicago we had the assurance of the distinguished gentleman who to-day has been urging this appropriation, that five or six hundred thousand dollars at the utmost would be all that the Federal Government would be called upon to appropriate. Less than three months after that time they came here asking for an appropriation; and in the bill which constituted this Commission, of which so much has been said—and of which it has been said that it authorized the commissioners to "prescribe the scope and plans of this Exposition," it is provided "that the United States shall not be liable on account of the erection of buildings or expenses of the Commission or any of its officers or employes, or on account of any expense incident to or growing out of said Exposition in a sum exceeding \$1,500,000.

The first pledge was that the expense of the Federal Government should not exceed \$600,000. Then they pledged us it should not exceed \$1,500,000, and then, on August last, they passed a bill appropriating \$2,500,000 as an absolute gift, the second section of which provides:

That the appropriation provided in section 1 of this act shall be upon the condition that the World's Columbian Exposition maintain and pay all the expenses, costs, and charges of the great departments organized for the purpose of conducting the work of the World's Columbian Exposition, said expenses, costs, and charges to be paid out of the funds of the said World's Columbian Exposition.

Here, Mr. Speaker, are three distinct promises; First, that we should not be called upon to appropriate exceeding \$600,000; next, it is solemnly written on the statute book itself that the United States should never expend more than a million and a half. Both of these promises have been violated, and when they came for the third time to ask a favor of Congress in the bill for which they voted we made the second section declare that the favor which the first section contained was upon the express condition that this should be an end of their mendicancy; and yet they are here to-day asking for more than a million additional.

Mr. Speaker, to-night I stood here and saw this House vote down an appropriation to pay a million dollars which the courts of your own country have declared is a claim against your Government. To-day there stands upon the records of your Court of Claims solemn judgments in favor of your own citizens exceeding \$300,000, yet not a farthing have you attempted to appropriate to discharge them. And yet we are considering a proposition here granting for the third time a sum beyond that which these gentlemen have solemnly pledged themselves thrice over not to demand.

In conclusion, Mr. Speaker, I desire to say, in the line suggested by my distinguished friend from Missouri [Mr. DE ARMOND], that if it were possible to defeat this appropriation I would be willing to assume my share of the responsibility, whatever it might be, even to the extent of necessitating an extra session. But a conference among the gentlemen who have been acting with us persuades me that rather than see an extra session precipitated upon the country they are ready to vote even for the report submitted by the conference committee.

This motion the House has already agreed to, and the question is now upon a motion to table a motion to reconsider, and while I shall undoubtedly vote against that motion, I do not believe that a further effort to filibuster is justifiable simply because I know it can not be successful. [Applause.]

Mr. HOLMAN. I yield the remainder of my time, nine minutes, to the gentleman from Kentucky [Mr. BRECKINRIDGE].

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, I hold that there is no wiser maxim of practical statesmanship than that it is the result of practical and patriotic men attempting, by wise concession and compromise, to reach a just conclusion. If there ever was a time in our history when we were at peace when such a maxim ought to prevail, it is now, when we are but five hours from the change which the people of America have decreed in the policies that have been pursued for thirty-two years.

Surely this great country, which by so large a vote has asked that new policies shall be entered upon, desires that those servants whom it has selected for that purpose shall not have their time and attention taken from those great subjects by the details of appropriations for the ordinary affairs of the various bureaus that are contained in this omnibus bill.

In order that the new Administration which is to commence in five hours shall enter upon its duties under just conditions, can not this House at least put aside differences of opinion as to mere details of amounts, put aside all questions as to whether there has been mendicacy or otherwise in connection with this great corporation, and give to that Administration a godspeed, that out of its efforts may come good to a common country, and that the burdens which it has to bear shall not be increased by any act of ours this morning? When it has to take up the great questions of taxation with an empty Treasury; the troublesome questions of currency pressing us to the very verge of a panic; the burdensome question of pensions, so that we may be just to the pensioner who in the hour of peril gave himself to the country, and just to the taxpayer out of whose sweat and toil must come that which is paid to the pensioner; to manage and settle the pending foreign controversies which may involve a change in our foreign policy, let it not be driven by this House to call an extra session.

In view of all these considerations can we not say, without distinction of party, that it shall not be called upon to face the question of an extra session upon a matter so unimportant as this is compared to these great questions? Some of us may think an extra session to be wise; but even those might well content themselves to leave the decision to the President-elect, to be decided upon the broadest view, taking into consideration every interest and all questions.

As to this Fair itself, Mr. Speaker, if any man can afford to say, I can, that I wish it godspeed in giving to the world some fair spectacle of our progress under the transforming truth that men are created equal, and I feel that it is something that it will open in the midst of a Democratic Administration coming into power with a majority so large behind it. And, though I have not approved of all that has been done, though I could not with a good conscience vote for what has been asked, although other considerations tied my hands and my tongue in matters that were personal, I do not hesitate to say that as to all that is contained in these paragraphs which will give to those representing the American Government in that Exposition the attitude of a gentleman it meets my hearty approbation.

And to-day, standing upon the threshold of this change, setting aside all partisan controversies, I do trust that the House of Representatives will say to the new Administration: We will give you time to undertake to understand the solemn questions with which you are called upon to deal. We will not by any act of ours put upon you the burden of calling a special session, but, on the contrary, we will remove from your path every additional difficulty which might become a reason urging you to call it in spite of your better judgment and in spite of what you think is best for the country. Can not we, without regard to party, take that position?

I believe I could have done it four years ago, when the change was made from the Administration in which I believed to the Republican Administration; for under any politics we are citizens; above our differences of policy we are countrymen; and to-day the whole country is throbbing with expectant hope that under new policies labor may have burdens taken from it, capital and labor may find cooperative energies that will solve their difficulties, taxation may be reduced, a sound currency permanently secured, the new Territories may come in as States, and we shall have peace and prosperity under principles that will be dear to all of us. And that is all I desire to say. [Prolonged applause.]

Mr. DE ARMOND. Mr. Speaker, what time have I remaining?

Mr. BRECKINRIDGE of Kentucky. If I have any time left, I yield it back to the gentleman from Indiana.

The SPEAKER. The gentleman from Missouri [Mr. DE ARMOND] has seven minutes remaining.

Mr. DE ARMOND. I yield five minutes to the gentleman from Virginia [Mr. JONES].

Mr. JONES. Mr. Speaker, it has been somewhat sneeringly said by certain old members upon this floor that those of us who have not had the benefit of their long years of experience lack judgment and discretion when we dare mention that it is better to have even a general appropriation bill fail of passage than have it carry amounts so unjustifiable and outrageous that they never could be passed by this House if full opportunity were afforded members for their examination and discussion. I want to say in the five minutes allotted me that I am one of those new members who dares accept his full share of responsibility for defeating an unjust and improper appropriation of public money, even if thereby the entire bill is lost and an extra session of Congress forced. For I have that faith and trust in the good sense and public virtue of the people to believe that if this bill should fail because of obnoxious items contained in it they will place the responsibility where it justly and properly belongs.

Rather than this bill should pass this House in its present shape I, for one, would welcome an extra session. Already the World's Fair corporation in one shape or another has gotten from the Government of the people's money something less than \$6,000,000, when it solemnly promised to be satisfied with one and one-half millions. I want to place my condemnation, too, upon another practice of this House—a practice hoary with age—a practice which is followed by these same old members who criticize the action of the new ones when they dare to question the propriety of their action and presume to think that the Treasury should be guarded against the raids of the World's Fair managers. It is not right that in these last expiring hours of Congress measures aggregating over \$1,000,000 should be tacked upon an important appropriation bill by the Senate and the members of this House threatened that unless they are allowed to pass unquestioned an extra session of Congress will be the consequence. As I have said, I for one am ready to accept the responsibility of defeating these donations of the people's money to a grasping and insatiate corporation. The distinguished conferees on the part of this House admit that these items are outrageous, and yet urge their passage to save other and necessary items. These appropriation measures are brought here in the closing hours of Congress when every consideration requires that they should be brought in earlier.

Mr. HOLMAN. Is not my friend aware of the fact that this bill was reported to the House unusually early and remained in the Senate for an unusual period of time?

Mr. JONES. It may have been "unusually early" so far as the recent experience of this House goes. But what I want to impress is that this bill was brought into this House so late that there is only remaining now less than five hours in which to consider matters of the gravest import, matters involving millions of dollars. And there are still a number of other important matters that are going to be forced upon this House before the final adjournment.

I want to say, Mr. Speaker, that I for one do not approve of this practice. Under it thousands, aye, millions, of the money of the American people are taken from them and we are quietly told by the managers on the part of the House and the Senate that unless these schemes are put through an extra session will be inevitable and the country placed in a bad predicament. This is no excuse for the action of any Representative and such a reason ought not to be urged in this body. I propose to do what I believe to be right, let the consequences be what they may. Strike out these unjustifiable items and let the responsibility rest where it belongs, with the body that wrongfully placed them in this bill.

I confess that it looks to me as if these bills were purposely held back because of the knowledge on the part of old and experienced members that in no other earthly way could these World's Fair items be gotten through this body. I feel justified in saying that no man upon this floor believes that had they been brought here three weeks ago they could have been passed through this House. This practice may be an old one, but it is a very bad one, and I, for one, do not intend to follow it.

Mr. JOSEPH D. TAYLOR. Does not the gentleman think that in view of the shortness of this session and the inclemency of the weather we are likely to have this time of year that the House acted very unwisely in voting down my joint resolution to postpone the inauguration of the President and Vice-President and extend the length of the short sessions of Congress to the 30th of April?

Mr. JONES. I was not aware of the fact that the gentleman had introduced such a resolution [laughter], and I am not discussing the wisdom or the unwisdom of his actions. I am simply saying, Mr. Speaker, that in these early hours of the 4th day of March we are confronted with a condition of affairs that has

been brought about by those who are urging the passage of a bill laden with items so outrageous that they will not undertake to defend them on this floor.

It is the duty of the older and more experienced Representatives here to denounce this character of legislation, and not to leave it to those who are supposed to be less familiar with the practices of this House.

Mr. HOLMAN. Who is responsible for that?

Mr. JONES. These appropriation bills are brought here by the Committee on Appropriations so late in the session that it is impossible to properly consider them.

Mr. HOLMAN. But who is responsible for the delay, my friend?

Mr. JONES. I say that it has the appearance—

[Here the hammer fell.]

The SPEAKER. The gentleman from Missouri [Mr. DEARMOND] has two minutes remaining.

Mr. DEARMOND. Mr. Speaker, I listened with a great deal of pleasure and satisfaction, as I have no doubt all members of the House did, to the eloquent gentleman from Kentucky [Mr. BRECKINRIDGE]. I am not one who would bring disturbance here; I am not one who would break the charm of peace which the gentleman's eloquent words and silvery voice would bring into this House. Yet I can not help but see through those beautiful sentences and hear through those ringing tones something far different from the sight and the refrain that come to us if we are unheeding.

Send not our Administration in within five hours hampered with troubles, threatened with an empty Treasury, having to wrestle with a deficit, says the gentleman so charmingly. Just aid our incoming Administration by pulling a million dollars out of the Treasury before these five hours have passed! Speak of our people, our proud, noble American people and their interest in the Fair and desire for its success. And yet here comes a proposition taking a million dollars of their money to transfer it to this corporation.

Gentlemen talk of an extra session as though they thought an early session of Congress would be an unmitigated evil. Is it true? Is it so? Is it necessarily so? Is it true at all that the people will suffer if there be no delay in carrying out the pledges and meeting the responsibilities of those who now come into power? Mr. Speaker, I am one of those who believe that the very best thing that could happen to the party to which I belong and am devoted, as well as the best for the country, would be an early session of Congress. If there are wrongs to be righted, every minute that is lost in the righting of them is an increase and aggravation of the wrong. If there are remedies to be applied, every moment that we delay the application of the remedy witnesses injury to the people of this country. [Applause.]

[Here the hammer fell.]

The SPEAKER. The question is on agreeing to the motion of the gentleman from Indiana to suspend the rules and lay upon the table the motion of the gentleman from Missouri to reconsider the vote by which the conference report was adopted.

The question was taken, and the Speaker decided that the ayes had it.

Mr. DEARMOND. I ask for a division.

Mr. JONES. I ask for the yeas and nays.

The yeas and nays were not ordered.

The question was taken; and on a division (demanded by Mr. DEARMOND) there were—ayes 120, noes 40.

Mr. DEARMOND. No quorum.

The SPEAKER appointed Mr. HOLMAN and Mr. DEARMOND as tellers.

The House proceeded to divide.

Mr. BANKHEAD. I appeal to my friend from Indiana to allow us to have a yea-and-nay vote on this proposition. We want to go on record on it.

