

## SENATE.

WEDNESDAY, August 8, 1894.

Prayer by Rev. J. H. M'CARTY, D. D., of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

## LEAVE OF ABSENCE.

Mr. CHANDLER. In behalf of the senior Senator from Kansas [Mr. PEPPER] I ask that he be granted leave of absence until Friday.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and leave of absence is granted.

## PETITIONS AND MEMORIALS.

Mr. CULLOM presented resolutions adopted by the Chicago Freight Bureau, favoring certain proposed amendments to the interstate-commerce law; which were referred to the Committee on Interstate Commerce.

He also presented sundry memorials of citizens of Chicago, Roseland, and Oconee, in the State of Illinois, remonstrating against the support of the Government in maintaining the present system of sectarian Indian education, etc.; which were referred to the Committee on Indian Affairs.

Mr. GALLINGER. A few days ago I introduced a bill (S. 2258) to remove the charge of desertion from the military record of Patrick Larkin. I now present the sworn statement of the soldier, with a medical certificate. As this case has been before Congress for a good while, I move that the statement and medical certificate be printed as a document, and that they be referred to the Committee on Pensions.

The motion was agreed to.

## MINERAL LANDS IN MONTANA AND IDAHO.

Mr. POWER. On the 6th of this month I offered, by direction of the Committee on Public Lands, some correspondence pertaining to the classification of mineral lands in the States of Montana and Idaho to be printed. I wish to add to those papers some additional correspondence with the Interior Department since that date. I ask that they be printed.

The VICE-PRESIDENT. It will be so ordered.

## REPORTS OF COMMITTEES.

Mr. PLATT. On the 6th of August the bill (H. R. 7680) to authorize purchasers of the property and franchises of the Choctaw Coal and Railway Company to organize a corporation and to confer upon the same all the powers, privileges, and franchises vested in that company, was referred to the Committee on Indian Affairs. A similar bill has been under consideration by the Judiciary Committee, and the Judiciary Committee have been practically ready to report upon the House bill and would be ready to report now upon it. I report the bill back from the Committee on Indian Affairs, and ask that that committee be discharged from its further consideration, and that it be referred to the Committee on the Judiciary.

The report was agreed to.

Mr. GIBSON, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 7095) to provide for the erection of a national home for aged and infirm colored persons and for the maintenance of the inmates thereof, reported it without amendment, and submitted a report thereon.

Mr. PALMER, from the Committee on Military Affairs, to whom was referred the bill (H. R. 1314) for the relief of Mathew S. Priest, asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

Mr. LINDSAY, from the Committee on the Judiciary, to whom was referred the bill (H. R. 1589) for the relief of Louis Pelham, reported it without amendment.

## E. H. NEBEKER.

Mr. SHERMAN. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 5901) to reimburse E. H. Nebeker, late Treasurer of the United States, to report it favorably without amendment, and at the request of the chairman of the committee [Mr. VOORHEES], who is sick in bed, I ask the indulgence of the Senate to put the bill upon its passage.

Mr. COCKRELL. Let it be read for information.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay to E. H. Nebeker, late Treasurer of the United States, \$1,000, to reimburse him for the payment of that sum to the chief of the redemption division of the Treasury, May 26, 1893, to make good a shortage of that amount in the cash of the redemption division of the Treasurer's office, caused by the loss of one one-thousand-dollar Treasury note belonging to a remittance of \$87,000 from the assistant treasurer

of the United States at New York, which was counted, assorted, and reported correct by Mrs. C. V. Millar, counter, on the 28th of March, 1893, but found to be short as aforesaid when recounted in the offices of the Secretary and Register.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## BILLS INTRODUCED.

Mr. ALLEN introduced a bill (S. 2291) to prevent professional lobbying, and for other purposes; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. BLACKBURN introduced a bill (S. 2292) for the relief of William J. Landram; which was read twice by its title, and referred to the Committee on Claims.

Mr. BERRY introduced a bill (S. 2293) to provide for the improvement of the building and grounds of the United States court and post-office at Little Rock, Ark.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

## DISTRICT HOSPITALS AND CHARITABLE INSTITUTIONS.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent and agreed to:

*Resolved*, That the Committee on the District of Columbia be, and are hereby, instructed to investigate and report to the Senate information with regard to the several hospitals and charitable institutions of this city that are supported in whole or in part by appropriations made by Congress, with a view of ascertaining—

First. Whether the grounds and buildings of such institutions belong to the local or General Government.

Second. Whether these institutions are managed or controlled by the Commissioners of the District or by boards of incorporators.

Third. Whether there is a uniform rule or law governing the management of such institutions, or whether any of them have been discriminated against by recent legislation to the embarrassment and injury of said institution or institutions.

Fourth. They will make such recommendations as in their judgment are necessary to placing all the eleemosynary institutions of the District of Columbia receiving Government aid upon the same basis, subject to the same rules and regulations.

## GETTYSBURG BATTLEFIELD COMMISSION.

Mr. RANSOM. Mr. President, I will thank the Senate to indulge me a few moments while I make a statement on a subject which is of some interest to me.

I was absent from the Senate on last Wednesday when the distinguished Senator from Virginia [Mr. HUNTON] offered to the sundry civil appropriation bill an amendment, to which I wish to call the attention of the Senate and of that Senator. I ask the Secretary to read the amendment, as stated in the copy of the RECORD which I send to the desk.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

And the Secretary of War is hereby authorized to employ, at such compensation as he shall deem reasonable, from among those veterans who served in the battle of Gettysburg, a person who is recognized as well informed in its history, as a representative of the Army of Northern Virginia, to assist in such way as the Secretary of War may direct in preparing the historical tablets of that army for the Gettysburg battlefield.

Mr. RANSOM. Mr. President, knowing as I do how just and thoughtful a man, if I may be permitted in his presence to say so, the Senator from Virginia is, I can not believe, and do not believe, that he intended the inference which I think is naturally drawn from that amendment. Any stranger in reading it would conclude at once that upon the commission appointed by the Secretary of War to fix the lines and establish the historic tablets at Gettysburg there was no veteran of the Army of Northern Virginia; that there was no recognized representative of Southern soldiers upon it.

I beg leave to remind the Senator from Virginia that the late Gen. William H. Forney, of Alabama, major-general in the Confederate army, and for nearly twenty years a Representative of his State in the other House of Congress, was, until his death, the Southern representative upon that distinguished commission. In this presence I need not say who Gen. Forney was. He is known over the country for his high character, great ability, and usefulness, and for his eminent services in civil and in military life.

After Gen. Forney's death the Secretary of War, with extreme care and after the fullest consideration, appointed upon that commission a gentleman from the South, and I can say no more of him than that he is the peer of Gen. Forney. I refer to Maj. William M. Robbins, of North Carolina, major of the famous Fourth Alabama Regiment, and at one time professor of history and literature and at another time professor of mathematics in the University of Alabama.

Maj. Robbins, though a native of North Carolina, entered the Southern army with one of the first companies from Alabama, and served throughout the war in the Army of Northern Virginia in the regiment which I have named. He entered the army as a private and rose to the rank of major, and was frequently in command of his regiment. Maj. Robbins has often

represented his county in both houses of the North Carolina Legislature. He was a member of the other House of Congress for six years, and a very distinguished member.

He is—and I speak with all deliberation when I say so—a scholar; he is a student; he is a soldier. He pursues the truth as but few men in this or any other country pursue it. He is an able lawyer, with distinguished attainments in his profession. He is a man of very large acquirements in the field of science and of literature. He is a man of general knowledge. He is a man of uncommonly fair disposition and temper.

He is a fair, just, conscientious man, with a mind and a judgment and a disposition as superior to prejudice as any man I ever met. He has been a constant student of politics, of history, and of scientific matters all his life, and is to-day one. There can not be found in the United States a man who will perform the duty of laying off the lines and establishing the historic tablets at Gettysburg with more intelligence and more fidelity than Maj. Robbins.

I had the pleasure some weeks since of reading an address which he made on the Fourth of July to the people of Gettysburg, and if I were called upon to designate a speech in which the just sentiments of the Southern people towards the Union have been more correctly and properly and gracefully represented, I would say that it is the speech of Maj. Robbins at Gettysburg—a speech just to Southern history and memory, but faithful to the Union, full of candor, full of spirit, but full of absolute reconciliation and restoration in every sense.

Mr. President, permit me to say that I can well understand the deep interest and the high sensibility which the Senator from Virginia feels, and justly feels, in all which concerns Gettysburg. I did not have a part in the honors or perils of that grand battle; but I know that he led one of the bravest of brigades in that fearful charge up the bloody heights of Cemetery Hill, and helped to make the immortalities of Gettysburg; and I can think, sir, with what thrilling emotions he remembers the sublime action of the soldiers of his State upon that bloody and glorious field.

I would not take one leaf from the laurels upon Virginia's brow; if I could possibly find a place, I would put another jewel in her great crown, but I say nothing to the disparagement of the Senator himself, nothing to the injustice of Virginia, the great mother of statesmen and soldiers, when I declare that no State, not one of her Southern sisters, has a better right or a higher claim to recognition in all which concerns the distinction and the excellence of conduct at Gettysburg than the State of North Carolina, modest and unpretentious as that State has always been.

All the world knows—I shall attempt no eulogy upon my State—that North Carolina sustained the heaviest loss of any of her Southern sisters upon that field. It is history, sir, that she left 764 dead soldiers scattered over those shotted hills, and many of them lying right under the guns and upon the very works of the Union Army. She left 3,264 wounded and bleeding soldiers on the field and 666 missing, and many of them now known to have been killed. The largest regimental loss in that battle was sustained by the Twenty-sixth North Carolina Regiment, commanded by gallant Harry Burgwyn. That regiment went into the engagement on the 1st day of July with over 800 men, according to the report of its officers, and on the 4th day of July it mustered but 80 for duty.

This is part of her record. North Carolina offered upon the altars of Gettysburg the flower of her soldiers, and the god of battle in those days of fire reaped his richest and his proudest harvest from her ranks.

I shall not pursue this subject further. I simply wish to repeat that Maj. Robbins was a soldier, a veteran soldier in that great battle, dutiful, faithful, devoted; an actual observer, an intelligent actor, and a real part of its greatest scenes. He was in almost every engagement of the Army of Northern Virginia, with the Army of the Potomac for four years, and with one brother, the Hon. Frank C. Robbins, of Lexington, N. C., laid down his arms with his flag together with my friend from Virginia and Lee's army at Appomattox.

Sir, those two brothers were the survivors of six sons of their father, four of whom were left dead upon the battlefield, and one of them now represented in the other House of Congress by his son, Mr. GASTON ROBBINS, a distinguished Representative from Alabama.

North Carolina, sir, as does Virginia, loves and cherishes the character and the lives and services of these men; and Maj. Robbins will be faithful to the truth; he will be faithful to history; he will be faithful to Virginia; he will be faithful to North Carolina; he will be faithful to the North and to every true soldier in that great struggle.

Mr. President, I have given this brief touch of his life. There is his record; there are his four brothers left upon the

battlefield, but two survivors of six sons who fought in that great struggle. This is the record, and these are the hostages which he presents to the country for a faithful performance of the sacred duty of laying out the lines, establishing the historic tablets, and preserving the truth of history about the great battle of Gettysburg.

I thank the Senate for having indulged me in this statement.

Mr. HUNTON. Mr. President, I can not understand how my distinguished friend, the Senator from North Carolina, could imagine that the amendment which I offered, and which was finally engrafted into the sundry civil appropriation bill, could be tortured into a disrespect or a reflection upon Col. William M. Robbins, of North Carolina. I call the attention of the Senate to the amendment, which reads:

And the Secretary of War is hereby authorized to employ at such compensation as he shall deem reasonable, from among those veterans who served in the battle of Gettysburg, a person who is recognized as well informed in its history, as a representative of the Army of Northern Virginia, to assist in such way as the Secretary of War may direct in preparing the historical tablets of that army for the Gettysburg battlefield.

I knew when I offered the amendment that Col. William M. Robbins, of North Carolina, was the commissioner. The object of the amendment was to make an assistant to Col. Robbins, and the thought was far from my mind of reflecting upon that good and gallant man, Col. Robbins, of North Carolina. I served with him in the army; I served with him in the House of Representatives; and he left both positions in the army and in the councils of the Government with my entire respect and regard; and it could not be that I could in an amendment which I offered to the sundry civil bill be guilty of casting a reflection upon Col. Robbins.

It is due to candor to say that Col. Robbins did put the construction upon the amendment which my friend from North Carolina says might be placed upon it, and wrote me a letter to that effect. I replied to him, as I have remarked now, sir, that it was farthest from my mind to reflect upon him, and I received a letter from him in reply, in which he stated that he was entirely satisfied, and that he was sure that no disrespect or reflection was intended by my amendment.

The object of the amendment was to put two men to work where only one was at work before; and as Col. Robbins is the commissioner, the new appointee will be the assistant, and I so stated in my remarks when I offered the amendment.

I acknowledge the gallantry of Col. Robbins, as I do the gallantry of the North Carolina soldiers headed by my distinguished friend who sits behind me [Mr. RANSOM], and I take great pleasure in saying in return for the high compliment he has paid to me, that the Army of Virginia had few, if any, nobler, better, and more gallant soldiers than that distinguished soldier from North Carolina. There is nothing between him and me, and I beg to disclaim upon the floor of the Senate, what I have disclaimed already in a letter to Col. Robbins, which should be perfectly satisfactory to him, any design or intention, however remote, of reflecting upon Col. Robbins, but my object was merely to give him an assistant in the arduous duties he is about to perform.

Mr. RANSOM. I thank the Senator from Virginia. I knew this would be his course; I knew that he could take no other course; I knew he would do what was right in the matter.

Mr. DAVIS. I should like to ask the Senator from Virginia if it is perfectly clear that both these gentlemen will be employed?

Mr. HUNTON. I can not say; I suppose so. The amendment gives authority to the Secretary of War to appoint an assistant commissioner, and I understood when I offered the amendment that an assistant commissioner was necessary.

#### NORTHERN MISSISSIPPI RAILROAD COMPANY.

Mr. WASHBURN. I ask unanimous consent for the present consideration of the bill (S. 2107) granting to the Northern Mississippi Railroad Company right of way through certain Indian reservations in Minnesota.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with amendments.

The first amendment of the Committee on Indian Affairs was, in section 1, line 3, after the word "Mississippi," to strike out "Railroad" and insert "Railway;" in line 13, after the word "adjacent," to strike out "for" and insert "to;" in line 15, after the word "amount," to strike out "three" and insert "two;" in line 17, before the word "miles," to strike out "six" and insert "ten;" and in line 18, after the word "reservations," to insert the following proviso:

Provided, That no part of such lands herein granted shall be used except in such manner and for such purposes only as are necessary for the construction and convenient operation of said railroad line, and when any portion thereof shall cease to be used such portion shall revert to the nation or tribe of Indians from which the same shall be taken.

So as to make the section read:

That there is hereby granted to the Northern Mississippi Railway Company, a corporation organized and existing under the laws of the State of Minnesota, and its assigns, the right of way for the extension of its railroad through the Leech Lake Indian, Chippewa Indian, and Winnebago Indian Reservations, in the State of Minnesota; such right of way to be 50 feet in width on each side of the center line of said railroad; and said company shall also have the right to take from the land adjacent to the line of said road materials, stone, and earth necessary for the construction of said railroad; also ground adjacent to such right of way for station buildings, depots, machine shops, side tracks, turn-outs, and water stations, not to exceed in amount 200 feet in width and 3,000 feet in length for each station, to the extent of one station for every 10 miles of road constructed within the limits of said reservations: *Provided*, That no part of such lands herein granted shall be used except in such manner and for such purposes only as are necessary for the construction and convenient operation of said railroad line, and when any portion thereof shall cease to be used such portion shall revert to the nation or tribe of Indians from which the same shall be taken.

The amendment was agreed to.

The next amendment was, in section 2, line 2, before the word "compensation," to strike out "and" and insert "of;" so as to read:

That it shall be the duty of the Secretary of the Interior to fix the amount of compensation to be paid to the Indians for such right of way and provide the time and manner for the payments thereof.

The amendment was agreed to.

The next amendment was, in section 3, before the word "years," to strike out "ten" and insert "three;" so as to make the section read:

SEC. 3. That the rights herein granted shall be forfeited by said company unless the road is constructed through said reservation within three years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

The title was amended so as to read: "A bill granting to the Northern Mississippi Railway Company right of way through certain Indian reservations in Minnesota."

#### CHOCTAW COAL AND RAILWAY COMPANY.

Mr. PLATT. From the Committee on the Judiciary I report back favorably with certain amendments the bill (H. R. 7680) to authorize purchasers of the property and franchises of the Choctaw Coal and Railway Company to organize a corporation and to confer upon the same all the powers, privileges, and franchises vested in that company. As it is necessary that the bill, if passed at all, should be passed at the present session, I am instructed to ask for its immediate consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The VICE-PRESIDENT. The amendments of the Committee on the Judiciary will be stated in their order.

The first amendment of the Committee on the Judiciary was, in section 2, line 15, after the word "Congress," to strike out "or of the State of Minnesota;" in line 16, after the words "laws of," to strike out "said State" and insert "Minnesota;" so as to read:

That the purchasers of the rights of way, railroads, mines, coal leasehold estates, and other property, and the franchises of the said Choctaw Coal and Railway Company at any sale made under or by virtue of any process or decree of any court having jurisdiction thereof, shall be, and are hereby, constituted a corporation and shall be vested with all the right, title, interest, property, possession, claim, and demand in law and equity, of, in, and to such rights of way, railroads, mines, coal leasehold estates, and property of the said Choctaw Coal and Railway Company, and with all the rights, powers, immunities, privileges, and franchises which have been heretofore granted to or conferred upon said company by any act or acts of Congress, or which it possesses by virtue of its charter under the laws of Minnesota.

The amendment was agreed to.

The next amendment was to strike out the last clause of section 1, beginning with line 17, in the following words:

Said State, with the same force and effect as if the provisions of said acts were herein fully reenacted and made applicable to such new corporation.

And to insert the following proviso:

*Provided*, That such new corporation shall not have the right to acquire and hold any houses or buildings in South McAlester situate off the right of way and depot grounds of said Choctaw Coal and Railway Company.

The amendment was agreed to.

The next amendment was, in section 2, line 11, after the word "on" to strike out "this" and insert "whose;" so as to read:

And shall adopt a corporate name and common seal, determine the amount of capital stock and bonds to be issued to the persons for or on whose account said property may have been purchased, and shall have power and authority to make and issue certificates for the said capital stock in shares of \$50 each and bonds.

The amendment was agreed to.

The next amendment was, in section 3, line 21, after the word "corporation," to insert the word "to," and in line 22, after the word "thereafter," to strike out "acquired" and insert "acquire;" so as to read:

And this act shall be construed and treated as an assent upon the part of the United States to the acquisition and holding by such new corporation of the estates and premises thereby conveyed, subject to the right of said

corporation to thereafter acquire and hold such additional property as it may lawfully do by virtue hereof.

The amendment was agreed to.

The next amendment was to add at the end of section 4 the following proviso:

*Provided*, That the right to construct branches conferred by this section shall exist and be exercised in the Indian Territory only for the purpose of developing and working the leases mentioned in the act of Congress of October 1, 1890.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. PLATT. I move that the Senate request a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. PUGH, Mr. VILAS, and Mr. PLATT were appointed.

JOHN T. HEARD.

Mr. ROACH. I ask the Chair to lay before the Senate a bill from the House of Representatives which is on the table.

The bill (H. R. 7874) to enable the Secretary of the Interior to pay JOHN T. HEARD for professional services rendered the "Old Settler" or Western Cherokee Indians out of the funds of said Indians was read twice by its title.

Mr. ROACH. I ask unanimous consent for the present consideration of the bill.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. ROACH. I move to indefinitely postpone the bill (S. 2270) to enable the Secretary of the Interior to pay JOHN T. HEARD for professional services rendered the Old Settlers or Western Cherokee Indians out of the funds of said Indians.

The motion was agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the second 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. 6913) making appropriations for the current and contingent expenses of the Indian Department, and fulfilling treaty stipulations with various Indian tribes, for the fiscal year ending June 30, 1895, and for other purposes; receded from its disagreement to the residue amendments of the Senate to the said bill upon which the committee were unable to agree, and agreed to the same.

The message also announced that the House insisted upon its amendment to the bill (S. 971) to open, widen, and extend alleys in the District of Columbia; agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RICHARDSON of Tennessee, Mr. RUSK, and Mr. HARMER managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5246) providing for the inspection of immigrants by United States consuls; agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BOATNER, Mr. TERRY, and Mr. WILLIAM A. STONE, managers at the conference on the part of the House.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6415) to provide an immediate revision and equalization of real-estate values in the District of Columbia; also to provide an assessment of real estate in said District in the year 1896 and every third year thereafter, and for other purposes.

The message further announced that the House had passed a concurrent resolution granting permission to the Citizens' Committee, Knights of Pythias encampment, to illuminate the Dome of the Capitol on the nights of August 27, 28, 29, and 30, 1894, under the control and direction of the Architect of the Capitol; in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

- A bill (H. R. 4490) granting a pension to Henry C. Field;
- A bill (H. R. 4683) to correct the military record of Alexander P. Magaan, of Battery H, Fourth United States Artillery;
- A bill (H. R. 4724) for the relief of Edward Chastain;
- A bill (H. R. 5703) for the relief of Johanna Gleason;

A bill (H. R. 5994) granting a pension to Rosanna Cobb, widow of Edmond Cobb, deceased, late of Sac and Fox war;  
 A bill (H. R. 6122) authorizing the Kansas City, Oklahoma and Pacific Railway Company to construct and operate a railway through the Indian Territory, and for other purposes; and  
 A bill (H. R. 6923) for the relief of Matthew T. Lewis.