The SPEAKER. The yeas and nays have been refused.

Mr. BANKHEAD. The gentleman could get them very easily if he would ask consent.

Mr. DEARMOND. If in order, Mr. Speaker, I would like to ask a declaration of the vote.

The SPEAKER. If all gentlemen who desire to vote have done so, the Chair will declare the result.

Mr. DOCKERY. I think we ought to have a little time to secure a quorum, Mr. Speaker. There is a quorum about the Hall.

Mr. LIVINGSTON. I insist upon the vote being announced.

The SPEAKER. The Chair will indulge the House a little longer in view of the situation.

Mr. BLAND. I would like to inquire if it would be in order to move to reconsider the vote by which the yeas and nays were refused?

The SPEAKER. Not at this time; the House is dividing.

Mr. DEARMOND. If it be in order I wish to make a suggestion. I am informed that the last roll call does not disclose the fact that two-thirds voted in the affirmative.

The SPEAKER. The Chair does not understand the statement of the gentleman.

Mr. DEARMOND. The RECORD discloses the fact that the last roll call did not show two-thirds in favor of the motion of the gentleman from Indiana.

The SPEAKER. But that was not a motion to suspend the rules and did not require a two-thirds vote.

The House having divided, the tellers reported—ayes 130, noes 38.

So the motion to suspend the rules and lay on the table the motion to reconsider was agreed to.

EULOGIES ON THE LATE SENATOR HEARST.

Mr. PEEL. Mr. Speaker, I call up the conference report on the Indian appropriation bill.

Mr. RICHARDSON. Mr. Speaker, I ask the gentleman in charge of the Indian appropriation bill to yield to me long enough to have an order made for the printing of the eulogies on the late Senator Hearst. This has got to pass the Senate to-day or it will fail at this Congress. It has been delayed through no fault of ours or of any member of the House.

Mr. PEEL. I want to do what is correct. If it will take but a short time I will yield.

Mr. RICHARDSON. I ask unanimous consent to pass the resolution, and if there is objection I will withdraw it.

The SPEAKER. The resolution will be read subject to objection.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring). That there be printed of the eulogies delivered in Congress upon the Hon. George Hearst, late a Senator from the State of California, 8,000 copies, of which 2,000 copies shall be delivered to the Representatives and Senators of that State, and of the remaining number 2,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House. And of the quota of the Senate the Public Printer shall set aside 50 copies which he shall have bound in full morocco with gilt edges, the same to be delivered when complete to the family of the deceased. And the Secretary of the Treasury is hereby directed to have engraved and printed, at the earliest day possible, a portrait of the above to accompany said eulogies.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There being no objection, the resolution was considered and agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had proceeded, in pursuance of the Constitution, to reconsider the bill entitled "An act to prescribe the number of district attorneys and marshals in the judicial districts of the State of Alabama, returned to the House of Representatives by the President of the United States with his objections and sent by the House of Representatives to the Senate with the message of the President returning the bill, and two-thirds having voted for the same, the bill was passed.

REPORTS OF COMMITTEES.

The following reports were handed in at the Clerk's desk, referred to their appropriate Calendar, and otherwise disposed of as indicated below:

BRIDGE ACROSS THE POTOMAC RIVER.

Mr. WISE, from the Committee on Interstate and Foreign Commerce, reported back the bill (S. 3380) to authorize the Washington, Alexandria and Mount Vernon Electric Railway Company to construct a bridge across the Potomac River opposite Observatory Hill; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

SUGAR TRUST.

Mr. WOLVERTON, from the Committee on the Judiciary, reported back the resolution requesting information from the Attorney-General relating to proceedings against the sugar trust; which was laid on the table, and the accompanying report ordered to be printed.

ENGRAVINGS ON WOOD.

Mr. COCKRAN, from the Committee on Ways and Means, to whom was referred the bill (H. R. 10043) to make free of duty engravings on wood by American artists resident abroad, reported it back recommending its passage; which was referred to the Committee of the Whole House on the state of the Union.

TERMS OF UNITED STATES COURTS AT MISSISSIPPI CITY, MISS.

Mr. STOCKDALE, from the Committee on Ways and Means, reported back with an amendment the bill (H. R. 7516) to amend

the act providing for the holding of terms of the United States circuit and district courts at Mississippi City, Miss.; which was referred to the Committee of the Whole House on the state of the Union.

EXPENDITURES IN THE STATE DEPARTMENT.

Mr. LESTER, from the Committee on Expenditures in the State Department, submitted a report; which was laid on the table.

MANAGEMENT OF CENSUS BUREAU.

Mr. BYNUM, from the Committee on the Eleventh Census, reported back the resolution of the House of Representatives relating to investigation of management of the Census Bureau; which was laid on the table, and the accompanying report ordered to be printed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10258) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1893, and for prior years, and for other purposes.

It also announced that the Senate had passed without amendment concurrent resolution relative to printing the bill H. R. 1960, being a compilation of the labor laws of the various States and Territories and the District of Columbia.

It also announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,000 additional copies of the report of the National Academy of Sciences for the year 1892, 500 copies for the use of the Senate, 1,000 copies for the use of the House, and 2,000 copies for use of the National Academy of Sciences.

A further message from the Senate, by Mr. MCCOOK, announced that the Senate had passed the bill (S. 3741) to submit to the Court of Private Land Claims, established by an act of Congress approved March 3, 1891, the title of William McGarahan to the Rancho Panoche Grande, in the State of California, and for other purposes; in which the concurrence of the House was requested.

INDIAN APPROPRIATION BILL.

Mr. PEEL. Mr. Speaker, I desire to present the conference report on the Indian appropriation bill.

The SPEAKER. The Clerk will read the statement.

Mr. PEEL. The conference committee have not prepared any additional statement. I did not know that the rules would require it. I can make a verbal report.

The SPEAKER. If there be no objection the gentleman from Arkansas [Mr. PEEL] can make an oral statement of the effect of the report.

Mr. PEEL. I will state that the conferees on the part of the House have all agreed to this modification that we now report. There is no appropriation in the modification as now made relative to the Cherokee Strip, with the exception of \$295,000, which is only to take effect when the Cherokee Nation accept the modification of the contract. All the remainder is postponed, with no appropriation, but a simple authorization of the Secretary of the Interior to pay the amount due in five annual installments, commencing in 1895. I would rather my colleague from Mississippi [Mr. ALLEN] would now make the further statement, as I am so hoarse I can scarcely talk.

Mr. ALLEN. I do not wish to detain the House, but, as I have taken some part in the discussion before, I will say that we have eliminated all the appropriations for the Cherokee Strip, as stated by the chairman of the committee [Mr. PEEL], except \$295,000. We eliminated \$195,000 for the claims of the settlers on the Crow Creek Reservation. The increase in this bill now is very little over the bill that went from the House originally, and I am very much in the hope, as it is so very late, that we may be able to have a vote on this report now. The Senate conceded a good deal more than we have conceded.

Mr. PICKLER. Will the gentleman allow me a question?

Mr. ALLEN. Yes.

Mr. PICKLER. Why did you consent to eliminate that Crow Creek appropriation when there was no objection to it in the House?

Mr. ALLEN. There was objection in the House.

Mr. PICKLER. There was no objection raised that was pressed; there was no real objection in the House.

Mr. ALLEN. You are mistaken about that.

Mr. PICKLER. There was no objection of any positive nature raised. It seems you conferees differ now as to whether it is in or out.

Mr. ALLEN. There was a change in that. There was objection made to it.

Mr. PICKLER. There was very little objection. You have bartered off the rights of white settlers to get the Cherokee Strip amendment through. That is the amount of it. There was no objection to amount to anything to paying these settlers on the Crow Creek Reservation who have been waiting for their money for five years.

Mr. ALLEN. Well, may be I do not know what amounts to anything. I know there was a good deal of objection.

Mr. PEEL. I will say to the gentleman from South Dakota that there was objection to that.

Mr. PICKLER. There was very little objection, and none that would warrant the Senate conferees in receding which they did, or to warrant the House conferees in insisting on them receding.

Mr. ROCKWELL. If the gentleman from Mississippi [Mr. ALLEN] will allow me two minutes, I simply wish to make a statement with reference to this, and then I will not make any objection to the report.

Mr. PICKLER. I am going to make objection.

Mr. WILSON of Washington. Will the gentleman yield to me for one minute?

Mr. ALLEN. Yes.

Mr. WILSON of Washington. I desire to state to the House, relative to the item for \$190,000 for the Crow Creek Reservation and the indemnifying of settlers upon the land, that I yielded with great reluctance to the striking out of that item in this bill. I think it was the duty of the Government to pay these settlers what is justly and rightly coming to them.

As I stated in the earlier part of the evening, it was by no fault of theirs that they went upon this land; but in order to pass this appropriation bill, in order to get it through the House before 12 o'clock to-day, the conferees upon the part of the House were compelled to yield something, and inasmuch as I desired to serve my friend from South Dakota [Mr. PICKLER] I was compelled to yield in the interest of passing this bill. I want to say to him that his State is amply provided for in the bill by other appropriations in various directions.

Mr. PICKLER. I am obliged to the gentleman, but I would rather be the judge of that myself.

Mr. WILSON of Washington. I am not trying to judge anything with the gentleman from South Dakota. I have no controversy with him at this time; but I will say to him that if he desires to enter upon one he will find I am amply able to take care of myself on an occasion of that kind.

Why, Mr. Speaker, I yielded reluctantly, because I thought this Government ought to pay these settlers. I voted here for the appropriation for the World's Fair, and it did seem to me that the Government of the United States might pay the settlers whom they had invited upon the public domain that which was justly and rightly due them; but we had to concede something in a conference or not reach an agreement. We have been subjected to all kinds of criticisms from all quarters, but we had to do this in order to pass this bill, and I hope we will pass it now without further debate. [Cries of "Vote!"]

Mr. ALLEN. I now yield two minutes to the gentleman from New York [Mr. ROCKWELL].

Mr. ROCKWELL. Mr. Speaker, I only desire two minutes for the purpose of saying to the gentleman that he is mistaken in the amount that this bill carries. When this bill left this House it carried \$7,083,000. It now carries almost a million more. If I had the time I could give the items to this House.

Some of them are very bad items, and ought to be stricken from this bill; but in view of the eloquent speech made by the gentleman from Kentucky [Mr. BRECKINRIDGE], and in view of the condition of the public business, those gentlemen who were originally opposed to the items put upon this bill by the Senate, or most of them, have agreed to yield and let the bill pass in its present shape. It is a much worse bill than it was when it left this House. [Cries of "Vote!"]

Mr. ALLEN. I now yield ten minutes to the gentleman from South Dakota [Mr. PICKLER].

Mr. PICKLER. In view of the impatient state this House is in, I desire but a moment of time to state how very much disappointed I am that the conferees have allowed the settlers on the Crow Creek and Winnebago Reservation to suffer in this report, especially when there was no opposition upon this floor that could be counted opposition. The opposition and contention was in regard to the Cherokee Strip.

In many instances, gentlemen, these settlers have suffered far more than they were able to bear. They were invited by the proclamation of President Arthur to go upon these Indian reservations when they were thrown open to settlement. They were poor men and women, and went there risking everything they had. When President Cleveland came in for reasons which seemed

to him sufficient, and I will not stop to argue as to whether he was right or wrong, the people of that country were compelled to leave the reservation, were driven off by force of the bayonet, and they lost everything, in many cases, they had taken there. That has been more than five years ago. Congress, about two years ago, appointed a commission to investigate this matter. That commission has been there and taken sworn evidence, and these claims have been reported and passed by the Senate.

Mr. Speaker, what I claim on this report is its injustice and its bartering away the rights of these settlers to get something else in. That is what I protest against, because there was really no forcible opposition on this floor when this thing was reported here an hour ago. The opposition was to the Cherokee Strip. [Cries of "Vote!"]

Gentlemen, you will get a vote a great deal quicker by allowing me a few minutes longer.

Mr. BOWERS. I do not want it to pass, and I will help you to defeat it.

Mr. PICKLER. Mr. Speaker, had these items been discussed when the conference committee reported, had there been opposition to it, I would not stand here complaining; but what I do complain of is, that there was no positive opposition when these conferees reported here an hour ago, and hence the surprise to me—and it is a surprise, I think, to this House—is that the conferees agreed to give away these settlers' rights in an hour as they have done. I complain because I believe it is wrong, a wrong to these people. They do not live in my State exclusively. Having been driven off these lands, they are scattered abroad all over this country and are now in all of the States.