## ENROLLED BILLS SIGNED.

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

A bill (S. 16) granting a pension to Nettie N. Seaver;  
 A bill (S. 470) for the relief of George H. Jewett, of Arlington, Washington County, Nebr.;  
 A bill (S. 876) granting a pension to Rebecca H. Chambers;  
 A bill (S. 1640) granting a pension to Otis Smith;  
 A bill (S. 2217) to provide for the closing of a part of an alley in square 185, in the city of Washington, D. C.;  
 A bill (H. R. 522) for the relief of Benjamin Alford;  
 A bill (H. R. 855) to amend an act granting a pension to Elizabeth Voss;  
 A bill (H. R. 856) granting an increase of pension to John Stockwell;  
 A bill (H. R. 953) to increase the pension of Mary P. Broughton;  
 A bill (H. R. 1313) to increase the pension of John Scott.  
 A bill (H. R. 1463) granting a pension to Mrs. Lucinda C. Wheeler, widow of John H. Wheeler;  
 A bill (H. R. 1717) granting a pension to Eliza Holmes;  
 A bill (H. R. 2108) to perfect the military record of Warren Alonzo Alden;  
 A bill (H. R. 2133) to correct the military record of Capt. E. M. Ives;  
 A bill (H. R. 3032) to remove the charge of desertion from the record of John A. Jack;  
 A bill (H. R. 3065) to increase the pension of James Lane;  
 A bill (H. R. 3076) granting a pension to George L. Frymire;  
 A bill (H. R. 3309) to pension Ambrose Gisebert;  
 A bill (H. R. 3840) to pension Joel A. Walters;  
 A bill (H. R. 3992) to increase the pension of Julia Bews;  
 A bill (H. R. 4780) to pension Thankful Robbins;  
 A bill (H. R. 4811) to pension Mary Trimble;  
 A bill (H. R. 5374) granting a pension to Sarah Oddy;  
 A bill (H. R. 5816) granting a pension to Mary Ann Donoghue;  
 A bill (H. R. 6206) granting a pension to A. F. Neely;  
 A bill (H. R. 6213) to pension Harriet R. Tate;  
 A bill (H. R. 6384) for the relief of Walter S. McLeod;  
 A bill (H. R. 6405) to remove the charge of desertion standing against Patrick Kelleher, late private Company C, Thirty-eighth Illinois Volunteers;  
 A bill (H. R. 6542) to change the lines between the eastern and western judicial districts of North Carolina and fixing time for holding courts in said eastern district;  
 A bill (H. R. 7187) to make the city of Oakland, county of Alameda, State of California, a support of entry; and  
 A bill (H. R. 7803) to amend sections 2401 and 2403 of the Revised Statutes.

## COLUMBIA RIVER BRIDGE.

Mr. DOLPH. I ask unanimous consent for the present consideration of the bill (S. 1772) extending the time for the completion of a railroad bridge over the Columbia River at or near Vancouver, in the State of Washington.

The preamble is long, and the Committee on Commerce have reported to strike it out. I think the preamble need not be read.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

The first amendment was, in line 3, after the word "the," to strike out "said;" and in line 5, after the word "the," to strike out "said;" so as to read:

*Be it enacted, etc.*, That the time for the completion of the bridge across the Columbia River at or near Vancouver, in the State of Washington, under the act of Congress approved August 29, 1890, entitled "An act to authorize the construction of a bridge across the Columbia River by the Oregon Railway Extensions Company," be, and the same is hereby, extended until the day of —, 18—.

The amendment was agreed to.

The next amendment was, to fill the blanks in line 9 by inserting "fifteenth" and "April," and in line 10 by inserting "ninety-seven;" so as to read:

The same is hereby extended until the 15th day of April, 1897.

Mr. DOLPH. I have the consent of the committee to move as an amendment to the amendment to make the date "1898," extending the time a year longer.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

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

The VICE-PRESIDENT. The committee report to strike out the preamble.

The amendment striking out the preamble was agreed to.

## INDIAN APPROPRIATION BILL.

Mr. CALL submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 6913) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1895, 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 amendment numbered 63.  
 That the House recede from its disagreement to the amendments of the Senate numbered 47 and 116, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with amendments as follows: Strike out the matter inserted by said amendment, and strike out, on page 34 of the bill, all after the word "dollars," in line 13, down to and including the word "buildings," in line 19, and on page 47 of the bill, after the word "dollars," in line 3, insert the following: "Provided, That whenever it shall be made to appear to the Secretary of the Interior that by reason of age, disability, or inability, any allottee of Indian lands under this or former acts of Congress cannot personally and with benefit to himself occupy or improve his allotment, or any part thereof, the same may be leased upon such terms, regulations, and conditions as shall be prescribed by the Secretary for a term not exceeding five years for farming and grazing purposes, or ten years for mining or business purposes: *Provided further*, That the surplus lands of any tribe may be leased for farming purposes by the council of such tribes under the same rules and regulations and for the same term of years as is now allowed in the case of leases for grazing purposes;" and that the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the sum proposed insert: "One hundred and five thousand dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment as follows: Add at the end of said amendment the following: "Of March 3, 1893; and this provision shall not be construed to extend the time nor to increase the amount of the liability of the Government as provided in section 10 of the said act of March 3, 1893;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lines 31 and 32 of said amendment strike out the words "except lands containing asphaltum, gilsonite, or other like substances, which are hereby reserved from sale," and after the word "States," in line 35 of said amendment, insert the following:

"Provided, That no person shall be entitled to locate more than two claims, neither to exceed 10 acres, on any land containing asphaltum, gilsonite, or like substances."

And the Senate agree to the same.

The committee of conference have been unable to agree on the amendments of the Senate numbered 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, and 115.

WILKINSON CALL,  
 F. M. COCKRELL,  
 H. M. TELLER,  
*Managers on the part of the Senate.*  
 W. S. HOLMAN,  
 JOHN M. ALLEN,  
 JNO. L. WILSON,  
*Managers on the part of the House.*

The report was concurred in.

## HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 4686) to correct the military record of Alexander P. Magaan, of Battery H, Fourth United States Artillery;  
 A bill (H. R. 4724) for the relief of Edward Chastani; and  
 A bill (H. R. 6923) for the relief of Matthew T. Lewis.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 4490) granting a pension to Henry C. Field;  
 A bill (H. R. 5703) for the relief of Johanna Gleason; and  
 A bill (H. R. 5994) granting a pension to Rosanna Cobb, widow of Edward Cobb, deceased, late of Sac and Fox war.

The bill (H. R. 6122) authorizing the Kansas City, Oklahoma and Pacific Railway Company to construct and operate a railway through the Indian Territory, and for other purposes, was read twice by its title, and referred to the Committee on Indian Affairs.

## CHATTAHOOCHEE RIVER BRIDGE.

Mr. PUGH. I ask unanimous consent for the present consideration of the bill (H. R. 6577) to authorize the construction of a wagon and foot bridge across the Chattahoochee River at or near the town of Columbia, Ala.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## HOLMES &amp; LEATHERS.

Mr. BLANCHARD. Yesterday the Senate made an order that after the morning hour to-day the consideration of the

bill (S. 1945) for the relief of Holmes & Leathers should be resumed. I ask unanimous consent that the consideration of the bill may be postponed until 1 o'clock to-morrow.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it will be so ordered.

GUARANTEE COMPANIES.

Mr. HILL. I ask the Senate to proceed to the consideration of the bill (H. R. 4954) relative to recognizances, stipulations, bonds, and undertakings, and to allow certain corporations to be accepted as surety thereon.

The VICE-PRESIDENT. The bill will be read for information.

The Secretary read the bill.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill called up by the Senator from New York?

Mr. PALMER. Mr. President, the bill is a most remarkable one. I think it deserves greater consideration than it can receive in the morning hour. I have no disposition to object to its present consideration, but it will certainly cause debate, because debate is necessary before the bill can be passed.

Mr. HILL. This bill has passed the House of Representatives, and there can be no objection to its consideration.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. HILL. Pending the discussion of the bill the Senator from Iowa [Mr. ALLISON] would like to have a private bill passed, and I consent.

ENOCH DAVIS.

Mr. ALLISON. The Senator from New York yields to me for a moment, as I desire to have the bill (S. 1688) for the relief of Enoch Davis put on its passage at this time. I assure the Senator from New York it will lead to no debate.

By unanimous consent, the bill (S. 1688) for the relief of Enoch Davis was considered as in Committee of the Whole. It directs the proper accounting officers of the Government to liquidate and settle the claim of Enoch Davis, late a member of Company G of the Sixth Regiment of Iowa Volunteer Infantry, for pay and bounty; and appropriates \$300 for the payment of the amount that may be awarded to him on account of the claim.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MOUNT VERNON ELECTRIC RAILWAY COMPANY.

Mr. FAULKNER. I ask unanimous consent for the present consideration of the bill (H. R. 7006) to authorize the Washington, Alexandria and Mount Vernon Electric Railway Company to extend its line of road into and within the District of Columbia, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. FAULKNER. I ask that the amendments reported by the Committee on the District of Columbia be considered as they are reached in the reading of the bill.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Secretary proceeded to read the bill. The first amendment reported by the Committee on the District of Columbia was to strike out section 1, as follows:

That the Washington, Alexandria and Mount Vernon Electric Railway Company, a body incorporated under the laws of the State of Virginia, be, and it is hereby, authorized to construct and lay down a street railway with the necessary switches, turn-outs, and other mechanical devices, in the District of Columbia, through and along the following routes:

A main line commencing on B street between Sixth and Seventh streets northwest, at a point to be designated by the Commissioners of the District of Columbia, thence westward along B street to Seventeenth street, thence northward on Seventeenth street to E street, and thence westward on E street to the Potomac River, thence across the Potomac River by a suitable steam ferry or transfer barge to Analoastan Island, thence across said island to that part of the arm of the Potomac River known as Little River, and thence across said Little River by a suitable trestle or bridge to the dividing line between the District of Columbia and the State of Virginia.

Also a branch from the intersection of B and Fifteenth streets northwest along Fifteenth street to its intersection with Pennsylvania avenue.

Also a branch from the intersection of B street and Fourteenth street northwest along Fourteenth street to the Long bridge.

And the said company is hereby authorized and empowered to construct and maintain at the foot of E street and New Hampshire avenue, and on Analoastan Island, the necessary landings and slips for the operation of a ferryboat or transfer steamer, said landings and slips to be constructed on plans approved by the Secretary of War. The necessary land at the foot of New Hampshire avenue and E street for ferry slip and landing may be leased to said company by the Commissioners of the District of Columbia at such rental and on such terms as said Commissioners may agree upon with said company. The said company is also authorized and empowered to construct, maintain, and operate, subject to the approval of the Commissioners of the District of Columbia, a double-end steamboat or transfer barge for the transfer of its cars. These routes may be modified or extended at the will of Congress, and the said railway company shall comply with such modifications or extensions.

And in lieu thereof to insert:

That the Washington, Alexandria and Mount Vernon Electric Railway

Company, a body incorporated under the laws of the State of Virginia, be, and is hereby, authorized to construct and lay down a double track street railway, except as hereinafter provided, with the necessary switches, turn-outs, and other mechanical devices, the number and location of which shall be approved by the Commissioners of the District of Columbia, said street railway to be constructed and laid down through and along the following routes:

Commencing on B street, between Sixth and Seventh streets northwest, at a point to be designated by the Commissioners of the District of Columbia, thence westward along B street to Thirteen-and-a-half street, thence northward on Thirteen-and-a-half street to E street by single track, thence westward on E street to Fourteenth street, on a single track, thence southward on Fourteenth street, using the tracks of the Belt Line Street Railway, to the Potomac River, thence across the Potomac River by a suitable ferry or transfer barge to the Virginia shore, with the privilege of a double track on B street from Thirteen-and-a-half street, connecting with the Belt Line Street Railway tracks at Fourteenth street.

And said company is authorized to construct its road across the tracks of the Pennsylvania Railroad at or near the Long Bridge, under such regulations as may be prescribed by the Commissioners of the District of Columbia.

And the said Washington, Alexandria and Mount Vernon Electric Railway Company is hereby authorized and empowered to construct and maintain, after acquiring title to the same, at the foot of Fourteenth street, a necessary landing and slip for the operation of a ferryboat or transfer steamer, said landing and slip to be constructed on plans approved by the Secretary of War, and to use an overhead wire for a distance of not exceeding 400 feet, commencing at the extreme southern end of the slip.

And said company is also authorized and empowered to construct, maintain, and operate, subject to the approval of the Commissioners of the District of Columbia, a double-end steamboat or transfer barge for the transfer of its cars, with all the modern improvements for the safety and protection of its passengers: *Provided*, That the said company be authorized to condemn for its use for said landing and slip, as provided for in this act, a space not exceeding 150 by 200 feet.

Mr. McMILLAN. I have one or two slight amendments to offer to the bill, and I desire to inquire whether I shall offer them as the reading proceeds or wait until the reading is concluded?

Mr. FAULKNER. I think the Senator had better propose his amendments as the reading proceeds, while we are acting upon the amendments reported by the committee.

Mr. McMILLAN. On page 3, in line 12, section 1, where the amendment reads "commencing on B street, between Sixth and Seventh streets northwest," I move to amend by striking out "Sixth and Seventh," and inserting "Seventh and Eighth." Seventh street is very narrow at that point, and it will answer the purpose if the railway company brings the railroad to that point. I move to amend the amendment of the committee in that way.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to amend the amendment reported by the committee, in section 1, line 12, page 3, after the word "between," by striking out "Sixth and Seventh," and inserting "Seventh and Eighth."

Mr. FAULKNER. That is right.

The amendment to the amendment was agreed to.

Mr. McMILLAN. In line 38 of the same amendment, I move to strike out the word "approval" and insert "supervision."

Mr. FAULKNER. There is no objection to that.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 38 of the amendment, after the words "subject to the," it is proposed to strike out "approval" and insert "supervision;" so as to read:

And said company is also authorized and empowered to construct, maintain, and operate, subject to the supervision of the Commissioners of the District of Columbia, etc.

The amendment to the amendment was agreed to.

Mr. HALE. I ask that that part of the bill which has just been read touching overhead wires be again read.

The PRESIDING OFFICER (Mr. PASCO in the chair). The Secretary will read as requested.

The Secretary read as follows:

Said landing and slip to be constructed on plans approved by the Secretary of War, and to use an overhead wire for a distance of not exceeding 400 feet, commencing at the extreme southern end of the slip.

Mr. HALE. On which side of the river will this be?

Mr. FAULKNER. On the Washington side, at the southern end of the street, the extreme limit of the slip extending out into the river, which does not bring the overhead wires at all into the city's streets, but on private property.

Mr. HALE. What is the necessity of this intrusion of overhead wires when we can do without them?

Mr. FAULKNER. The reason for it is that this line of railway runs by overhead wires on the Virginia shore and by an underground cable on the Washington side, but in order to get the cars off the ferryboat overhead wires have to be used to a certain limited extent on private property, which the company will have to purchase to bring the cars from the boat to connect with the underground cable.

Mr. HALE. Do the overhead wires cross any street?

Mr. FAULKNER. Oh, no. The wires are merely from the end of the slip, so as to connect with the underground line.

Mr. HALE. They cross no street?

Mr. FAULKNER. No.

Mr. HOAR. Would it not be safe, I suggest to the Senator from Maine, as there is objection to overhead wires on the public streets, to provide that they shall only be placed on private property?

Mr. HALE. I think that is a good suggestion.

Mr. FAULKNER. I think with the limitation of 400 feet the provision as it stands is perfectly safe, certainly with reference to any of the public interests. I do not know what amount of land in width the company could acquire there, and whether it might not be necessary, in order to connect with the underground system, to go somewhat on the public road, but certainly at that point in the city it could do no harm under any circumstances. This point is right at the banks of the river, where, as I understand, it is only a distance of 400 feet from the extreme southern end of the slip, which is the end running into the river.

The Senator from Michigan [Mr. McMILLAN] and I were very careful in drawing this bill, and we tried to guard it in every way. I am satisfied that no public interest and no policy of the Senate will be affected by any of its provisions.

Mr. HALE. The committee ought to jealously scrutinize every proposition to place overhead wires in this city.

Mr. FAULKNER. I fully concur with the Senator in that, and I agree with him in that policy. I think the Senator will find that we have examined this subject with great care and inserted every limitation he would himself suggest if he had examined it.

Mr. HALE. I would insert the words "for the purpose of connection," so as to show that the overhead wires are to be used only for that purpose.

Mr. FAULKNER. I have no objection to that.

Mr. HALE. After the word "and," in line 34, I move to insert "for the purpose of connection;" so as to read:

And for the purpose of connection to use an overhead wire for a distance of not exceeding 400 feet.

Mr. FAULKNER. I think that is exactly the meaning of the language as it stands.

Mr. HALE. I desire to have it clearly defined and stated that it is to be for that one purpose. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 34 of the amendment to section 1, after the word "and," it is proposed to insert "for the purpose of connection."

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on the District of Columbia was, in section 4, line 4, after the word "pattern," to insert "and subject to the approval of the District Commissioners;" so as to make the section read:

SEC. 4. That the said railway shall be constructed in a substantial and durable manner; and all rails, electrical and mechanical appliances, conduits, stations, etc., shall be of approved pattern, and subject to the approval of the District Commissioners.

The amendment was agreed to.

The next amendment was, in section 5, line 15, after the word "be," to insert "used or;" in the same line, after the word "constructed," to strike out "or," and insert "nor steam power;" and in line 16, after the word "Washington," to insert the following proviso:

Provided, That the tracks of said road shall not be used for the transportation of any cars other than those used for the transportation of passengers on street railways.

So as to make the section read:

SEC. 5. That the said corporation shall at all times keep the space between its tracks and rails, and 2 feet exterior thereto, in such condition as the Commissioners of the District of Columbia or their successors may direct, and whenever any street occupied by said railway is paved or repaired, or otherwise improved, the said corporation shall bear all the expense of improving the spaces above described. Should the said corporation fail to comply with the orders of the Commissioners, the work shall be done by the proper officials of the District of Columbia, and the amounts due from said corporation shall be collected as provided by section 5 of the act entitled "An act providing a permanent form of government for the District of Columbia, approved June 11, 1878." But no overhead wires shall be used or constructed, nor steam power used within the limits of the city of Washington: Provided, That the tracks of said road shall not be used for the transportation of any cars other than those used for the transportation of passengers on street railways.

Mr. McMILLAN. In line 15, section 5, after the word "constructed," I move to insert "except as hereinbefore provided."

Mr. FAULKNER. I was just going to offer that amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In section 5, line 15, after the word "con-

structed," it is proposed to insert "except as hereinbefore provided;" so as to read:

But no overhead wires shall be used or constructed except as hereinbefore provided.

The amendment to the amendment was agreed to.

Mr. McMILLAN. In connection with the amendment just adopted, after the word "nor," in line 15, I move to insert the word "shall," and in line 16, before the word "used," to insert the word "be;" so as to read:

Nor shall steam power be used within the limits of the city of Washington.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HALE. Now I ask that the entire provision be read as it stands, beginning in line 14, after the date "1878."

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

But no overhead wires shall be used or constructed, except as hereinbefore provided, nor shall steam power be used within the limits of the city of Washington: Provided, That the tracks of said road shall not be used for the transportation of any cars other than those used for the transportation of passengers on street railways.

Mr. HALE. That is right.

The reading of the bill was resumed. The next amendment reported by the Committee on the District of Columbia was, in section 9, line 8, after the words "operation of a," to strike out "cable motor, electric, pneumatic, or other railroad," and insert "street railway;" so as to make the section read:

SEC. 9. That it shall also be lawful for said corporation, its successors or assigns, to erect and maintain, upon private grounds, at such convenient and suitable points along its lines as may seem most desirable to the board of directors of the said corporation and subject to the approval of the said Commissioners, an engine house or houses, boiler house, and all other buildings necessary for the successful operation of a street railway.

The amendment was agreed to.

The next amendment was, in section 10, line 1, before the word "said," to strike out "main line of the," and in line 3, after the word "act," to strike out "and the branches of the same shall be completed within two years from the passage of this act;" so as to make the section read:

SEC. 10. That the said railway company shall be commenced within one year and completed within two years from the passage of this act.

Mr. HUNTON. I call the attention of the Senator from West Virginia to line 1, of section 10, which reads:

That the said railway company shall be commenced within one year.

It ought to be "the said railroad."

Mr. FAULKNER. Yes. I move, after the word "said," in section 10, line 1, to strike out the words "railway company," and insert the word "railroad;" so as to read:

That the said railroad shall be commenced within one year and completed within two years from the passage of this act.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on the District of Columbia was, in section 11, line 1, after the word "run," to strike out "public carriages" and insert "street railway cars;" in line 2, before the word "cable," to insert "underground;" after the word "cable," in the same line, to insert "or;" in line 3, after the word "electric," to strike out "or other mechanical;" in the same line, after the word "power," to strike out "but nothing in this act shall allow the use of steam power in locomotives;" and in line 5, after the word "Provided," to strike out "further;" so as to read:

SEC. 11. That the said company may run street railway cars propelled by underground cable or electric power: Provided, That for the purpose of making a continuous connection over the route hereinbefore described and designated the said company shall have the right to cross all streets, avenues, and highways that may be along the designated route.

Mr. McMILLAN. In section 11, line 1, after the word "company," I move to strike out the word "may" and insert the word "shall."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In section 11, line 1, after the word "company," it is proposed to strike out "may" and insert "shall;" so as to read:

That the said company shall run street railway cars, etc.

Mr. FAULKNER. There is no objection to that.

The amendment to the amendment was agreed to.

Mr. HALE. I ask the Secretary to read the provision in section 11 as it will read if amended as proposed.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

That the said company shall run street railway cars propelled by underground cable or electric power.

Mr. HALE. I think it should read "underground cable or

underground electric power." I move to insert the word "underground" after the word "or," in line 3, and before the word "electric."

Mr. FAULKNER. There is no objection to that, though I think it is covered by the language which is used.

Mr. HALE. As it is left, it very clearly will be a debatable question whether the electric power shall be overhead or underground.

The PRESIDING OFFICER. The amendment proposed by the Senator from Maine will be stated.

The SECRETARY. It is proposed to amend the amendment of the committee in line 3, after the word "or," by inserting "underground;" so as to read:

That the said company shall run street railway cars propelled by underground cable or underground electric power.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on the District of Columbia was, in section 12, line 10, after the word "dollars," to insert "for each day said failure occurs;" so as to make the section read:

SEC. 12. That the said company shall furnish and maintain passenger houses as required by the Commissioners of the District of Columbia and shall place first-class cars on said railway with all the modern improvements for the convenience, comfort, and safety of passengers, and shall run cars as often as the public convenience may require in accordance with a time table approved by the Commissioners of the District of Columbia. Every failure to comply with the conditions of this section shall render the said corporation liable to a fine of \$50 for each day said failure occurs, to be recovered in any court of competent jurisdiction at the suit of the Commissioners of said District.

The amendment was agreed to.