These damages are a matter which has been waiting for years. These settlers are entitled to their damages; and I think it is a great injustice to them that they should now be turned off in this manner. I can only enter my protest in this manner, and I earnestly desire to do so, because I think it is an injustice done to these settlers by the conferees in yielding for the purpose of saying something else; and yet, gentlemen of the House, I do not desire to keep the Cherokee Strip from being opened. I believe that one of the greatest objects this Congress can accomplish, to open that Cherokee Strip to settlement.

Mr. SPRINGER. Are you in favor of opening it to settlement?

Mr. PICKLER. Yes, sir; I am in favor of opening it to settlement. I know the anxiety of the people who desire to secure homes there, and of the desire of the people of Oklahoma Territory that this Strip should be opened. Having said this much, having made this protest, I will leave this matter to the House; and I do hope that in the next Congress gentlemen will be more magnanimous with the settlers for whom I plead, and I desire to see this bill pass, with the other great interests it represents.

Mr. PEEL. I ask the previous question on the adoption of the report.

Mr. ALLEN. I desire to say to the gentleman from South Dakota that he is very much mistaken in saying that this matter has gone off as a bargain and to say that the House conferees yielded. The Senate yielded, and it was a Senate amendment.

Mr. PICKLER. It was an amendment which had been agreed to here practically.

Mr. ALLEN. It never was agreed to.

Mr. PICKLER. You gentlemen brought it in and agreed to it as a part of your report.

Mr. ALLEN. The House did not agree to it. I had been informed by friends on this floor that they would filibuster against the bill before they would let it go through. I think myself it is a proper bill, and I think there ought to be an ascertainment of what is due to these people and give it to them. I now move the previous question on the adoption of the report.

Mr. PICKLER. One moment more. I desire to know whether there are any other items in which changes have been made.

Mr. ALLEN. I do not know of any other items in which changes have been made except the changes made in the Cherokee Strip.

The previous question was ordered.
The conference report was then adopted.
Mr. PEEL moved to reconsider the vote by which the conference report was adopted, and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

RECESS.

Mr. SPRINGER. Mr. Speaker, I move that this House now take a recess until 10:30 a. m.

The motion was agreed to, and the House accordingly (at 7 o'clock and 50 minutes a. m.) took a recess until half past 10 o'clock.

The recess having expired, the House was called to order by the Speaker at 10:30 a. m.

SECTION 766 REVISED STATUTES.

Mr. BUCHANAN of New Jersey. Mr. Speaker, I ask to present a conference report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2171) to amend section 766 of the Revised Statutes of the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same.

JAMES BUCHANAN,
JOHN A. BUCHANAN,
Managers on the part of the House.
O. H. PLATT,
J. R. PUGH,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

STATEMENT.

The effect of the agreement is to leave the bill in the precise shape in which it passed the House.

JAMES BUCHANAN,
JOHN A. BUCHANAN,
Managers on the part of the House.

The conference report was adopted.

Mr. BUCHANAN of New Jersey moved to reconsider the vote by which the conference report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

INTEROCEANIC RAILWAY COMPANY.

Mr. PATTERSON of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the desk, being the bill (S. 3473) to authorize the Interoceanic Railway Company to construct and operate a railway, telegraph, and telephone lines through the Indian Territory.

The SPEAKER. The Clerk will report the bill.

The Clerk proceeded to read the bill.

Mr. PATTERSON of Tennessee. Mr. Speaker, the bill is quite long, and I ask unanimous consent that the reading of it be dispensed with.

Mr. DINGLEY. Oh, that will not answer.

Mr. SIMPSON. I object, Mr. Speaker.

The Clerk resumed and completed the reading of the bill, as follows:

Be it enacted, etc., That the Interoceanic Railway, a corporation created under and by virtue of the laws of the State of Arkansas, be, and the same is hereby invested and empowered with the right of locating, constructing, equipping, operating, using, and maintaining a railroad, telegraph, and telephone lines, wherever said lines pass through the Indian Territory or through any Indian reservation, or lands reserved for Indian purposes or allotted to individual Indians within the Territory of Oklahoma, commencing at a point on the west line of Sebastian County in the State of Arkansas, and south of the corporate limits of the city of Fort Smith from the point of entrance into the Indian Territory, running in a westerly direction through the said Indian Territory and the Territory of Oklahoma, to a point on the west line of the said Territory of Oklahoma, between the North Canadian and the Washita Rivers, with a branch running from the main line in the Choctaw Nation in a southerly or southwesterly direction by the most feasible and practicable route, to a point on the Red River at or near the city of Denison, Tex.; also, a branch beginning at a point in the Seminole Nation near the Wewoka River, running thence in a northerly or northwesterly direction to a point on the south line of the State of Kansas at or near the town of Otto, in said State of Kansas, with the right to construct, use, and maintain such tracts, turnouts, branches, and sidings and extensions as said company may deem it in their interest to construct along and upon the right of way and depot grounds herein provided for.

SEC. 2. That the said corporation is authorized to take and use for all purposes of railway, and for no other purpose, a right of way 100 feet in width through said Indian Territory and other Indian reservations, or lands reserved for Indian purposes or allotted to individual Indians, in Oklahoma Territory for said main line and branches of the Interoceanic Railway Company; and to take and use a strip of land 300 feet in width, with a length of 3,000 feet, in addition to right of way, for stations, for every 10 miles of road, with the right to use such additional ground where there are heavy cuts or fills as may be necessary for the construction and maintenance of the roadbed, not exceeding 100 feet in width on each side of said right of way, or as much thereof as may be included in said cut or fill: *Provided*, That no more than said addition of land shall be taken for any one station: *Provided further*, That no part of the lands herein authorized to be taken shall be leased or sold by the company, and they shall not be used except in such manner and for such purposes only as shall be necessary for the construction and convenient operation of said railroad, telegraph, and telephone lines; and when any portion thereof shall cease to be so used, such portion shall revert to the nation or tribe of Indians or individual allottee from which the same shall be taken.

SEC. 3. That before said railway shall be constructed through any lands held by individual occupants according to the laws, customs, and usages of any of the Indian nations or tribes through which it may be constructed, or by allotment under any law of the United States or agreement with the Indians, full compensation shall be made to such occupants for all property to be taken or damage done by reason of the construction of such railway. In case of failure to make amicable settlement with any occupant such compensation shall be determined by the appraisement of three disinterested referees, to be appointed, one (who shall act as chairman) by the President, one by the chief of the nation to which said occupant belongs, or, in the case of an allottee, by said allottee or by his duly authorized guardian or representative, and one by said railway company, who, before entering upon the duties of their appointment, shall take and subscribe, before a district judge, clerk of a district court, or United States commissioner, an oath that they will faithfully and impartially discharge the duties of their appointment, which oath, duly certified, shall be returned with their award to and filed

with the Secretary of the Interior within sixty days from the completion thereof; and a majority of said referees shall be competent to act in case of the absence of a member, after due notice. And upon the failure of either party to make such appointment within thirty days after the appointment made by the President, the vacancy shall be filled by the district judge of the United States district court held in the Territory where the property is situated, upon the application of the other party. The chairman of said board shall appoint the time and place for all hearings within the nation to which said occupant belongs. Each of said referees shall receive for his services the sum of \$4 per day for each day they are engaged in the trial of any case submitted to them under this act, with mileage at 5 cents per mile. Witnesses shall receive the usual fees allowed by the courts of said nations. Costs, including compensation of the referees, shall be made a part of the award and be paid by such railway company. In case the referees can not agree, then any two of them are authorized to make the award. Either party being dissatisfied with the finding of the referees shall have the right, within ninety days after the making of the award and notice of the same, to appeal by original petition to the United States district court held nearest the property, which court shall have jurisdiction to hear and determine the subject-matter of said petition, according to the laws of the State or Territory in which the same shall be heard, provided for determining the damage when property is taken for railroad purposes. If, upon the hearing of said appeal, the judgment of the court shall be for a larger sum than the award of the referees, the cost of said appeal shall be adjudged against the railway company. If the judgment of the court shall be for the same sum as the award of the referees, then the costs shall be adjudged against the appellant. If the judgment of the court shall be for a smaller sum than the award of the referees, then the costs shall be adjudged against the party claiming damages. When proceedings have been commenced in court the railway company shall pay double the amount of the award into court to abide the judgment thereof, and then have the right to enter upon the property sought to be condemned and proceed with the construction of the railroad.

SEC. 4. That said railway company shall not charge the inhabitants of said Territories a greater rate of freight than the rate authorized by the laws of the State of Arkansas for services and transportation of the same kind: *Provided*, That passenger rates on said railway shall not exceed 3 cents per mile. Congress hereby reserves the right to regulate the charges for freight and passengers on said railway and messages on said telegraph and telephone lines until a State government or governments shall exist in said Territories within the limits of which said railway, or a part thereof, shall be located; and then such State government or governments shall be authorized to fix and regulate the cost of transportation of persons and freights within their respective limits by said railway; but Congress expressly reserves the right to fix and regulate at all times the cost of such transportation by said railway or said company whenever such transportation shall extend from one State into another or shall extend into more than one State: *Provided, however*, That the rate of such transportation of passengers, local or interstate, shall not exceed the rate above expressed: *And provided further*, That said railway company shall carry the mail at such prices as Congress may by law provide; and until such rate is fixed by law the Postmaster-General may fix the rate of compensation.

SEC. 5. That said railway company shall pay to the Secretary of the Interior, for the benefit of the particular nations or tribes through whose lands the said railway may be located, the sum of \$50, in addition to compensation provided for in this act, for property taken and damages done to individual occupants by the construction of the railway, for each mile of railway that it may construct in said Territories, said payments to be made in installments of \$500 as each 10 miles of road is graded: *Provided*, That if the general council of either of the nations or tribes through whose lands said railway may be located shall, within four months after the filing of maps of definite location as set forth in section 6 of this act, dissent from the allowance hereinbefore provided for, and shall certify the same to the Secretary of the Interior, then all compensation to be paid to such dissenting nation or tribe under the provisions of this act shall be determined as provided in section 3 for the determination of the compensation to be paid to the individual occupants of lands, with the right of appeal to the courts upon the same terms, conditions, and requirements as therein provided: *Provided further*, That the amount awarded or adjudged to be paid by said railway company for said dissenting nation or tribe shall be in lieu of the compensation that said nation or tribe would be entitled to receive under the foregoing provision. Said company shall also pay, so long as said lands are owned and occupied by the Indians in the present tribal relations and not as citizens of the United States, to the Secretary of the Interior, the sum of \$15 per annum for each mile of railway it shall construct through said lands. The money paid to the Secretary of the Interior under the provisions of this act shall be apportioned by him, in accordance with the laws and treaties now in force between the United States and said nations and tribes, according to the number of miles of railway that may be constructed by said railway company through their lands: *Provided*, That Congress shall have the right, so long as said lands are occupied and possessed by said nations and tribes, to impose such additional taxes upon said railroad as it may deem just and proper for their benefit; and any Territory or State hereafter formed, through which said railway shall have been established, may exercise the like power as to such part of said railway as may lie within its limits. Said railway company shall have the right to survey and locate its railway immediately after the passage of this act.

SEC. 6. That said company shall cause maps showing the route of its located lines through said Territories to be filed in the office of the Secretary of the Interior, and also to be filed in the office of the principal chief of each of the nations or tribes through whose lands said railway may be located; and after the filing of said maps no claim for a subsequent settlement and improvement upon the right of way shown by said maps shall be valid as against said company: *Provided*, That, when a map showing any portion of said railway company's located line is filed as herein provided for, said company shall commence grading said located line within six months thereafter, or such location shall be void; and said location shall be approved by the Secretary of the Interior in sections of 25 miles before construction of any such section shall be begun.

SEC. 7. That the officers, servants, and employes of said company necessary to the construction and management of said road shall be allowed to reside, while so engaged, upon such right of way, but subject to the provisions of the Indian intercourse laws and such rules and regulations as may be established by the Secretary of the Interior in accordance with said intercourse laws.

SEC. 8. That the United States circuit and district courts for the western district of Arkansas and the northern district of Texas and such other courts as may be authorized by Congress shall have, without reference to the amount in controversy, concurrent jurisdiction over all controversies arising between said Interoceanic Railway Company and the nations and tribes through whose Territory said railway shall be constructed. Said courts shall have like jurisdiction, without reference to the amount in controversy, over all controversies arising between the inhabitants of said nations or tribes and said railway company; and the civil jurisdiction of said courts is hereby extended within the limits of said Indian Territory, without

distinction as to citizenship of parties, so far as may be necessary to carry out the provisions of this act.

SEC. 9. That said railway company shall build at least 50 miles of its railway in said Territory within three years after the passage of this act, and complete the main line of the same within said Territory within three years thereafter, or the rights herein granted shall be forfeited as to that portion not built; that said railway company shall construct and maintain continually all road and highway crossings and necessary bridges over said railway wherever said roads and highways do now or may hereafter cross said railway's right of way or may be by the proper authorities laid out across the same.

SEC. 10. That the said Interoceanic Railway Company shall accept this right of way upon the express condition, binding upon itself, its successors, and assigns, that they will neither aid, advise, nor assist in any effort looking towards the changing or extinguishing of the present tenure of the Indians in their land, and will not attempt to secure from the Indian nations any further grant of land, or its occupancy, than is hereinbefore provided: *Provided*, That any violation of the condition mentioned in this section shall operate as a forfeiture of all the rights and privileges of said railway company under this act.

SEC. 11. That all mortgages executed by said railway company conveying any portion of its railroad, with its franchises, that may be constructed in said Indian Territory shall be recorded in the Department of the Interior, and the record thereof shall be evidence and notice of their execution, and shall convey all rights and property of said company as therein expressed.

SEC. 12. That Congress may at any time amend, add to, alter, or repeal this act.

SEC. 13. That the right of way herein and hereby granted shall not be assigned or transferred in any form whatever prior to the construction and completion of the road, except as to mortgages or other liens that may be given or secured thereon to aid in the construction thereof.

The SPEAKER. The gentleman from Tennessee [Mr. PATTERSON] moves to suspend the rules and pass the bill.

Mr. MUTCHLER. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Pennsylvania [Mr. MUTCHLER] demands a second, and the Chair will appoint as tellers the gentleman from Tennessee [Mr. PATTERSON] and the gentleman from Pennsylvania [Mr. MUTCHLER].

Mr. PATTERSON of Tennessee. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

Mr. OTIS. I object.

The SPEAKER. Objection is made; the tellers will take their places.

The House divided; and the tellers reported—ayes 168, noes none; so a second was ordered.

Mr. PATTERSON of Tennessee. Mr. Speaker, this is merely a bill to grant a right of way through the Indian Territory, and I reserve my time.

The SPEAKER. The gentleman from Pennsylvania [Mr. MUTCHLER] is recognized to control the time in opposition to the bill.

Mr. MUTCHLER. Mr. Speaker, I hoped that the gentleman from Tennessee would explain his bill before calling on me to state what I have to urge in opposition to it. I will say, however, for the information of the House that, as I understand this measure, it is a bill to charter another railroad, running parallel to one which has been already chartered and is nearly completed, between two points in the Oklahoma district.

I want simply to say this, that it is suspected, in fact it is believed by many people, that these charters through that Territory are obtained simply for the purpose of selling them out; that they are obtained for the purpose of embarrassing railroads already built, with the hope that at some time in the future the parties who own these charters will be able to sell them. I do not know how many charters have already been granted for railroads through the Territory of Oklahoma, but I know that there have been a good many. I know that a bill came from the Senate this morning chartering another railroad through Oklahoma.

Now, it is claimed, and I want to call the attention of the House to this point, that there is a provision in this bill which prohibits the persons obtaining the charter from transferring it. It is the thirteenth section of the bill, and it simply prohibits the transfer of the railroad and telephone franchises, etc., before construction. After the company have constructed the road, or any part of it, then, under this bill, they may transfer it or sell it out. In other words, they may make a "combine" with roads running parallel to this. For these reasons, sir, I oppose the passage of this bill.

Mr. WASHINGTON. In regard to the road which this one proposes to parallel, I wish to ask how many miles of that road have been constructed, and how many years they have had their charter?

Mr. MUTCHLER. I could inform the gentleman if I had the map here. It is the only road that has been constructed there.

Mr. WASHINGTON. I can tell the gentleman. Less than 90 miles of that road have been built, and the company has been three years building that much. A bill is now pending in the Senate to grant them two years additional. That is the position of that company. It has the monopoly of valuable coal fields and it wants to keep out all rival lines.

Mr. MUTCHLER. It is true that the company to which the gentleman refers has commenced the construction of a road; it

was begun about three years ago; and the company has expended \$3,000,000 upon the work. There is a link still uncompleted. That road, as I am told, is already in the hands of a receiver. Now, here comes another company asking Congress to give it a charter to construct another road parallel with the one already in existence.

Mr. WASHINGTON. How far apart are these two lines of railroad?

Mr. MUTCHLER. All I know on that subject is what I have been told; I have never been out there. I am told that for the greater part of the roads they are parallel.

Mr. WASHINGTON. How far apart are they? I wish to say to the gentleman that the line of the road now asking a charter does not anywhere throughout its whole route come within 30 miles of the road to which the gentleman alludes. That is the distance at which these roads parallel each other. If the distance were only 10 miles, and the new road were calculated to develop the business of that country, it ought to be built.

Mr. MUTCHLER. I reserve the residue of my time. [Cries of, "Vote!" "Vote!"]

The question being taken on the motion of Mr. PATTERSON of Tennessee, to suspend the rules and pass the bill, it was agreed to, two-thirds voting in favor thereof.

OFFENSES ON THE HIGH SEAS.

Mr. REED. I move to suspend the rules and pass the bill which I ask the Clerk to read.

The bill (S. 3806) to provide for the punishment of offenses on the high seas was read.

Mr. KILGORE. I demand a second on the motion to suspend the rules.

Mr. REED. Will not the gentleman consent that a second may be considered as ordered?

Mr. KILGORE. Very well, I will.

The SPEAKER. Unless objection be made a second will be considered as ordered.

Mr. BUSHNELL. I object.

Several members [to Mr. BUSHNELL]. Do not object.

Mr. BUSHNELL. I want to know something about this bill.

The SPEAKER. The Chair will state to the gentleman from Wisconsin [Mr. BUSHNELL] that if a second is ordered debate will be permissible.

Mr. BUSHNELL. Very well; let it go.

Mr. ENLOE. I demand a second.

The SPEAKER. A second being demanded, the gentleman from Tennessee [Mr. ENLOE] and the gentleman from Maine [Mr. REED] will act as tellers.

Mr. REED. Mr. Speaker, this bill has passed the House once and the Senate twice; but I do not desire to take up time uselessly, and it is perfectly evident that if there is objection the bill can not pass. I should be sorry to disturb the closing hours of the session by presenting a bill which would excite controversy. With the permission of the Speaker, therefore, I withdraw my motion.

SALES BY UNITED STATES COURTS.

The SPEAKER laid before the House, with amendments of the Senate the bill (H. R. 5816) to regulate the manner in which property shall be sold under orders of and decrees any United States courts.

The amendments of the Senate were read.

Mr. BUCHANAN of Virginia. I move to concur in the amendments of the Senate.

Mr. ENLOE. I make the point of order that this bill should go under the rules to the Committee of the Whole.

Mr. BUCHANAN of Virginia. The bill is not subject to a point of order; it does not carry any appropriation.

The SPEAKER. The bill simply regulates sales by United States courts; it carries no appropriation.

Mr. BUCHANAN of Virginia. This bill was reported by the Judiciary Committee of this House; it went to the Senate, where it was modified, but in no material particular. The amendments ought to be concurred in, because the bill as amended simply authorizes the sales of land by the Federal courts in the county where the land lies and also directs advertisement to be made in such county in order that the land may not be sacrificed.

The question being taken, the amendments were concurred in.

ELECTION CONTEST—MILLER VS. ELLIOTT.

Mr. JOHNSON of Indiana. I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. JOHNSON of Indiana. The question of privilege is one which relates to the right of a member to his seat in this body. It grows out of the contested-election case of Miller vs. Elliott, from the Seventh Congressional district of South Carolina. The Chair will remember that I raised the question of privilege on this case a week or two ago. The Chair then held that in the

then posture of the case it was not a question of privilege, but expressly said that he would not hold that the question of the right of a member to his seat was not a question of privilege.

The SPEAKER. What is the proposition of the gentleman?

Mr. JOHNSON of Indiana. Since that time the Committee on Elections has reported the case; there is a majority report in favor of the sitting member, and a minority report in favor of the contestant. I now ask the House to take up and determine that question, involving the right of a member to his seat.

Mr. DOCKERY. I raise the question of consideration.

The SPEAKER. The Chair will state the question. The gentleman from Indiana calls up for consideration the contested-election case of Miller vs. Elliott; and the gentleman from Missouri [Mr. DOCKERY] raises the question of consideration.

Mr. JOHNSON of Indiana. On that point I desire to be heard.

The SPEAKER. That question is not debatable.

Mr. JOHNSON of Indiana. Then I ask for the yeas and nays.

The SPEAKER. The gentleman from Indiana calls up the contested-election case of Miller against Elliott, and the gentleman from Missouri raises the question of consideration. The question is, Will the House now proceed to consider the case? And on this question the gentleman from Indiana [Mr. JOHNSON] demands the yeas and nays.

The SPEAKER. The question is, Will the House order the yeas and nays?

The question was taken; and on a division there were 38 in the affirmative, 182 in the negative, the affirmative not being one-fifth of the whole.

So the House refused to order the yeas and nays.

Mr. JOHNSON of Indiana. I demand tellers, Mr. Speaker, on the yeas and nays.

Tellers were ordered.

The SPEAKER appointed Mr. JOHNSON of Indiana and Mr. DOCKERY as tellers.

The House again divided; and the tellers reported—ayes 38, noes 176.

So (one-fifth not having voted in the affirmative) the yeas and nays were refused.

The SPEAKER. The question now is, Will the House proceed to consider the contested-election case?

The question was taken; and on a division (demanded by Mr. REED) there were—ayes 68, noes 161.

So the House refused to consider the contested-election case.

COMMITTEE TO WAIT UPON THE PRESIDENT.

Mr. SPRINGER submitted the following resolution, which was read, considered, and agreed to:

Resolved, That a committee of three members be appointed on the part of the House, to join such committee as may be appointed by the Senate, to wait upon the President of the United States and to inform him that Congress, having finished its business, is now ready to close its session by adjournment.

The SPEAKER appointed Mr. SPRINGER, Mr. HOLMAN, and Mr. REED as said committee.

LEAVE TO PRINT.

By unanimous consent leave was granted to members to print remarks in the RECORD on the subject of appropriations, to be filed with the Public Printer within ten days after adjournment.

Also, to Mr. O'DONNELL to print remarks on the car-coupler bill; and to

Mr. MARTIN to print in the RECORD remarks showing the extent and character of pension legislation during this Congress; said remarks to be filed within ten days from the date of adjournment.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed the following resolution:

Resolved, That a committee of two Senators be appointed by the Chair, to join a similar committee appointed by the House of Representatives, to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some further communication to make to them.

And that the Vice-President had appointed as said committee Mr. SHERMAN and Mr. GORMAN.

RIGHT OF WAY THROUGH ARLINGTON RESERVATION.

Mr. RUSK. Mr. Speaker, I ask that the Speaker lay before the House the Senate bill on the Speaker's table granting the right of way through the Arlington reservation.

The SPEAKER *pro tempore* (Mr. HATCH in the chair). The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (S. 3711) granting the right of way through the Arlington reservation for railroad purposes.

Mr. RUSK. I move to suspend the rules and pass this Senate bill.

The SPEAKER *pro tempore*. The bill will be read. The gentleman asks unanimous consent—

Mr. RUSK. I do not ask unanimous consent, but move to suspend the rules and pass the bill.

The SPEAKER *pro tempore*. The Chair will submit the request for unanimous consent. Is there objection?

Mr. SIMPSON. I object.

Mr. DINGLEY. This bill should be read, Mr. Speaker. There can be no vote until the bill is read.

Mr. WILLIAM A. STONE. And the motion is to suspend the rules and pass the bill.

The SPEAKER *pro tempore*. The gentleman moves to suspend the rules and pass the bill which the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Washington Southern Railway Company is hereby authorized to construct and thereafter maintain and operate its railroad across the grounds of the United States Government, known as the Arlington reservation, in the State of Virginia, opposite the city of Washington, and for such purpose said company is hereby granted a right of way 33 feet in width, each side of the center line of the adopted line for the Georgetown Branch of the Washington Southern Railway, through the grounds aforesaid, at the points marked A and B, respectively, as shown on plat filed with the Secretary of War: *Provided*, That said line or route shall be subject to the approval of the Secretary of War, and when said right of way shall cease to be used for the purpose aforesaid, the same shall revert to the United States Government, and said road shall be commenced within one year from the date of the passage of this act and finished within three years: *Provided further*, That before this act shall take effect the Secretary of War shall cause to be assessed the damage, if any, which may accrue to the United States Government by the grant of this right of way, by three officers of the Army, and the amount of such award shall be paid into the Treasury of the United States.

Sec. 2. That the right to repeal, alter, or amend this act is reserved to Congress.

The SPEAKER *pro tempore*. The question is on agreeing to the motion of the gentleman from Maryland to suspend the rules and pass the bill.