Mr. HALE. In section 12, line 2, after the word "houses," I move to insert the words "and transfer stations."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In section 12, line 3, after the word "houses," it is proposed to insert "and transfer stations;" so as to read:

That the said company shall furnish and maintain passenger houses and transfer stations as required by the Commissioners of the District of Columbia.

The amendment was agreed to.

Mr. HALE. In line 3, after the words "District of Columbia," I move to insert the words "but no such passenger house or transfer station shall be built upon the public streets or side walks or upon public property." I want to save the public reservations. If the railroad company erect houses or stations they should put them on private property and pay for it.

Mr. FAULKNER. There is no objection to the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In section 12, line 3, after the word "Columbia," it is proposed to insert "but no such passenger house or transfer station shall be built upon the public streets or side-walks or upon public property."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on the District of Columbia was, in section 15, line 6, after the word "expenditures," to insert "within the District of Columbia;" and in line 12, after the word "made," to strike out "at the specified time or;" so as to read:

SEC. 15. That said company shall, on or before the 15th of February of each year, make a report to Congress, through the Commissioners of the District of Columbia, of the names of all the stockholders therein and the amount of stock held by each, together with a detailed statement of the receipts and expenditures within the District of Columbia, from whatever source and on whatever account, for the preceding year ending December 31, and such other facts as may be required by any general law of the District of Columbia, which report shall be verified by the affidavit of the president and secretary of said company, and, if said report is not made within ten days thereafter, such failure shall of itself operate as a forfeiture of the privileges and rights hereby granted to said company, and it shall be the duty of the Commissioners to cause to be instituted proper judicial proceedings therefor, etc.

The amendment was agreed to.

The next amendment was, in section 16, line 2; after the word "passenger," to insert "including transportation to the Virginia shore;" so as to make the section read:

SEC. 16. That said company shall receive a rate of fare not exceeding 5 cents per passenger, including transportation to the Virginia shore; and the said company may make arrangements with all existing railway companies in the District of Columbia for the interchange of tickets in payment of fare on its road: *Provided*, That within the limits of the District of Columbia six tickets shall be sold for 25 cents.

The amendment was agreed to.

The next amendment was, in section 17, line 12, after the word "dollars," to strike out "to said company;" so as to read:

The person or persons so offending shall forfeit and pay for each such offense not less than twenty-five nor more than one hundred dollars, etc.

The amendment was agreed to.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair announces that the morning hour is closed, and the Calendar of General Orders under Rule IX is in order.

Mr. FAULKNER. I ask that the Senate proceed with the

consideration of the pending bill. The reading is almost through. There are but two pages remaining.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The reading of the bill will be proceeded with.

The reading of the bill was resumed. The next amendment of the Committee on the District of Columbia was, in section 18, line 4, after the word "construct" to insert "at its own cost;" and in line 5, after the word "railways," to insert "under the supervision and control of the Commissioners of the District of Columbia;" so as to make the section read:

SEC. 18. That the said company shall have the right of way across such other railways as are now in operation within the limits of the lines granted by this act, and is hereby authorized to construct, at its own cost, its said road across such other railways, under the supervision and control of the Commissioners of the District of Columbia: *Provided* That it shall not interrupt the travel of such other railways in such construction.

The amendment was agreed to.

The next amendment was, in section 20, line 6, after the word "exceeding;" to strike out "one hundred and;" and in line 7, after the word "instituted," to strike out "in the usual way in the supreme court of the District of Columbia, under such rules and regulations as said court may prescribe for such purposes," and insert "under the provisions of chapter 11, Revised Statutes, relating to the District of Columbia;" so as to make the section read:

SEC. 20. That in the event the company should not be able to come to an agreement with the owner or owners of any land through which the said road may be located or pass, proceedings for the condemnation for the use of the company of so much of said land as may be required, not exceeding 50 feet in width, may be instituted under the provisions of chapter 11, Revised Statutes, relating to the District of Columbia: *Provided*, That any property owner shall have the right of trial by jury in any such issue.

The amendment was agreed to.

Mr. FAULKNER. I will state that section 21 was inadvertently left in, I suppose by the printer. It applies to a route which was stricken out by the committee and is not in the bill. I therefore move that section 21 be stricken out.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia to strike out section 21.

The amendment was agreed to.

Mr. FAULKNER. Section 22 should be changed so as to be section 21.

The PRESIDING OFFICER. The clerks will make the necessary changes in the numbering of the sections.

The reading of the bill was resumed. The next amendment of the Committee on the District of Columbia was to strike out section 23, in the following words:

SEC. 23. That said company shall have the right to carry parcels, farm and dairy products on its lines in the city, and nothing in this act shall be considered as prohibiting the transportation of other freights between points in the State of Virginia and its landing at the foot of E street and New Hampshire avenue.

The amendment was agreed to.

The reading of the bill was continued to the end of section [23] 22.

Mr. HALE. How does this provision, in what is now section 22, accord with the proviso put on as in Committee of the Whole, at the end of section 5, on page 6:

*Provided*, That the tracks of said road shall not be used for the transportation of any cars other than those used for the transportation of passengers on street railways.

Mr. FAULKNER. It accords with it exactly. The Falls Church Railroad is a street railway. It comes in just to the south of the Arlington grounds, and strikes this road just about at the point where it will have a branch up to Arlington. We wish for the convenience of the people there to bring in that street railway over this same track, with all the limitations and conditions, as the Senator will see, which we impose upon this road.

Mr. HALE. The reading of the bill, to anyone not informed, would convey the idea that the Falls Church and Potomac Railway Company is a general railway company.

Mr. FAULKNER. Oh, no; it is not.

Mr. HALE. It is a street railway?

Mr. FAULKNER. A street railway.

Mr. HALE. But it is not so entitled.

Mr. FAULKNER. It is not so entitled. This is its corporate name.

Mr. HALE. If the Senator from West Virginia is certain about that, I shall make no point on it.

Mr. FAULKNER. I am certain about it.

Mr. HALE. The provision, then, grants nothing but a desirable connection with another street railway company?

Mr. FAULKNER. The Senator from Maine will see that the latter clause of this section applies to that road all of the limitations, conditions, and restrictions, after it gets to the District of Columbia, that we put upon this road.

Mr. HALE. I perceive that that is done by the proviso in the latter part of the section.

Mr. McMILLAN. I will state to the Senator from Maine that the object of the committee has been to bring in all of these suburban lines over one track where it can be done, and to avoid a multiplication of the number of tracks on the streets.

Mr. HALE. I think that is right.

The reading of the bill was resumed. The next amendment of the Committee on the District of Columbia was, at the end of section [23] 22 to insert as a new section:

SEC. 23. That should the Washington, Alexandria and Mount Vernon Electric Railway Company fail or refuse to construct a double-track street railway on the Virginia side of the Potomac River to the Arlington Reservation and provide accommodations for the necessary travel from the city of Washington to Arlington within one year from the approval of this act, then all the rights, powers, privileges, and franchises conferred upon said company by this act within the jurisdiction of the District of Columbia shall be, and the same are hereby, forfeited.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. HALE. I ask the Senator from West Virginia to go back with me to section 1, line 12, whether the route that the road is to follow in the city is given.

Commencing on B street, between Sixth and Seventh streets northwest.

Mr. FAULKNER. Between Seventh and Eighth streets northwest. We changed that.

Mr. HALE. Between Seventh and Eighth streets northwest. Where is that with relation to the present station of the Pennsylvania Railroad?

Mr. FAULKNER. The station is on Sixth street, and this is the very wide cobblestone street just back of the market. The object and purpose of this line is to get to the market.

Mr. HALE. Then it does not go so far easterly as the Pennsylvania Railroad station?

Mr. FAULKNER. It commences a block from the Pennsylvania station, just back of the market.

Mr. HALE. —

Thence westward along B street—

That is the cobblestone street.

Mr. FAULKNER. Yes, sir.

Mr. HALE. —

to Thirteen-and-a-half street.

Mr. FAULKNER. That is a very inferior street, if the Senator knows it. It is one we could not hurt by putting anything on it.

Mr. HALE. It is a street between Thirteenth and Fourteenth streets.

Mr. FAULKNER. Between Thirteenth and Fourteenth streets.

Mr. McMILLAN. It is Thirteen-and-a-half street.

Mr. FAULKNER. Yes. The road is to come up that street with a single track.

Mr. HALE. It is between the two streets, Thirteenth and Fourteenth streets.

Thence northward on Thirteen-and-a-half street to E street, by a single track.

How near to Pennsylvania avenue is the point where Thirteen-and-a-half street reaches E street?

Mr. FAULKNER. It can not be said that it is a block, because, as the Senator will remember, the reservation commences on the east side of Fourteenth street right at the avenue. Just that reservation separates it from the avenue. We contemplate, in the ultimate arrangement of these street railways, as I dare say the Senator from Maine has heard, that the route of the Fourteenth street cable road shall be changed, so that it will run up Fourteenth street from Pennsylvania avenue. There we propose to have the transfer station, so as to relieve the congested condition of Fifteenth street. The proposed road will then run along E street, which is south of the little reservation, to Fourteenth street, where the Belt line runs, after having come across Pennsylvania avenue from E street, north of the avenue.

Mr. HALE. But it is all below Pennsylvania avenue.

Mr. FAULKNER. It is all below Pennsylvania avenue. Then it uses the tracks of the Belt line down to the Potomac.

Mr. HALE. I should think, from my recollection of the location, that coming up E street anywhere westerly of Thirteenth would bring the road pretty near the avenue.

Mr. FAULKNER. That little reservation merely separates it.

Mr. HALE. That is all?

Mr. FAULKNER. Yes, sir.

Mr. McMILLAN. I will state to the Senator from Maine that the power house of the Washington and Georgetown Railroad Company is right at the corner of Thirteen-and-a-half and E streets. Thirteen-and-a-half is an old-fashioned little street, and is not used much except for the trucks of the Washington and Georgetown Railway. In fact, it is hardly used at all. It does not come to the avenue. There is a very wide space there.

Mr. HALE. All below the avenue?

Mr. FAULKNER. All below the avenue.

Mr. McMILLAN. The company wanted to come up Thirteenth street and touch the avenue, and we declined to grant permission to do that.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. FAULKNER. I move that the Senate request a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. FAULKNER, Mr. HARRIS, and Mr. McMILLAN were appointed.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Q. L. PRUDEN, one of his secretaries, announced that the President had, on the 3d instant, approved and signed the act (S. 2150) to provide an American register for the steamer Oceano, of New York, N. Y.

The message also announced that the President of the United States had, on the 6th instant, approved and signed the act (S. 1468) for the relief of James L. Townsend.

#### UNIFORM SYSTEM OF BANKRUPTCY.

Mr. GEORGE. I ask unanimous consent that the Senate take up the bill (H. R. 4609) to establish a uniform system of bankruptcy.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi?

Mr. PLATT. I object.

The PRESIDING OFFICER. Objection is made.

Mr. GEORGE. I move that the Senate proceed to the consideration of the bill, notwithstanding the objection.

Mr. PLATT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Connecticut suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Faulkner,	Jones, Ark.	Patton,
Bate,	Frye,	Kyle,	Perkins,
Berry,	Gallinger,	Lindsay,	Platt,
Blackburn,	George,	Lodge,	Power,
Brice,	Gordon,	McLaurin,	Proctor,
Camden,	Hale,	McMillan,	Roach,
Chandler,	Harris,	Manderson,	Sherman,
Cockrell,	Hawley,	Martin,	Shoup,
Coke,	Higgins,	Mills,	Teller,
Cullom,	Hill,	Mitchell, Wis.	Vest,
Davis,	Hoar,	Murphy,	Walsh,
Dixon,	Hunton,	Palmer,	Washington,
Dubois,	Jarvis,	Pasco,	White.

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. A quorum is present. The question recurs on agreeing to the motion of the Senator from Mississippi that the Senate proceed to the consideration of the bankruptcy bill. (Putting the question.) The yeas appear to have it.

Mr. HOAR and Mr. HIGGINS called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH]. If he were present I should vote "yea."

Mr. GORDON (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from Wyoming [Mr. CAREY]. If he were present I should vote "yea."

Mr. PALMER (when his name was called). The Senator from North Dakota [Mr. HANSBROUGH], with whom I am paired, is absent from the city. I therefore withhold my vote.

Mr. PATTON (when his name was called). I am paired with the junior Senator from Maryland [Mr. GIBSON].

Mr. VILAS (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL]. If he were in the Chamber I should vote "yea."

The roll call was concluded.

Mr. BLACKBURN. I inquire if the senior Senator from Nebraska [Mr. MANDERSON] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. BLACKBURN. I do not know how the senior Senator from Nebraska would vote, and therefore withhold my vote. If he were present I should vote "yea."

Mr. McMILLAN (after having voted in the affirmative). I

inquire if the Senator from Louisiana [Mr. BLANCHARD] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. McMILLAN. Then I withdraw my vote, being paired with that Senator.

The Secretary recapitulated the vote.

Mr. MANDERSON. I desire to know whether the senior Senator from Kentucky [Mr. BLACKBURN] has voted upon this question?

The PRESIDING OFFICER. He has not voted.

Mr. MANDERSON. I am paired with the senior Senator from Kentucky.

The result was announced—yeas 27, nays 14; as follows:

YEAS—27.

Bate,	Gray,	McLaurin,	Sherman,
Call,	Harris,	Martin,	Shoup,
Coke,	Hill,	Murphy,	Teller,
Cullom,	Hunton,	Pasco,	Walsh,
Davis,	Jarvis,	Pugh,	Washburn,
Dubois,	Kyle,	Ransom,	White.
Faulkner,	Lindsay,	Roach,	

NAYS—14.

Dixon,	Hawley,	Perkins,	Turpie,
Frye,	Higgins,	Platt,	Vest.
Gallinger,	Hoar,	Power,	
Hale,	Mills,	Proctor,	

NOT VOTING—44.

Aldrich,	Carey,	Jones, Ark.	Patton,
Allen,	Chandler,	Jones, Nev.	Peffer,
Allison,	Cockrell,	Lodge,	Pettigrew,
Berry,	Daniel,	McMillan,	Quay,
Blackburn,	Dolph,	McPherson,	Smith,
Blanchard,	George,	Manderson,	Squire,
Brice,	Gibson,	Mitchell, Oregon	Stewart,
Butler,	Gordon,	Mitchell, Wis.	Vilas,
Caffery,	Gorman,	Morgan,	Voorhees,
Camden,	Hansbrough,	Morrill,	Wilson,
Cameron,	Irby,	Palmer,	Wolcott.

The PRESIDING OFFICER. No quorum having voted, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Gallinger,	Lindsay,	Roach,
Bate,	George,	McLaurin,	Sherman,
Berry,	Gordon,	Manderson,	Shoup,
Blackburn,	Harris,	Martin,	Smith,
Caffery,	Hawley,	Mitchell, Wis.	Teller,
Call,	Higgins,	Murphy,	Turpie,
Coke,	Hill,	Palmer,	Vilas,
Cullom,	Hoar,	Pasco,	Walsh,
Davis,	Hunton,	Patton,	Washburn,
Dixon,	Jarvis,	Perkins,	White.
Faulkner,	Jones, Ark.	Proctor,	
Frye,	Kyle,	Ransom,	

The PRESIDING OFFICER. Forty-six Senators have answered to their names. There is a quorum present. The Secretary will again call the roll on agreeing to the motion of the Senator from Mississippi to proceed to the consideration of House bill 4609.

The Secretary proceeded to call the roll.

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH], but I have a right to vote to make a quorum. I vote "yea."

Mr. McMILLAN (when his name was called). I am paired with the Senator from Louisiana [Mr. BLANCHARD].

Mr. MITCHELL of Wisconsin (when his name was called). I wish to announce for the day my pair with the Senator from Wyoming [Mr. CAREY].

Mr. VILAS (when his name was called). I am paired with the Senator from Oregon [Mr. MITCHELL]. I announce the pair for the day.

The roll call was concluded.

Mr. CAFFERY. I am paired with the Senator from Montana [Mr. POWER]. I am not aware how he would vote on this question, and I therefore withhold my vote.

Mr. PALMER. When my name was called I failed to announce my pair with the Senator from North Dakota [Mr. HANSBROUGH]. I withhold my vote.

Mr. CULLOM. I am paired with the Senator from Delaware [Mr. GRAY].

The result was announced—yeas 27, nays 11; as follows:

YEAS—27.

Allen,	Davis,	Jones, Ark.	Roach,
Allison,	Faulkner,	Kyle,	Sherman,
Bate,	George,	Lindsay,	Shoup,
Blackburn,	Gray,	McLaurin,	Teller,
Call,	Hill,	Manderson,	Walsh,
Cockrell,	Hunton,	Martin,	Washburn.
Coke,	Jarvis,	Pasco,	

NAYS—11.

Berry,	Gallinger,	Perkins,	Turpie,
Dixon,	Hawley,	Platt,	White.
Frye,	Hoar,	Proctor,	

NOT VOTING—47.

Aldrich,	Dubois,	McPherson,	Pugh,
Blanchard,	Gibson,	Mills,	Quay,
Brice,	Gordon,	Mitchell, Oregon	Ransom,
Butler,	Gorman,	Mitchell, Wis.	Smith,
Caffery,	Hale,	Morgan,	Squire,
Camden,	Hansbrough,	Morrill,	Stewart,
Cameron,	Harris,	Murphy,	Vest,
Carey,	Higgins,	Palmer,	Vilas,
Chandler,	Irby,	Patton,	Voorhees,
Cullom,	Jones, Nev.	Peffer,	Wilson,
Daniel,	Lodge,	Pettigrew,	Wolcott.
Dolph,	McMillan,	Power,	

The PRESIDING OFFICER. There is no quorum voting. The roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Dixon,	Jones, Ark.	Proctor,
Allen,	Faulkner,	Kyle,	Pugh,
Allison,	Frye,	Lindsay,	Ransom,
Bate,	Gallinger,	Lodge,	Roach,
Berry,	George,	McLaurin,	Sherman,
Blackburn,	Gordon,	McMillan,	Smith,
Brice,	Gray,	Manderson,	Teller,
Call,	Hawley,	Martin,	Turpie,
Carey,	Higgins,	Mitchell, Wis.	Vilas,
Cockrell,	Hill,	Murphy,	Walsh,
Coke,	Hoar,	Pasco,	Washburn,
Cullom,	Hunton,	Patton,	White.
Davis,	Jarvis,	Perkins,	

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum is present.

Mr. GEORGE. I see there is no voting quorum present. The Senate may be able to transact some business for which the presence of a voting quorum will not be required. I therefore ask leave to withdraw my motion to proceed to the consideration of the bankruptcy bill, with the understanding that I will renew it to-morrow morning.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the motion is withdrawn.

GUARANTEE COMPANIES.

Mr. HILL. Now, I should like to have the Senate proceed with House bill 4954, which was displaced by another measure.

By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4954) relative to recognizances, stipulations, bonds, and undertakings, and to allow certain corporations to be accepted as surety thereon.

Mr. HILL. The bill has already been read through. The Senator from Illinois [Mr. PALMER] wanted to state some objections to the bill. I have sent for him to have him come to the front.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole and open to amendment. If there are no amendments as in Committee of the Whole the bill will be reported to the Senate.

Mr. HILL. Mr. President, I have discharged my duty. I think I will let the bill go through. If the Senator from Illinois wants to reconsider it afterwards he can make the motion.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRISON C. HOBART.

Mr. VILAS. I ask unanimous consent to call up the bill (S. 1969) granting a pension to Harrison C. Hobart, brevet brigadier-general of volunteers.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place upon the pension rolls the name of Harrison C. Hobart, late brevet brigadier-general of volunteers, and to pay him a pension at the rate of \$50 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ABANDONED MILITARY RESERVATIONS.

Mr. CAREY. I ask unanimous consent to call up the bill (H. R. 4667) to provide for the opening of certain abandoned military reservations, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with amendments.

The first amendment was, in section 1, line 4, after "heretofore," to strike out "or hereafter;" in line 7, after "1884," to insert "the disposal of which has not been provided for by a subsequent act of Congress;" in line 11, after the word "now," to insert "or maybe;" in line 14, after the word "of," to strike out "ninety days" and insert "six months;" in line 18, after the word "of," to strike out "ninety days" and insert "six months;" in line 22, after the word "the," to strike out "appraised;" in the same line, after the word "value," to insert "heretofore or hereafter determined by appraisement;" in line 24, after the

word "entry," to insert "and such payment may, at the option of the purchaser, be made;" in line 25, after the word "times," to insert "and at rates of interest;" and in line 27, after the word "Interior," to strike out "in general regulations to be fixed by him;" so as to make the section read:

That all lands not already disposed of included within the limits of any abandoned military reservation heretofore placed under the control of the Secretary of the Interior for disposition under the act approved July 5, 1884, the disposal of which has not been provided for by a subsequent act of Congress, where the area exceeds 5,000 acres, except such legal subdivisions as have Government improvements thereon, and except also such other parts as are now or may be reserved for some public use, or hereby opened to settlement under the public-land laws of the United States, and a preference right of entry for a period of six months from the date of this act shall be given all bona fide settlers who are qualified to enter under the homestead law and have made improvements and are now residing upon any agricultural lands in said reservations, and for a period of six months from the date of settlement when that shall occur after the date of this act: *Provided*, That persons who enter under the homestead law shall pay for such lands not less than the value heretofore or hereafter determined by appraisal nor less than the price of the land at the time of the entry, and such payment may, at the option of the purchaser, be made in five equal installments, at times and at rates of interest to be fixed by the Secretary of the Interior.

The amendment was agreed to.

The next amendment was, in section 2, line 4, after the word "lands," to strike out "not entered under the public-land laws prior to the day of sale" and insert "included in abandoned military reservations hereafter placed under the control of the Secretary of the Interior for disposal;" so as to make the section read:

SEC. 2. That nothing contained in this act shall be construed to suspend or to interfere with the operation of the said act approved July 5, 1884, as to all lands included in abandoned military reservations hereafter placed under the control of the Secretary of the Interior for disposal, and all appraisements required by the first section of this act shall be in accordance with the provisions of said act of July 5, 1884.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. CAREY. I move that the Senate request a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. PASCO, Mr. McLAURIN, and Mr. CAREY were appointed.

#### STEAMERS CLARIBEL AND ATHOS.

Mr. WHITE. I desire to call up the bill (S. 1706) to provide registers for the steamers Claribel and Athos. The bill was unanimously reported from the Committee on Commerce, and is very brief.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill; which was read, as follows:

*Be it enacted, etc.*, That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built steamers Claribel and Athos, purchased and owned by a corporation created under the laws of New Jersey, and repaired in American ports, to be registered as vessels of the United States.