The question was taken, and the bill was ordered to a third reading; and being read the third time, was passed, two-thirds voting in favor thereof.

Mr. REED. Mr. Speaker, the Speaker of this House holds an office of dignity and honor, of vast power and influence. The extent of that power and influence can not be described even by one who has been honored by its possession. All this dignity, honor, power, and influence were created not to adorn or glorify any individual, but to uphold, support, and maintain the well-being of the people of the United States.

That that officer should be respected and esteemed concerns every member of this House not only as a member, but as a citizen of the United States.

No factional or party malice ought ever to strive to diminish his standing or to lessen his esteem in the eyes of members or of the world. No disappointments or defeats ought ever to be permitted to show themselves to the injury of that high place. Whoever at any time, whether for purposes of censure or rebuke or from any other motive, attempts to lower the prestige of that office, by just so much lowers the prestige of the House itself, whose servant and exponent the Speaker is. No attack, whether open or covert, can be made upon that great office without leaving to the future a legacy of disorder and of bad government.

This is not because the Speaker is himself a sacred creation. It is because he is the embodiment of the House, its power and dignity.

If efforts of that kind have been made in the past, if at any time, in the heat of passion or in the flush of resentment over unexpected defeat and overthrow, action has been taken which has been thus inimical to the public good and the public order, let us leave to those who so acted the honor or the shame, and in no way give to their example the flattery of an imitation.

While, therefore, my associates and I have not forgotten the past, I am sure that I speak the sentiment of them all when I say that the Republican party, without regard to what any other party may do, or what any other party has done, will buttress, by the respectful behavior of each and every one of its members, this high office. [Applause on the Republican side.]

Therefore, placing patriotism above partisanship, placing duty above even a just resentment, notwithstanding we do not approve of the parliamentary law of the Speaker and his associates, and deem that the system reestablished is undemocratic and unwise, nevertheless, by offering the customary resolution, we tender to the Speaker of this House the expression of our belief that he, like all his predecessors, has performed the trying duties of his office with upright intention and honorable purpose. [Applause.]

I offer the resolution which I send to the Clerk's desk.

The SPEAKER *pro tempore* (Mr. HATCH). The Clerk will report the resolution offered by the gentleman from Maine [Mr. REED].

The Clerk read as follows:

Resolved, That the thanks of this House are presented to the Hon. CHARLES F. CRISP for the able, impartial, and dignified manner in which he has pre-

sided over its deliberations and performed the arduous and important duties of the Chair.

The SPEAKER *pro tempore*. The question is on the adoption of the resolution. As many as favor the adoption of the resolution will rise and stand until they are counted. Three hundred and twenty-nine Representatives have voted in the affirmative. The Chair adds one more vote, and makes it 330. The resolution is unanimously adopted. [Applause.]

[The Speaker, Hon. CHARLES F. CRISP, here entered the Hall and amid general applause resumed the chair.]

The SPEAKER. I am sure the House will indulge me for a moment while I return to each of its members my heartfelt thanks for this expression of confidence and esteem.

In a body like this, whose members represent widely separated constituencies, with interests which often seem to be and perhaps are conflicting, there are necessarily heated contests upon the floor, and naturally at times we all of us are somewhat hasty in expression, and say things and do things which we afterward regret. But I am sure the House will believe I deal with it in the utmost candor when I say that at this moment, as the pleasant relations that have so long existed between us are about to be dissolved, I entertain toward each and every member of the House the warmest feelings of friendship; and if there lingers in the bosom of anyone any affront, fancied or real, from any ruling or expression of mine, I beg to say to him now and here that I regret it, and if I have done that which I ought not to have done, it has been an unintentional error; because I have endeavored only to discharge my duties and to enforce the rules as the House has adopted them with courtesy, firmness, and impartiality.

I thank you again for this kindly expression, and beg to say to you that there is no incident in my career from which I shall and do derive more gratification than the incident which has just transpired in this House in the presence of all its members. [Applause.]

CONDITION OF THE TREASURY.

Mr. SPRINGER. Mr. Speaker, I desire to submit a report from the Committee on Ways and Means, and ask leave that the minority have time to file their views, and that the report of the committee with the views of the minority be printed.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

Condition of the Treasury December 31, 1892.

Mr. SPRINGER. I ask that the minority may have leave to file their views within five days, and that when filed they be printed with the report of the committee.

There was no objection, and it was so ordered.

Mr. SPRINGER. I desire also to ask leave that those who desire to do so may print remarks on this report in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SPRINGER].

Mr. BURROWS. Mr. Speaker, is that request for general leave?

Mr. SPRINGER. It is leave to print on this report.

Mr. BURROWS. I think that request ought to be confined to members of the Committee on Ways and Means.

The SPEAKER. Without objection the members of the Committee on Ways and Means will be permitted to print remarks on this report in the RECORD within five days.

There was no objection.

APPROPRIATIONS.

Mr. DOCKERY. Mr. Speaker, I believe leave has been granted for the members of the Committee on Appropriations to print remarks on appropriations.

The SPEAKER. It has.

FREE SHIP BILL.

Mr. ATKINSON, by unanimous consent, obtained leave to print remarks on the free ship bill (H. R. 5441).

J. P. RANDOLPH.

The SPEAKER. The Chair will lay before the House the bill (H. R. 1231) for the relief of J. P. Randolph, administrator of J. G. Randolph, deceased.

The SPEAKER. The Clerk will report the Senate amendment.

The Senate amendment was reported.

Mr. ENLOE. Mr. Speaker, I ask that the Senate amendment be concurred in.

The motion was agreed to.

PORTRAITS OF CHIEF JUSTICES FOR EXHIBITION AT WORLD'S FAIR.

The SPEAKER laid before the House the resolution (S. R. 159) authorizing the loan for exhibition at the World's Columbian Exposition of certain paintings therein stated.

The resolution was read, as follows:

Resolved, etc., That the Architect of the Capitol, with the approval of the Chief Justice, is hereby authorized to loan to the Department of Justice the portraits of the Chief Justices of the United States for exhibition at the World's Columbian Exposition.

Mr. GROUT. I ask for the present consideration of that resolution.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. WATSON. I object.

Mr. GROUT. Then I move to suspend the rules and pass the resolution.

The rules were suspended and the Senate joint resolution was passed, two-thirds voting in favor thereof.

INDUSTRIES OF WOMEN.

Mr. DURBOROW. Mr. Speaker, I move to suspend the rules and pass the joint resolution (S. R. 148) authorizing the Secretary of the Smithsonian Institution to send articles illustrative of the life and development of the industries of women to the World's Columbian Exposition.

The joint resolution was read, as follows:

Resolved, etc., That the Secretary of the Smithsonian Institution be, and he hereby is, authorized to prepare and send, for exhibition in the Woman's Building of the World's Columbian Exposition, any article now in his custody or on exhibition in the National Museum illustrative of the life and development of the industries of women.

The SPEAKER. The gentleman from Illinois moves to suspend the rules and pass this resolution.

Mr. WATSON. I demand a second.

The SPEAKER. The Chair will appoint as tellers—

Mr. WATSON. I withdraw the demand for a second.

The rules were suspended and the joint resolution was passed, two-thirds having voted in favor thereof.

MRS. ELISE ALDEN M'CAULEY.

Mr. BINGHAM. I move to suspend the rules and pass the bill which I send to the Clerk's desk.

The Clerk read as follows:

A bill (S. 782) granting a pension to Mrs. Elise Alden McCawley.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Elise Alden McCawley, widow of Charles Grymes McCawley, late commandant of the United States Marine Corps, and pay her a pension at the rate of \$50 a month from and after the passage of this act.

The SPEAKER. The gentleman moves to suspend the rules and pass this bill.

The rules were suspended, and the bill was passed, two-thirds having voted in favor thereof.

COMMANDER DENNIS W. MULLAN.

Mr. COMPTON. Mr. Speaker, I move to suspend the rules and pass the joint resolution (S. R. 57) authorizing Commander Dennis W. Mullan, United States Navy, to accept a medal presented to him by the Chilean Government.

The resolution was read, as follows:

Resolved, etc., That Commander Dennis W. Mullan, United States Navy, be, and he is hereby, authorized to accept a medal presented to him by the Government of Chile, through the State Department of the United States, as a memento of his presence with the headquarters of the Chilean army at the battles of Chorillos and Miraflores in Peru, by virtue of an official order issued November 20, 1880, by Capt. J. A. Howell, United States Navy, then commanding the United States war ship Adams, off Callao, Peru, to commander Dennis W. Mullan to accompany Gen. Baquedano, chief of the Chilean military forces, for the purpose of observing, as a representative of the American Navy, the military and naval operations then going on between the Governments of Chile and Peru and making a report thereon to the proper authorities of the Government of the United States.

The SPEAKER. The gentleman from Maryland moves to suspend the rules and pass this resolution.

The rules were suspended, and the resolution was passed, two-thirds having voted in favor thereof.

REAR ADMIRAL JAMES E. JOUETT.

Mr. FELLOWS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 204) in relation to the pay of Rear Admiral James E. Jouett.

Mr. KILGORE. I demand the regular order.

The SPEAKER. This is the regular order.

The bill was read, as follows:

Be it enacted, etc., That Rear-Admiral James E. Jouett, of the United States Navy, retired, be paid out of any money in the Treasury not otherwise appropriated, the highest pay and compensation of his grade as a rear-admiral, from and after the date of the passage of this act.

Mr. DINGLEY. Mr. Speaker, I do not desire to waive the demand for a second, but I want some explanation of the bill.

The SPEAKER. The report will be read, reserving the right to object.

Mr. DINGLEY. I suggest that the gentleman from New York [Mr. FELLOWS] make a brief statement.

Mr. FELLOWS. Mr. Speaker, this bill proposes to give to the gentleman named in it, Rear-Admiral Jouett, the highest pay of his rank, he having been retired upon three-quarters pay.

It may be remembered that immediately after the close of the war a board was established which recommended five gentlemen for this promotion, for distinguished services rendered during the war. Two of those gentlemen, Admiral Worden and another, have had this pay given them, but by some lapse Admiral Jouett has been left out. As the Secretary of the Navy, Admiral Farragut, and Admiral Porter have certified, this makes an invidious distinction against him, which ought at the earliest possible moment to be removed.

The bill has the approval of the Naval Committee of the House; it has passed the Senate unanimously; it has the approval of the Secretary of the Navy and of every high officer in the Navy.

Mr. DINGLEY. That is sufficient so far as I am concerned.

Mr. BOUTELLE. The bill was recommended by the Committee on Naval Affairs unanimously.

Mr. DOLLIVER. This bill is absolutely right and just.

The question was taken, and, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

MAJ. GEN. GEORGE S. GREENE.

Mr. GREENLEAF. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the desk (S. 3075) for the relief of Maj. Gen. George S. Greene.

The bill was read, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint George S. Greene, late brigadier and brevet major-general United States Volunteers, to the rank of first lieutenant of artillery in the Army of the United States, and to place him on the retired list of the Army as of that grade, the retired list being thereby increased in number to that extent; and all laws and parts of laws in conflict herewith are suspended for this purpose only: *Provided*, That from and after the passage of this act no pension shall be paid to the said George S. Greene, but this proviso shall be no bar to any claims for pension that the widow or children or other heirs of said George S. Greene may have after his decease.

Mr. GREENLEAF. Mr. Speaker, I ask to have read the paragraphs which I have marked in the report I send to the desk.

Several MEMBERS. Pass the bill.

Mr. DINGLEY. Not without some explanation.

Mr. OUTHWAITE. This is a very meritorious case.

The Senate report (which was read in part) is as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 3075) for the relief of Maj. Gen. George S. Greene, have had the same under consideration, and submit the following report:

Gen. Greene, after thirteen years' service in the regular Army, resigned his commission as first lieutenant in the artillery in 1836. Nearly forty years after his first appointment in the regular Army, and at the age of 60 years, he offered his services to the President in the war of the rebellion.

Gen. Greene's record of four years' service during the war was especially brilliant. He entered the service as colonel of the Sixtieth New York Volunteers, was made a brigadier-general, brevetted a major-general, was severely wounded and honorably discharged April 30, 1866. The official statement of his record is appended. He is now 91 years of age. Extracts from letters printed herewith show that the circumstances of Gen. Greene are straitened.

Your committee has invariably recommended that no officer be placed on the retired list with higher rank than that which he held at the time his connection with the regular Army was severed. The committee recommends that the bill be accordingly amended, and that certain superfluous statements be stricken out, and that the bill be passed with said amendments.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, Washington, May 12, 1892.