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to cause the inspection of said vessels, steam boilers, steam pipes, and their appurtenances, and cause to be granted the usual certificate issued to steam vessels of the merchant marine, without reference to the fact that said steam boilers, steam pipes, and appurtenances were not constructed pursuant to the laws of the United States and were not constructed of iron stamped pursuant to said laws; and the tests in the inspection of said boilers, steam pipes, and appurtenances shall be the same in all respects as to strength and safety as are required in the inspection of boilers constructed in the United States for marine purposes.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### CONSTRUCTION OF REVENUE CUTTER.

Mr. PERKINS. I ask unanimous consent to call up the bill (H. R. 2669) making an appropriation and providing for the construction of a United States revenue cutter for service in the harbor of San Francisco, State of California.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate \$50,000 to have constructed a revenue cutter for service in the harbor of San Francisco, State of California.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### KNIGHTS OF PYTHIAS ENCAMPMENT.

Mr. GALLINGER. There is a concurrent resolution of the House of Representatives on the table which I ask to have laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate a concurrent resolution from the House of Representatives which will be read.

The concurrent resolution was read, as follows:

*Resolved by the House of Representatives of the United States (the Senate concurring)*, That permission be, and is hereby, given to the citizens committee, Knights of Pythias encampment, of which Chapin Brown is chairman, to illuminate the Dome of the Capitol on the nights of August 27, 28, 29, and 30, 1894, under the control and direction of the Architect of the Capitol.

Mr. GALLINGER. I ask the Senate to concur in the resolution.

The concurrent resolution was considered by unanimous consent, and agreed to.

#### WORLD'S EXPOSITION AT ATLANTA, GA.

Mr. WALSH. I ask unanimous consent to call up the bill (S. 2261) to further encourage the holding of a world's exposition at Atlanta, Ga., in the year 1895.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.*, That all articles which shall be imported from foreign countries for the sole purpose of exhibition at said exposition, upon which there shall be a tariff or customs duty, shall be admitted free of payment of duty, customs fees, or charges, under such regulation as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exhibition to sell, for delivery at the close of the exposition, any goods or property imported for and actually on exhibition in the exposition buildings or on its grounds, subject to such regulation for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when sold or withdrawn for consumption in the United States, shall be subject to the duty, if any, imposed upon such article by the revenue laws in force at the date of importation, and all penalties prescribed by law shall be applied and enforced against such articles and against the persons who may be guilty of any illegal sale or withdrawal.

SEC. 2. That medals with appropriate devices, emblems, and inscriptions commemorative of said Cotton States and International Exposition, and of the awards to be made to exhibitors thereat, be prepared at some mint of the United States for the board of directors thereof, subject to the provisions of the fifty-second section of the coinage act of 1893, upon the payment of a sum not less than the cost thereof; and all the provisions, whether penal or otherwise, of said coinage act against the counterfeiting or imitating of coins of the United States shall apply to the medals struck and issued under this act.

SEC. 3. 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 Georgia, its officers, agents, servants, or employes, or any of them, or for the service, salaries, labor, or wages of said officers, agents, servants, or employes, or any of them, or for any subscriptions to the capital stock, or for any certificates of stock, bonds, mortgages, or obligation of any kind issued by said corporation, or for any debts, liabilities, or expenses incidental to the exposition.

SEC. 4. That the President is hereby authorized and requested to detail not exceeding one company of troops or marines, to report to the chairman of the board of management of the Government exhibit, for the purpose of guarding Government property on exhibition.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to, as follows:

Whereas the Cotton States and International Exposition Company, a corporation under the laws of the State of Georgia, has undertaken to hold an exposition at Atlanta, Ga., to open in the month of September, in the year 1895, and to close on the 31st day of December of said year, for the display of arts, industries, manufactures, and the products of the soil, mine, and sea; and

Whereas the Congress of the United States has given aid and encouragement to said exposition by providing, first, that the General Government shall become an exhibitor of articles and materials illustrative of its functions; and, second, by providing space in its own building for an exhibit of the arts, industries, manufactures, and products of the colored race of the United States, illustrative of their progress and development during the thirty years of their freedom and citizenship; and

Whereas said exposition is to be national and international in its character, in which the governments and people of Mexico, the Central and South American States, and the other nations of the world are invited to participate with a view to the establishment of more intimate trade relations.

#### EXECUTIVE SESSION.

Mr. COKE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty minutes spent in executive session the doors were reopened, and (at 3 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Thursday, August 9, 1894, at 12 o'clock m.

#### NOMINATIONS.

*Executive nominations received by the Senate August 8, 1894.*

#### SECRETARY OF EMBASSY.

Larz Anderson, of Ohio, to be secretary of embassy of the United States at Rome, Italy, vice H. Remsen Whitehouse, resigned.

#### APPRAISER OF MERCHANDISE.

Louis D. Voltz, of New York, to be appraiser of merchandise in the district of Buffalo Creek, in the State of New York, to succeed George Bingham, resigned.

#### SUPERVISING INSPECTORS OF STEAM VESSELS.

John H. Galwey, of Michigan, to be supervising inspector of

steam vessels for the eighth district, to succeed Charles H. Westcott, removed.

Michael J. Galvin, of New York, to be supervising inspector of steam vessels for the ninth district, to succeed Alexander McMaster, removed.

George Winans, of Wisconsin, to be supervising inspector of steam vessels for the fifth district, to succeed John D. Sloane, removed.

#### RECEIVER OF PUBLIC MONEYS.

Dixon Buchanan, of Sterling, Colo., to be receiver of public moneys at Sterling, Colo., vice Norman H. Meldrum, term expired.

#### POSTMASTER.

John H. Harrison, to be postmaster at Waco, in the county of McLennan and State of Texas, in the place of Helen A. Conger, whose commission will expire September 27, 1894.

#### PROMOTION IN ARMY.

##### *Quartermaster's Department.*

Capt. Charles A. H. McCauley, assistant quartermaster, to be quartermaster with the rank of major, August 8, 1894, vice Kirk, retired from active service.

#### PROMOTIONS IN THE NAVY.

Lieut. Commander John C. Rich, to be a commander in the Navy, from July 31, 1894, vice Commander Frank Wildes, promoted (subject to the examinations required by law).

Lieut. George W. Tyler, to be a lieutenant-commander in the Navy, from July 31, 1894, vice Lieut. Commander John C. Rich, promoted (subject to the examinations required by law).

Lieut. (junior grade) Harry Kimmell, to be a lieutenant in the Navy, from July 31, 1894, vice Lieut. George W. Tyler, promoted.

Ensign John J. Blandin, to be a lieutenant (junior grade) in the Navy, from July 31, 1894, vice Lieut. (junior grade) Harry Kimmell, promoted (subject to the examinations required by law).

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate August 8, 1894.*

#### SECRETARY OF EMBASSY.

Larz Anderson, to be secretary of embassy at Rome, Italy.

#### SECRETARY OF LEGATION AND CONSUL-GENERAL.

Ellis Mills, of Virginia, now consul-general at Honolulu, Hawaiian Islands, to be secretary of legation and consul-general of the United States at that place.

#### TERRITORIAL PROBATE JUDGES.

John C. De La Mare, of Utah Territory, to be judge of probate in the county of Tooele, in the Territory of Utah.

J. M. Grant, of Utah Territory, to be judge of probate in the county of Rich, in the Territory of Utah.

James L. Bunting, of Utah Territory, to be judge of probate in the county of Kane, in the Territory of Utah.

Thomas J. Brandon, of Utah Territory, to be judge of probate in the county of Davis, in the Territory of Utah.

William S. Willes, of Utah Territory, to be judge of probate in the county of Wasatch, in the Territory of Utah.

Noble Warrum, jr., of Utah Territory, to be judge of probate in the county of Cache, in the Territory of Utah.

Achilles Ferrin, of Utah Territory, to be judge of probate in the county of Weber, in the Territory of Utah.

#### REGISTER OF THE LAND OFFICE.

Peregrine J. Dempster, of Holyoke, Colo., to be register of the land office at Sterling, Colo.

#### UNITED STATES ATTORNEY.

Gibson Clark, of Wyoming, to be attorney of the United States for the district of Wyoming.

#### MARSHALS.

Richard C. Morris, of Connecticut, to be marshal of the United States for the district of Connecticut.

John A. McDermott, of Wyoming, to be marshal of the United States for the district of Wyoming.

James I. Crutcher, of Idaho, to be marshal of the United States for the district of Idaho.

#### POSTMASTERS.

John Huxtable, to be postmaster at Wareham, in the county of Plymouth and State of Massachusetts.

John M. Griffin, to be postmaster at Madera, in the county of Madera and State of California.

Robert B. Evans, to be postmaster at Blairsville, in the county of Indiana and State of Pennsylvania.

George A. Sweeney, to be postmaster at Attleboro, in the county of Bristol and State of Massachusetts.

John Stallman, to be postmaster at Lee, in the county of Berkshire and State of Massachusetts.

Leonard J. Presson, to be postmaster at Gloucester, in the county of Essex and State of Massachusetts.

William E. Smith, to be postmaster at Millbrook, in the county of Dutchess and State of New York.

Charles A. Hall, to be postmaster at Binghamton, in the county of Broome and State of New York.

Josiah Woodbury, to be postmaster at Beverly, in the county of Essex and State of Massachusetts.

Lewis W. Terwilliger, to be postmaster at Hancock, in the county of Delaware and State of New York.

Hudson Ausley, to be postmaster at Salamanca, in the county of Cattaraugus and State of New York.

Patrick Mahan, to be postmaster at Natick, in the county of Middlesex and State of Massachusetts.

William H. Stickle, to be postmaster at Weedsport, in the county of Cayuga and State of New York.

James P. O'Brien, to be postmaster at Holley, in the county of Orleans and State of New York.

Charles H. Kavanaugh, to be postmaster at Waterford, in the county of Saratoga and State of New York.

John H. Harrison, to be postmaster at Waco, in the county of McLennan and State of Texas.

#### REJECTIONS.

*Executive nominations rejected by the Senate August 8, 1894.*

#### POSTMASTERS.

George F. Van Dam, to be postmaster at Tompkinsville, in the county of Richmond and State of New York.

Jonas Shays, to be postmaster at Owego, in the county of Tioga and State of New York.

Treadwell B. Kellum, to be postmaster at Babylon, in the county of Suffolk and State of New York.

Thomas H. Manion, to be postmaster at Herkimer, in the county of Herkimer and State of New York.

### HOUSE OF REPRESENTATIVES.

WEDNESDAY, August 8, 1894.

The House met at 12 o'clock m. Prayer by Rev. G. N. LUCOCK, of Washington.

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

#### ALLEYS IN THE DISTRICT OF COLUMBIA.

The SPEAKER laid before the House a bill (S. 971) to open and extend alleys in the District of Columbia.

The SPEAKER. This is a Senate bill with a House amendment. The Senate nonconcur in the amendment and ask for a conference.

Mr. HEARD. I move that the House agree to the conference asked for by the Senate.

The motion was agreed to.

The Speaker appointed as conferees on the part of the House Mr. RICHARDSON of Tennessee, Mr. RUSK, and Mr. HARMER.