SIR: I have the honor to return herewith Senate bill No. 3075, which has been referred to the Department by the Senate Committee on Military Affairs, and which provides for the appointment and retirement as a captain of engineers of George S. Greene, late brigadier and brevet major-general of volunteers, and to inclose herewith a statement of Gen. Greene's military services. Attention is called to the fact that Gen. Greene never held the rank of captain of engineers of the United States Army, and that the highest rank held by him therein was that of first lieutenant of artillery.

In the case of the late Horatio P. Van Cleve, who was appointed and placed on the retired list as a second lieutenant of infantry under the provisions of an act of June 11, 1890, a precedent was established of authorizing appointments in such cases to the grade formerly held in the United States Army. Gen. Van Cleve rendered distinguished service as a brigadier-general from March, 1862, until the close of the war and was brevetted major-general for gallant and meritorious services; but the bill providing for his restoration and retirement was amended so as to give him the highest rank he had formerly held in the permanent military establishment.

Very respectfully,

J. C. KELTON,
Adjutant-General.

The SECRETARY OF WAR.

Statement of the military service of George S. Greene, late of the United States Army, compiled from the records in this office.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE, Washington, May 11, 1892.

Cadet at the United States Military Academy, from June 24, 1819, to July 1, 1823, when he was graduated and appointed brevet second lieutenant, First Artillery, July 1, 1823; second lieutenant, Third Artillery, July 1, 1823; first lieutenant, May 31, 1829; resigned June 30, 1836.

SERVICE.

On academic leave to September 21, 1823; on duty at the United States Military Academy to June 16, 1824; at the Artillery School, Fort Monroe, Va., to October 6, 1824; at the United States Military Academy, to April 20, 1827; on ordnance duty to November, 1827; on duty with regiment at Forts Walcott, R. I., Sullivan, Me., and Independence, Mass., to August, 1830; on leave of absence to October 30, 1830; with regiment at Fort Sullivan, Me., to July,

1832; on leave of absence to November, 1832; with regiment at Fort Sullivan, Me., to June 4, 1835; on ordnance duty to July, 1835; with regiment to September, 1835; on leave of absence until he resigned, June 30, 1836.

Colonel Sixtieth New York Volunteers, January 18, 1862. Served with regiment in the field in Maryland, District of Columbia, and Virginia until appointed brigadier-general of volunteers, April 28, 1862; commanding Third Brigade, First Division, Department of the Shenandoah, from May, 1862, to June, 1862; the Third Brigade, Second Division, Second Corps, to August, 1862; the Second Division, Second Corps, to September, 1862; the Second Division, Twelfth Corps, to October, 1862; the Third Brigade, Second Division, Twelfth Corps, to October 29, 1863, when he was wounded in action at Wauhatchie, Tenn.; absent on account of wounds to January 16, 1864; on general court-martial duty in Washington, D. C., to May, 1864, and in the Department of the East to January, 1865; on duty in the field, Department of the Cumberland and Department of North Carolina, to April 8, 1865; commanding Third Brigade, Third Division, Fourteenth Corps, to June 8, 1865, and on court-martial duty in the Department of Washington to muster out of volunteer service, April 30, 1866.

Brevetted major-general of volunteers March 13, 1865, "for gallant and meritorious services during the war."

During the late war he participated in the following engagements: Winchester, Va., May 24, 1862; Cedar Mountain, Va., August 9, 1862; White Sulphur Springs, Va., August 24, 1862; Antietam, Md., September 17, 1862; defense of Harpers Ferry, September 18 to October 10, 1862; Chancellorsville, Va., May 2 to 4, 1863; Gettysburg, Pa., July 2 to 3, 1863; Wauhatchie, Tenn., October 28, 1863; Kinston, N. C., March 10, 1865.

J. C. KELTON, Adjutant-General.

Civil services of Bvt. Maj. Gen. George Seares Greene.

On surveys and location of Wilmington and Andover Railroad in Massachusetts, 1836. In charge of surveys, location, plans, etc., of railroad from Charleston, S. C., to Cincinnati, Ohio, in the States of North Carolina, Tennessee, and Kentucky, 1837-1838. In charge of surveys and examination of coal mines, and surveys for and construction of railroads in Allegany, Md., 1838-1845. Engineer in charge of surveys, location, and construction of railroads in Massachusetts, Maine, Rhode Island, and New York, 1845-1856. Engineer in charge of plans and construction of works for water service of the Croton aqueduct department of the city of New York, including lowering the 3-foot main in Fifth avenue in the rock cut; the new 100-acre reservoir in the Central Park; the stone dam and reservoir at Boyd's Corner, and other minor works connected with the water service of the Croton aqueduct department, 1856-1862, 1866-1868, 1870-1871. Chief engineer and commissioner of the Croton aqueduct department of the city of New York, having charge of the water supply, the sewerage, and the pavements of the city, 1868-1890.

On engineering service for communications over Harlem River and surveys for laying out the streets and construction of pavements and sewers for Twenty-third and Twenty-fourth wards of the city of New York, and as consulting engineer, chief engineer, civil and topographical engineer, 1872, 1873, 1874, 1875, 1876, on commission to report on the plan for Quaker Bridge Dam for the Croton aqueduct, and consulting engineer for the consideration of the plans of the New Croton aqueduct. Consulting engineer on Yonkers water works, chief engineer to the board of public works for the District of Columbia, and designing and making plans for the sewerage of Washington, 1871, 1872. On commission to examine and report on the plan and construction of the sewers of Providence, R. I. June, 1881, president of the Board of Visitors to the United States Military Academy at West Point, N. Y.

NEW YORK CITY, March 29, 1892.

*** Gen. Greene, although in excellent health, will, in about six weeks, be 91 years old. I have heard Gen. Slocum testify in detail that no one man at Gettysburg rendered more valuable services than did Gen. Greene, and I have heard Gen. Howard and Gen. Slocum both testify as to the eminent value of the services rendered by Gen. Greene during almost the entire war as an active commander of forces in the field. He is widely known and much beloved by those of us who have occasion to cherish memories of the war, and our interest in anything that does him honor or occasions him pleasure is strong and abiding.

Yours, very truly,

WAGER SWAYNE.

465 CLINTON AVENUE, BROOKLYN, N. Y., April 9, 1892.

MY DEAR GENERAL: Yours of the 7th has been received. The total income of Gen. Greene is less than \$800 per annum, including his pension. Gen. Schofield is acquainted with Gen. Greene, his services, civil and military. I sincerely hope the bill will pass. Gen. Greene is now 90 years of age.

Yours, truly,

H. W. SLOCUM.

PHILADELPHIA, PA., April 8, 1892.

MY DEAR GENERAL: In answer to your question about the financial circumstances of Gen. George Greene, I can say that since his age has precluded him from the exercise of his calling (that of engineer and surveyor) he has been very poor. I do not think there is a person alive who served in the war who rendered more good service than Gen. Greene, and I trust he will receive some substantial token of the appreciation by Congress of his intelligent, faithful, loyal, and continuous services during the war.

Yours, sincerely,

WM. F. SMITH.

Mr. DINGLEY (during the reading). Mr. Speaker, having obtained sufficient information to satisfy myself, I do not insist on the further reading of the report.

Mr. BUSHNELL called for the reading of the report in full, but subsequently withdrew the demand.

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. GREENLEAF] to suspend the rules and pass this bill.

Mr. ENOCHS. I object, Mr. Speaker.

Mr. OUTHWAITE. Gen. Greene is 92 years old, and this is simply to put him on the retired list.

Mr. ENOCHS. I withdraw my objection.

The question was taken; and two-thirds voting in favor thereof, the rules were suspended, and the bill was passed.

JOHN A. LYNCH.

Mr. DOAN. Mr. Speaker, I move to suspend the rules and

pass the bill which I send to the desk (S. 64), for the relief of John A. Lynch.

The bill was read, as follows:

Be it enacted, etc., That in accordance with the findings of the Court of Claims the Secretary of the Treasury be, and he is hereby, authorized and required to pay to John A. Lynch, out of any money in the Treasury not otherwise appropriated, the sum of \$1,137.96, in full and complete satisfaction for services rendered and expenses incurred and defrayed by him, the said John A. Lynch, to and for the United States at Cincinnati, in the State of Ohio, in the years 1861-'62.

Mr. SIMPSON demanded a second, and by unanimous consent a second was considered as ordered.

Mr. SIMPSON. I call for the reading of the report.

The report (by Mr. STONE of Kentucky) was read, as follows:

The Committee on War Claims, to whom was referred the bill (S. 64) for the relief of John A. Lynch, submit the following report:

The facts out of which this bill for relief arises will be found stated in Senate report from the Committee on Military Affairs of the present Congress, a copy of which is hereto annexed and made a part of this report.

Your committee concur in the conclusions stated in that report and recommend the passage of the bill.

[Senate Report No. 533, Fifty-second Congress, first session.]

Mr. PALMER, from the Committee on Military Affairs, submitted the following report (to accompany S. 64):

This bill provides that, in accordance with the findings of the Court of Claims—

"The Secretary of the Treasury be, and he is hereby, authorized and required to pay to John A. Lynch * * * the sum of \$2,466.49, in full and complete satisfaction for services rendered and expenses incurred and defrayed by him, the said John A. Lynch, to and for the United States at Cincinnati, in the years 1861 and 1862."

As the purport of the bill is to provide for the payment of a certain sum of money, supposed to be found by the Court of Claims to be due to him, the committee have done nothing more than to ascertain the amount found to be due to the claimant by the Court of Claims and give effect to the actual finding.

A copy of the certified finding of the Court of Claims in this case will be found in Senate Miscellaneous Document No. 127, Fifty-first Congress, first session. (Exhibit A of this report.)

It is certain that the claimant, in the year 1861, under the direct authority of Col. R. M. Corwine, who held some appointment under Gen. John C. Frémont, performed some service for the United States at Cincinnati, Ohio, and that he was employed for a period of eight months. It may be collected from the copy of the proceedings of the Court of Claims, to which reference has been made, that the claimant in that court placed his right to recover upon the ground that for the time mentioned he acted under an appointment as captain and quartermaster, which, though the appointment was by the insufficient authority of Gen. Frémont, he either relied upon as valid or expected that it would afterwards be confirmed and did in fact discharge all the duties of captain and quartermaster.

Whether the Court of Claims adopted that view or not, it is certain that it did not allow him the pay and emoluments of captain and assistant quartermaster, and it may be added that it is not certain that the Court of Claims made him any allowance whatever.

The court, in paragraph 6 of the finding, enumerates certain allowances made by law and the army regulations to captains, assistant quartermasters, regularly appointed, which for eight months' service amount to \$2,621.49. But it is added by the court, "but the claimant by his petition in this court has sought to recover only \$1,262.96 for the same services."

Unless it can be inferred from the words last quoted that the Court of Claims intended to allow the claimant the amount of his claim, the record contains no finding in his favor. It is certain that the court did not intend to allow him the item of \$192 for forage for three horses, for he did not own or keep in service three horses, and his claim for the hire of horses was rejected for want of sufficient evidence.

It may be fair to conclude that the Court of Claims intended to make some allowance to the claimant, and if so, then the only possible inference is that the amount intended is that which he claimed in his petition, \$1,262.96. The court finds that he received \$125 on account of clerk hire, which ought to be deducted from the sum allowed:

Allowance	\$1,262.96
Deduct for clerk hire	125.00
Balance	1,137.96

It is therefore recommended that the bill be amended by striking out the words "two thousand four hundred and sixty-six dollars and forty-nine cents," in the sixth, seventh, and eighth lines of the bill, and the words "one thousand one hundred and thirty-seven dollars and ninety-six cents" be inserted in lieu thereof, and the passage of the bill as amended be recommended.

APPENDIX.

[Senate Mis. Doc. No. 127, Fifty-first Congress, first session.]

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, April 10, 1890.

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings of the Court of Claims, filed April 7, 1890, in the aforesaid cause, which case was referred to this court by the Committee on Military Affairs of the Senate of the United States under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk, Court of Claims.

The PRESIDENT OF THE SENATE.

[Court of Claims. Congressional case No. 4664. John A. Lynch vs. The United States.]

At a Court of Claims held in the city of Washington on the 7th day of April, A. D. 1890, the court filed the following statement of case and findings of fact, to wit:

STATEMENT OF CASE.

The claim in the above-entitled case was transmitted to the court by the Committee on Military Affairs, United States Senate, on the 8th day of

June, 1888. Luther H. Pike, esq., appeared for claimant, and the Attorney-General, by Assistant Attorney-General John B. Cotton, his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The case was brought to a hearing on its merits on the 21st day of January, 1890.

I.

At the outbreak of the rebellion, in the year A. D. 1861, the claimant, John A. Lynch, was a citizen of the United States, a resident of the city of Cincinnati, in the State of Ohio, and by profession a lawyer.

In 1861 John C. Frémont, a major-general in the Army of the United States, was assigned to the command of the Department of the West, with headquarters at St. Louis, in the State of Missouri, and was clothed with extraordinary power and authority for recruiting, organizing, and equipping troops for his command in and outside the limits of his department, and for selecting and appointing, and directing the selection and appointment, of such officers and agents as he might deem necessary to assist him in the due execution of the powers he was so clothed with.

II.

Gen. Frémont appointed Richard M. Corwine an officer under him, to wit, judge-advocate with the rank of major, and sent him to Cincinnati, in the State of Ohio, with directions and authority to there recruit, organize, and equip troops for his command, and to arrange their transportation to his department.

The said R. M. Corwine, as part of his arrangements for recruiting, organizing, and equipping troops for and transporting them to Gen. Frémont's command, induced the claimant to assist him therein, and appointed claimant nominally to the rank of captain, assistant quartermaster, with assurance that upon such appointment he would be duly commissioned the same in the Army of the United States.

III.

The claimant, relying upon this assurance and acting under that appointment from the said Corwine, gave his entire time for a period of eight months in the years A. D. 1861 and 1862 in assisting said Corwine. From the latter part of July, 1861, until on or about the 6th of September of that year he acted both as assistant quartermaster and commissary of subsistence, but from the 6th of September, 1861, to on or about the 31st day of March, A. D. 1862, he acted only as assistant quartermaster, and all the services he so rendered were arduous and valuable to the United States.

The claimant has never been paid anything for the services he so rendered or on account of the expenses he incurred necessarily whilst rendering them and paid out of his own means, such expenses being for rooms, light, and fuel, and attendance thereon, and for clerical assistance, except a sum of \$125, and for transportation.

IV.

The claimant was on the 26th of November, A. D. 1862, commissioned regularly a captain and assistant quartermaster in the United States Army, but was not given rank to cover the service he had rendered antecedently. As such regularly commissioned officer he served faithfully and efficiently until he was discharged honorably after the suppression of the rebellion, and his accounts, found correct, have been closed in the Treasury Department.

V.

The claimant, by reason of being in active service in the field, was ignorant of and therefore unable to avail himself of the benefit intended for others and himself who had assisted Gen. Frémont, by the act of Congress approved March 25, 1862, and by the acts amendatory thereof and supplementary thereto. He was ignorant of the existence of the commission at St. Louis, in the State of Missouri, which, in pursuance of said acts of Congress, was created under and by General Orders of the War Department No. 64, of 1862, as also of the rules promulgated by the General Orders of the War Department No. 120, of March 24, 1864, for the payment of claims for such services presented to said commission, and, being so ignorant, he presented no claim to said commission.

VI.

By law and the Army Regulations of 1861, paragraphs 963 and 974, and the Revised Army Regulations of the same year, paragraphs 1068 and 1081, in force from the 31st of July, A. D. 1861, to the 1st day of April, A. D. 1862, had claimant been a regularly commissioned captain, assistant quartermaster in the United States Army, and so stationed and rendering said services at Cincinnati, in the State of Ohio, during said period of time, his army allowances and commutations would have been, as certified to the court by the War Department, each item aggregated, as follows: For pay proper, eight months, \$560; servant's pay, \$105.33; servant's clothing, \$30; subsistence, \$394.50; forage for three horses, if in actual service, \$192; quarters, \$192; quarter's fuel, \$119.16; office fuel, \$30, and by authority for payment for clerk-hire contained in the general appropriation acts for the support of the Army he would have had for one clerk, at \$100 per month, \$800; making a total of \$2,621.49. But the claimant by his petition in this court has sought to recover only \$1,202.96 for the same services.

VII.

The claimant during the eight months he so rendered the services unpaid for did not actually own and keep in service three horses, but in lieu thereof hired horses and vehicles for his transportation which was made actually necessary by the distances apart of the different bodies of troops he had to give attention to and he had constantly to traverse; but the amount of such expenditures has not been shown to the satisfaction of the court.

VIII.

The claimant received \$125 on account of clerk hire during said period of eight months' service, through said R. M. Corwine.

IX.

The claimant was loyal to the Government and cause of the United States throughout the war of the rebellion.

Filed April 7, 1890.

A true copy.

Test, this 10th day of April, A. D. 1890.

[SEAL.]

JOHN RANDOLPH,

Assistant Clerk Court of Claims.

The SPEAKER. The gentleman from Ohio [Mr. DOAN] moves to suspend the rules and pass this bill.

Mr. KILGORE. Mr. Speaker, before that motion is put, I

would like to know how this case came before the Court of Claims at first.

Mr. DOAN. By a resolution of the Senate, it was referred to the Court of Claims; it was there contested on both sides, and the court found the amount of \$2,600 for Mr. Lynch.

Mr. KILGORE. They found the facts, but did they undertake to render a judgment so as to make the Government liable? They do not always do that.

Mr. DINGLEY. No judgment was rendered.

Mr. KILGORE. There is no judgment in the case, and there is no indication in the finding as to the liability of the Government. Now, I am not inclined to let a bill like this go through here at the end of the session in this hurried manner.

Mr. DOAN. I would say to the gentleman that the Senate referred this case to the War Department and there they found the sum of \$2,600 to be due him, but the Senate passed the bill at \$1,137.96, just the amount that the man had paid out for subsistence of troops, and that is all that is asked here.

The question was taken, and two-thirds voting in favor thereof, the rules were suspended and the bill was passed.

HONORA SHEA.

Mr. O'NEILL of Missouri. I move to suspend the rules and pass the bill (S. 3882) granting a pension to Honora Shea.

The bill was read, as follows:

Be it enacted etc. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Honora Shea, mother of M. J. Shea, of Company H, Fifth United States Artillery, at the rate of \$12 per month from and after the passage of this bill.

Mr. KILGORE. I demand a second.

The SPEAKER. Without objection a second will be considered as ordered.

Mr. O'NEILL of Missouri. I will state—

Mr. KILGORE. Let the report be read.

Mr. DINGLEY. Let the gentleman from Missouri state the facts.

Mr. O'NEILL of Missouri. This bill has been passed by the Senate and a bill similar in its terms has been favorably reported by the Committee on Pensions of the House. The bill is for the relief of an aged lady, nearly 80 years old, whose son, after serving through the war and while still belonging to the Army, was accidentally drowned at Fortress Monroe. The only difficulty in the case is the technical point that he was not in the line of duty at the time of his death.

The question being taken on the motion of Mr. O'NEILL of Missouri to suspend the rules and pass the bill, it was agreed to.

BRITISH MEDALS FOR UNITED STATES ARMY OFFICERS.

Mr. LAPHAM. I move to suspend the rules and pass the joint resolution (S. R. 82) to authorize Lieut. Sidney S. Jordan, Fifth United States Artillery, and Capt. Edward C. Carter, assistant surgeon, United States Army, to accept medals from the British Government.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, etc. That Lieut. Sidney S. Jordan, Fifth United States Artillery, and Capt. Edward C. Carter, assistant surgeon, United States Army, be, and they are hereby, authorized to accept from the Government of Great Britain the medals awarded to them, respectively, for their humane services to the shipwrecked crew of the British ship Strathblane.

The motion to suspend the rules and pass the joint resolution was agreed to, two-thirds voting in favor thereof.

REPORT OF COMMITTEE TO WAIT ON THE PRESIDENT.

Mr. SPRINGER (who appeared at the bar, in company with Mr. HOLMAN and Mr. REED) said: Mr. Speaker, the committee appointed by the House to act in conjunction with a similar committee of the Senate to wait upon the President and inform him that the two Houses were about to adjourn, and to inquire whether he had any further communications to make, have performed that duty, and the President states that he has no further communication to make.

INVESTIGATION OF EXECUTIVE DEPARTMENTS.

The SPEAKER. By virtue of the authority conferred on the Speaker of the House by the legislative, executive, and judicial appropriation bill, he has appointed Mr. DOCKERY of Missouri, Mr. RICHARDSON of Tennessee, and Mr. DINGLEY of Maine as the members on the part of the House of the joint commission of the two Houses to investigate the Executive Departments of the Government.

LEAVE TO PRINT.

Mr. CAMINETTI, by unanimous consent, obtained leave to print remarks on resolution requesting certain information from the Secretary of the Interior relative to forest reservations.

Mr. MEYER, by unanimous consent, obtained leave to print brief remarks on Senate resolution regarding the late Senator Gibson.

ENROLLED BILLS SIGNED.

Mr. SCOTT, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 4496) to place upon the pension rolls of the United States the name of Thomas F. Sheldon, late captain Company H, One hundred and twenty-fifth New York Infantry;

A bill (H. R. 4804) to place the name of Sarah S. Van Nest on the pension list;

A bill (H. R. 4955) granting a pension to Susannah Chadwick;

A bill (H. R. 5508) to place the name of Sabra A. Wolcott upon the pension rolls;

A bill (H. R. 6333) granting a pension to Thomas T. Prather;

A bill (H. R. 9741) to increase the pension of Capt. E. R. Chase from \$20 to \$72 a month;

A bill (H. R. 10349) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1894;

A bill (H. R. 10488) making appropriations for the naval service for the fiscal year ending June 30, 1894, and for other purposes;

A bill (H. R. 6212) granting an increase of pension to Ellis P. Phipps, late lieutenant in Company A, New Jersey Volunteer Infantry, invalid certificate numbered 35619;

A bill (H. R. 1100) granting a pension to Mary Catherine Reardon;

A bill (H. R. 5022) for the relief of Lucy Sprotberry.

A bill (H. R. 2077) for the relief of William B. Price;

A bill (H. R. 10351) to continue the duties on certain manufactures of flax at the rate now provided by law;

A bill (H. R. 8550) to increase the pension of W. K. Philpot, a pensioner of the Mexican war;

A bill (H. R. 3881) relating to copyrights;

A bill (H. R. 4320) granting a pension to Thomas S. Kennedy;

A bill (H. R. 8246) granting a pension to Bridget Brennan, widow of Thomas Brennan, late of Companies C and G, Second Regiment, Rhode Island Volunteers;

A bill (H. R. 7305) to pension Martin McDermott;

A bill (H. R. 10238) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes;

A bill (H. R. 10415) making appropriations for current and contingent expenses and fulfilling treaty stipulations with Indian tribes for fiscal year ending June 30, 1894;

A bill (H. R. 10375) establishing a standard gauge for sheet and plate iron and steel;

A bill (H. R. 10258) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1893, and for prior years, and for other purposes;

A bill (H. R. 2122) for the relief of Cumberland Female College of McMinnville, Tenn.;

A bill (H. R. 1484) for the relief of Mary A. Lewis;

A bill (H. R. 9956) to incorporate the Washington, Burnt Mills and Sandy Spring Railway Company;

A bill (S. 3473) to authorize the Inter-oceanic Railway Company to construct and operate railway, telegraph, and telephone lines through the Indian Territory; and

A bill (S. 3711) granting the right of way through the Arlington reservation for railroad purposes.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills of the following titles:

An act (H. R. 10038) making appropriations for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1894, and for other purposes;

An act (H. R. 2432) for the relief of Lansing Shear;

An act (H. R. 5958) for the relief of Elizabeth Carpenter;

An act (H. R. 10280) to authorize the construction of a bridge over the Tennessee River, at or near Sheffield, Ala.;

An act (H. R. 7633) to ratify and confirm an agreement with the Kickapoo Indians in Oklahoma Territory, and to make appropriations for carrying the same into effect;

An act (H. R. 10266) regulating the sale of intoxicating liquors in the District of Columbia;

An act (H. R. 3594) for the relief of the Stockbridge and Munsee tribe of Indians in the State of Wisconsin;

An act (H. R. 10331) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes;

An act (H. R. 10421) making appropriations for the Department of Agriculture, for the fiscal year ending June 30, 1894;

An act (H. R. 9233) to grant a pension to Harriet Cota;

An act (H. R. 3253) to increase the pension of William G. Smith;

An act (H. R. 3118) to pension John S. Dunham;

An act (H. R. 8498) to pension Sophia Kagwaich;

An act (H. R. 7100) to pension Jacob O'Neal;

An act (H. R. 7306) to pension Maud Case, of Dodge County, Minn.;

An act (H. R. 8409) granting a pension to Mary Dunahay, mother of Daniel Dunahay, late a private, Company H, Eighteenth New York Cavalry;

An act (H. R. 7729) granting a pension to Mrs. Phoebe Sigler;

An act (H. R. 8017) granting a pension to Elizabeth Voss;

An act (H. R. 6554) to remove the charge of desertion against Charles H. Behle;

An act (H. R. 5519) for the relief of Daniel Eldridge, Company D, Fifteenth Illinois Volunteers;

An act (H. R. 1422) for the relief of George M. Henry;

An act (H. R. 4071) for the relief of George W. Schachleiter;

Joint resolution (H. Res. 196) authorizing members to certify monthly the amount paid by them for clerk hire, and directing the same to be paid out of the contingent fund of the House;

*An act (H. R. 8230) for the relief of Louis G. Sanderson, of Craighead County, Ark.;

An act (H. R. 10349) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1894;

An act (H. R. 10488) making appropriations for the naval service for fiscal year ending June 30, 1894, and for other purposes;

An act (H. R. 10351) to continue the duties on certain manufactures of flax at the rate now provided by law;

An act (H. R. 1100) granting a pension to Mary Catherine Reardon;

An act (H. R. 4955) granting a pension to Susannah Chadwick;

An act (H. R. 6233) granting a pension to Thomas T. Prather;

An act (H. R. 5022) for the relief of Lucy Sprotberry;

An act (H. R. 4496) to place upon the pension rolls of the United States the name of Thomas F. Sheldon, late captain Company A, One hundred and twenty-fifth New York Infantry;

An act (H. R. 5508) to place the name of Sabra A. Wolcott upon the pension roll;

An act (H. R. 4804) to place the name of Sarah L. Van Nest on the pension list;

An act (H. R. 6212) granting an increase of pension to Ellis P. Phipps, late lieutenant in Company A, Twelfth New Jersey Volunteer Infantry, invalid certificate No. 35619;

An act (H. R. 9741) to increase the pension of Capt. E. R. Chase from \$20 to \$72 a month; and

An act (H. R. 2077) for the relief of William B. Price.

LENNES A. JACKSON.

Mr. O'DONNELL. I move to suspend the rules and pass the bill (S. 2680) for the relief of Lennes A. Jackson.

The bill was read, as follows:

Be it enacted, etc., That the sum of \$270 be, and the same hereby is, appropriated, out of any moneys in the Treasury not otherwise appropriated, to refund in full to Lennes A. Jackson the amount paid to James H. Stone, collector of customs, Detroit, Mich., which amount was stolen from the vaults of Coldwater National Bank, at Coldwater, Mich., on March 2, 1892.

The motion to suspend the rules and pass the bill was agreed to, two-thirds voting in favor thereof.

PERSONAL REPRESENTATIVES OF JOHN SHERMAN.

Mr. REYBURN. I move to suspend the rules and pass the bill (S. 1077) relieving the personal representatives of John Sherman, jr., late United States marshal for the Territory of New Mexico, from the requirements of section 833 of the Revised Statutes.

The bill was read, as follows:

Be it enacted, etc., That the personal representatives of the late John Sherman, jr., late United States marshal for the Territory of New Mexico, be, and they are hereby, relieved from the rendition of his emolument returns for the periods from July 1 to December 31, 1881, and from January 1 to April 21, 1882, as required by section 833 of the Revised Statutes.

The motion to suspend the rules and pass the bill was agreed to, two-thirds voting in favor thereof.

The SPEAKER. The hour of 12 o'clock having arrived, the Chair declares the House of Representatives of the Fifty-second Congress adjourned without day.

REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. CABLE, from the Committee on Foreign Affairs: The bill (H. R. 8635) authorizing Rear-Admiral George Brown, of

United States Navy; Capt. Remy, of United States Navy; Lieut. George S. Dyer, of United States Navy; Medical Inspector George W. Ward, Ensign George P. Blow, and Mr. Frank Laviere, of the United States flag ship Charleston, to accept honors and marks of distinction from the Hawaiian Government. (Report No. 2612.)

By Mr. BELTZHOVER, from the Committee on War Claims: The bill (H. R. 10590) for the relief of William D. Hartupee, administrator of Andrew Hartupee, surviving partner of the firm of Tomlinson & Hartupee & Co. (Report No. 2613.)

ADVERSE REPORT.

NATIONAL MONEY SYSTEM.

Mr. BOATNER, from the Committee on the Judiciary, reported adversely on the joint resolution (H. Res. 122) proposing an amendment to the Constitution in reference to a national money system; which was laid on the table.

Mr. STOCKDALE dissented from the views of the majority.

BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, a bill and memorial of the following titles were introduced, and severally referred as follows:

By Mr. OATES: A bill (H. R. 10622) to establish a uniform system of bankruptcy throughout the United States—to the Committee on the Judiciary.

By Mr. BRICKNER: A joint resolution of the State of Wisconsin, requesting the passage of a joint resolution in Congress permitting the State of Wisconsin to place a statue of Père Marquette in the old hall of the House of Representatives, at Washington—to the Committee on the Library.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. HERMANN: A bill (H. R. 10625) for the relief of Plerim Cooper, S. Hamilton, and the legal representatives of James Cox, deceased—to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk, and referred as follows:

By Mr. BERGEN: Four petitions of citizens of New Jersey, as follows: The petition of John Feaster and 28 others, of Gem Creek; of Samuel Pollard and 32 others, of Williamston; of H. T. Heaton and 73 others, of Vineland, and Charles P. Bartlett, sr., and 57 others—all asking that immigration be restricted—to the Select Committee on Immigration and Naturalization.

By Mr. BRYAN: Two petitions of citizens of Nebraska, one of R. P. Dolman and 27 others, of Omaha, and the other of G. W. Winkleman and 39 others, of the same place, praying for the passage of the bill to further restrict immigration—to the Select Committee on Immigration and Naturalization.

By Mr. BUCHANAN of New Jersey: Seven petitions of citizens of New Jersey, containing 390 names, all praying for the passage of the bill to suspend immigration for one year—to the Select Committee on Immigration and Naturalization.

By Mr. CALDWELL: Four petitions of citizens of Ohio, as follows: The petition of citizens of Glendale, of Willey Hall Methodist Book Concern, of Glendale Female College, and of Cincinnati, all opposing the repeal of the Sunday closing act of the World's Fair—to the Select Committee on the Columbian Exposition.

Also, petition of citizens of Cincinnati, opposing the repeal of the Sunday closing act of the World's Fair—to the Select Committee on the Columbian Exposition.

By Mr. CHIPMAN: Four petitions of citizens of Michigan, containing 150 names, all praying for the passage of the bill to suspend immigration for one year—to the Select Committee on Immigration and Naturalization.

By Mr. CLARK of Wyoming: Memorial of the Legislature of Wyoming, asking Congress to enact laws to restore silver to the position occupied in the currency of the country prior to the demonetization act of 1873—to the Committee on Coinage, Weights, and Measures.

Also, memorial of the Legislature of Wyoming, praying for the submission of a constitutional amendment providing that United States Senators be elected by a vote of the people—to the Select Committee on the Election of President, Vice-President, and Representatives in Congress.

Also, memorial of the Legislature of Wyoming, for the admission of Utah, New Mexico, and Arizona as States in the Union—to the Committee on the Territories.

By Mr. COBURN: Resolutions of the Wisconsin Legislature, relating to the erection of a statue to Père Marquette in Statuary Hall, in the Capitol of the United States, in Washington, D. C.—to the Committee on the Library.

By Mr. COOMBS: Petition of the committee of the Advanced Labor Club of Brooklyn, N. Y., against the admission of immigrants who do not propose to reside permanently in this country, but who come here for temporary employment and return, taking their savings with them, tending to demoralize home labor and impoverish the country—to the Select Committee on Immigration and Naturalization.

By Mr. DURBOROW: Petition of R. Pross and 30 others, of Chicago, praying for the passage of the bill to suspend immigration—to the Select Committee on Immigration and Naturalization.

By Mr. FOWLER: Petition of citizens of New York City, to give American register and the right to sail under the American flag to the steamship China—to the Committee on Interstate and Foreign Commerce.

By Mr. GRISWOLD: Resolutions of the Legislature of Pennsylvania against opening of the Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. HARE: Forty-one petitions of citizens of Ohio, containing 2,620 names, all praying for the passage of the bill to suspend immigration for one year—to the Select Committee on Immigration and Naturalization.

By Mr. HAUGEN: Memorial of the Legislature of the State of Wisconsin, in regard to placing the statue of Père Marquette in Statuary Hall—to the Committee on the Library.

By Mr. HAYES of Iowa: Petition of W. S. Ackerman and 30 others, of Lyons, Iowa, praying for the passage of the bill to suspend immigration for one year—to the Select Committee on Immigration and Naturalization.

By Mr. KRIBBS: Petition of Limestone Council, No. 330, Order United American Mechanics, in favor of restricting immigration—to the Select Committee on Immigration and Naturalization.

By Mr. LODGE: Two petitions of citizens of Massachusetts; one of James Hodge and 80 others, of Amesbury, and the other of George A. Closson and 30 others, praying for the passage of the bill to suspend immigration for one year—to the Select Committee on Immigration and Naturalization.

By Mr. MORSE: Petition of Rev. S. Hopkins, of Massachusetts, against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. O'NEILL of Missouri: Petition of T. W. Rusk and 36 others, of St. Louis, Mo., praying for the passage of the bill to suspend immigration for one year—to the Select Committee on Immigration and Naturalization.

Also, petition of the Harmonic Maennerchor, against restriction of immigration—to the Select Committee on Immigration and Naturalization.

Also, two petitions of citizens of St. Louis; one of the Upholsterers' Union and the other of Tin, Sheet Iron and Cornice Workers, for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of C. D. Gans, P. M. Geisel and other citizens of St. Louis, requesting legislation prohibiting the landing of immigrants for one year—to the Select Committee on Immigration and Naturalization.

Also, petition of Union No. 2, John Green, president, and E. W. Brocker, secretary, asking Congress to repeal the act of Congress closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. O'NEILL of Pennsylvania: Seventy-nine petitions of citizens of Pennsylvania, containing 2,570 names, all praying for the passage of the bill to suspend immigration for one year—to the Select Committee on Immigration and Naturalization.

By Mr. PAYNE: Petition of Adventist Church of Gayville, N. Y., against legislation to close the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of the Calvary Baptist Church, with 1,900 members, and the Calvary Baptist Sunday School of New York City, for Sunday closing of the World's Columbian Exposition—to the Select Committee on the Columbian Exposition.

Also, petition of A. W. W. Rowel and others, of Oswego, N. Y., for amendment of the United States Constitution—to the Committee on the Judiciary.

By Mr. POST: Three petitions of citizens of Peoria, Ill., as follows: The petition of Theo. G. Jacobs, of C. Gehruanne, and of Mills Bros., in favor of 1-cent postage—to the Committee on the Post-Office and Post-Roads.

Also, petition of the legislative committee of the National Grange of the Patrons of Husbandry, in favor of House bill 4843—to the Committee on Agriculture.

By Mr. RUSK: Eight petitions of Maryland, containing 450 names, praying for the passage of a bill to suspend immigration for one year—to the Select Committee on Immigration and Naturalization.

By Mr. SIPE: Two memorials of lodges of the Amalgamated Association of Iron and Steel Workers, one of Keystone Lodge, No. 46, and the other of the James Swathman Lodge, No. 92, both praying for the passage of House bill No. 10375, fixing a standard gauge to rule in the measurement of sheet and plate iron and steel—to the Committee on Coinage, Weights, and Measures.

By Mr. SPERRY, Mr. WILLCOX, and Mr. DE FOREST: Resolution of the Legislature of the State of Connecticut, favoring the passage of bill relating to the pay of letter-carriers—to the Select Committee on the Post-Office and Post-Roads.

By Mr. STONE of Kentucky: Six petitions of citizens of Tennessee as follows: The petition of Anthony S. Abbay, of Wm. J. Gray, of Ellsworth P. Scales, of Augustus Woodfolle, of Andrew B. Ewing, and of F. A. Treffard, each asking that his claim be

referred to the Court of Claims for a finding of facts—to the Committee on War Claims.

By Mr. WILLIAM A. STONE: Two hundred and twenty-four petitions of citizens of Pennsylvania, containing 7,720 names, all praying for the passage of the bill to suspend immigration for one year—to the Select Committee on Immigration and Naturalization.

By Mr. WALKER: Petition of the Chamberlain District Farmers' Club, demanding the repeal of present silver law—to the Committee on Banking and Currency.

By Mr. WILSON of West Virginia: Petition of citizens of West Virginia, as follows: Of George W. Colbaugh and 10 others, of Wheeling; of A. S. Chemvart and 27 others; of E. D. Lappert and 30 others; of Eugene Wilson and 30 others; of Edward Corder and 30 others, and of T. E. Amick and 90 others, all praying for the passage of the bill to suspend immigration for one year—to the Select Committee on Immigration and Naturalization.

By Mr. WISE: Five petitions of citizens of Virginia containing 560 names, all praying for the passage of the bill to suspend immigration for one year—to the Select Committee on Immigration and Naturalization.