#### ASSESSMENT OF REAL ESTATE IN THE DISTRICT OF COLUMBIA.

The SPEAKER laid before the House a bill (H. R. 6415) to provide an immediate revision and equalization of real estate values in the District of Columbia; also to provide an assessment of real estate in said District in the year 1896 and every third year thereafter, and for other purposes.

Mr. RICHARDSON of Tennessee. Mr. Speaker, this is the House bill providing for an assessment of real estate in the District of Columbia, which was passed a few days ago. The Senate has made some amendments which are not important, being mainly changes of verbiage. The District Commissioners have examined the amendments and recommend concurrence. I therefore move that the House concur in the amendments of the Senate.

The Senate amendments were read.

Mr. BURROWS. Mr. Speaker, the mere reading of those amendments disconnected from the body of the bill conveys no idea as to the scope of the changes proposed, and I should like to have some explanation of the amendments.

Mr. RICHARDSON of Tennessee. I will have read a letter the assessor transmitted through the District Commissioners, who have examined these amendments.

Mr. BURROWS. I notice that in one place there is an amendment striking out \$500. I think there are also other material

amendments, and I would like to know the significance of them. Mr. RICHARDSON of Tennessee. Mr. Speaker, I ask the Clerk to read the letter received from the Commissioners.

The letter was read, as follows:

OFFICE OF THE ASSESSOR, DISTRICT OF COLUMBIA,  
Washington, August 6, 1894.

DEAR SIR: Referring to our conversation of a few days ago, I beg to invite your attention to the urgent importance of speedy attention to the bill (H. R. 8415) providing for the assessment of real estate in this District.

The bill passed the House of Representatives under date of July 9 and the Senate to-day with a few amendments.

The amendment fixing the annual salaries of the assistant assessors at \$3,000 each is in conformity with the action of the House, and is simply the correction of a typographical error. The other amendments are substantially in line with the bill as reported and advocated by your committee, and are in full accord with the views of the Commissioners and of this office.

Having had reasonable hope of the passage of this bill, the commencement of the preparation of the tax ledgers for the current fiscal year has been delayed beyond the usual time, and hence the failure of its passage at this session might seriously embarrass the semiannual collection of taxes in November next, as provided for under existing law.

I therefore suggest that you ask, at the earliest opportunity, a concurrence on the part of the House with the Senate amendments.

This letter receives the approval of the Commissioners.

Very respectfully,

MATTHEW TRIMBLE,  
Assessor District of Columbia.

HON. JOHN T. HEARD,  
Chairman Committee on District of Columbia,  
House of Representatives.

Mr. RICHARDSON of Tennessee. The five hundred dollar amendment about which the gentleman from Michigan inquires is an amendment to correct a typographical error. The bill as it passed fixed the salaries of the assistant assessors at \$3,000, but as engrossed and sent to the Senate it provided for \$3,500, and the amendment simply strikes out the "five hundred," which was improperly inserted.

Mr. BURROWS. Do the Senate amendments make any change in salaries, or any increase in the amount carried by the bill?

Mr. RICHARDSON of Tennessee. Not at all.

Mr. KILGORE. Mr. Speaker, I understand that the Senate has put on a proposition authorizing the Treasury Department to advance money to the District of Columbia to pay current expenses. That, I think, is rather an important provision, which ought to be fully understood by the House.

Mr. RICHARDSON of Tennessee. The bill simply authorizes the Secretary to advance to the Commissioners, upon their requisition, such sums as may be necessary to meet the expenses of the District where money has been appropriated for that purpose by Congress.

Mr. KILGORE. This is an advance of money belonging to the District of Columbia?

Mr. RICHARDSON of Tennessee. Yes; money that has been appropriated by Congress for that purpose. The Secretary of the Treasury is authorized, upon requisition of the Commissioners, to draw that portion of the money which the District is authorized to expend.

Mr. KILGORE. One other inquiry. The bill as passed by the House provided for a board of assessment to be appointed by the Commissioners. Has the Senate made any change in that regard?

Mr. RICHARDSON of Tennessee. No, sir.

Mr. KILGORE. Then this board will be appointed by the Commissioners?

Mr. RICHARDSON of Tennessee. They will be appointed just as provided in the House bill.

Mr. KILGORE. I think that ought not to be.

Mr. DOCKERY. I hope the gentleman from Tennessee will explain the necessity for authorizing this advance to be made to the Commissioners. I do not understand the purpose.

Mr. RICHARDSON of Tennessee. The necessity, as I understand, grows out of the provision in section 2 of the bill:

That the collection of taxes on real property and improvements thereon which will become due and payable in the month of November, 1894, be, and the same is hereby, suspended until the month of May in the year 1895, at which time said taxes shall be due and payable, and the collection thereof shall be enforced in all respects as provided under existing law for the collection of taxes on real property and improvements thereon for the second half of the tax year ending June 30, 1895.

Members will understand that under this bill the payment of the semiannual tax which would be due next November is extended until May; and this bill authorizes the Secretary of the Treasury, upon request of the Commissioners, to advance money to cover the deficiency thus temporarily created in the District resources.

Mr. DOCKERY. Then this is a loan of money to the District, rendered necessary by a change of the time of the collection of taxes?

Mr. RICHARDSON of Tennessee. That is the way I understand it.

Mr. KILGORE. Why is that necessary?

Mr. RICHARDSON of Tennessee. For this reason: As the gentleman will remember, this bill postpones until May next

the payment of taxes which would otherwise be paid next November. Taxes are paid here in two semiannual payments—in May and November. Under this bill the payment which would be made in November is postponed until next May.

Mr. KILGORE. And the object of the provision referred to is that the money which the District would receive from such payments may be anticipated by a payment from the Treasury?

Mr. RICHARDSON of Tennessee. That is all; the bill makes no change at all except in the respect I have named. I move to concur in the amendments of the Senate.

The amendments were concurred in.

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

#### INSPECTION OF IMMIGRANTS.

The SPEAKER laid before the House the bill (H. R. 5246) providing for the inspection of immigrants by the United States consuls.

The SPEAKER. This bill has been returned from the Senate with amendments and with a request for a conference.

Mr. CULBERSON. I move that the House nonconcur in the amendments of the Senate and agree to the conference.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. BOATNER, Mr. TERRY, and Mr. WILLIAM A. STONE as conferees on the part of the House.

#### LEAVE OF ABSENCE.

Mr. MCKEIGHAN, by unanimous consent, obtained leave of absence for to-day, on account of sickness.

#### B. D. GREENE.

Mr. LESTER. I ask unanimous consent for the present consideration of the bill (H. R. 859) for the relief of B. D. Greene. The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is directed to pay, out of any money in the Treasury not otherwise appropriated, to B. D. Greene, bondsman of George E. Ward, who shall file the proper vouchers for money advanced or labor and materials furnished in and about the work of improvement on the Rappahannock River during the year 1889, the sum of \$1,916.97, being the amount due George E. Ward by the Government, which said sum shall be paid to the said B. D. Greene.

Mr. DOCKERY. Let us have the report read.

The report (by Mr. COX) was read, as follows:

The Committee on Claims, to whom was referred House bill 859, having carefully considered the same beg leave to submit the following report:

The evidence in this case conclusively shows that upon the failure of Ward to complete his contract with the Government his bondsman, Greene, undertook and did complete the contract in accordance with the specifications. The bill is to authorize the Secretary of the Treasury to pay to Greene the amount that would be coming to the original contractor.

Your committee therefore recommend that the bill do pass.

Mr. DOCKERY. I hope the gentleman from Georgia [Mr. LESTER] will make some explanation of this matter.

Mr. LESTER. It appears that George E. Ward contracted with the Government to do some work on the Rappahannock River, Virginia, in 1889. B. D. Greene, the person named in the bill, was surety on the bond of Ward for the performance of this contract. Greene also made advances to Ward of money for labor and materials for the prosecution of the work. Subsequently Ward absconded, leaving the work unfinished, very little having been done. Mr. Greene, the bondsman, undertook to finish the work and did complete it.

The amounts, however, were credited up to Ward, as the contract was in his name. Greene subsequently did the work, and advanced much more money than is specified as the balance left in the Treasury to the credit of Ward. Besides he has gone on and finished the work.

Now, the amount in the Treasury credited up to Ward on this account is nineteen hundred and some odd dollars. It does not begin to cover the amount expended by Greene on account of Ward. That sum of money, however, remained on the books of the Treasury to the credit of Ward; and Greene having performed the work the Committee on Claims thought that in justice and in equity it ought to be paid to Greene. Ward absconded about five years ago and can not be found. Greene paid the debts and performed the work in the meantime.

Mr. DOCKERY. I understand from the gentleman's statement that this does not involve any direct appropriation of money from the Treasury?

Mr. LESTER. None whatever.

Mr. DOCKERY. But simply takes the balance that was due on this work and transfers it from Ward to his surety?

Mr. LESTER. That is it exactly, the surety having performed the work and paid the expenses of it.

Mr. COX. If the gentleman will allow me, in addition to that I would state that when Ward absconded, and failed to comply with the contract, Greene assumed the obligation and did the work by consent of the Government.

Mr. LESTER. He had to finish it or make the bond good.

Mr. DOCKERY. And the money is on the books of the Treasury to the credit of Ward?

Mr. LESTER. Yes, sir.

Mr. DINGLEY. I would like to ask the gentleman from Georgia if there is any communication from the Chief of Engineers of the War Department showing that this amount is due to the original claimant?

Mr. LESTER. Yes, sir. I hold in my hand the documents which establish that fact.

Mr. DINGLEY. They have not been read. Perhaps they had better be read.

Mr. LESTER. Here is a statement from the United States Engineer's Office giving the items, and a statement from the Chief Engineer's Office with the indorsement of the Secretary of War, which specify clearly the condition of the account.

Mr. DOCKERY. Let both of them be read.

Mr. LESTER. I will quote some extracts from these which show exactly the condition of the account.

UNITED STATES ENGINEER'S OFFICE,  
Washington, D. C., March 21, 1890.

GENERAL: In obedience to your order of March 20, 1890, I have the honor to report that the sum earned by George E. Ward, under his contract for dikes and mats in Rappahannock River, Virginia, and remaining unpaid, is \$2,215.78.

The following items of expense were incurred and paid by the United States because of the failure of Ward to complete his contract on the 3d of September, 1889.

Then follows a list of items embracing the "services of an inspector" at various times, "traveling expenses," and various other expenses, making a total of \$298.81, and leaving a balance of \$1,916.97 remaining due to Ward on the books of the engineer's office.

Mr. DOCKERY. Who sends that communication?

Mr. LESTER. This is signed "S. T. Abert, United States agent."

Mr. DOCKERY. Does he recommend the payment of this amount?

Mr. LESTER. He does not say anything about the payment. He simply states the facts in connection with the account, and shows the balance due.

On the 11th day of May, 1894, a communication was addressed to the Secretary of War by the chairman of the Committee on Claims of the House, with a request that he furnish all the papers, statements, and accounts showing the amount due George E. Ward for work done on the Rappahannock River, and also the contract and bond under which the work was done, and a statement as to the completion of the work, on which is the following indorsement:

WAR DEPARTMENT, May 19, 1894.

Respectfully returned to the chairman of the Committee on Claims of the House of Representatives, inviting attention to the preceding indorsement of the Acting Chief of Engineers and the papers therein referred to.

This indorsement of the Chief of Engineers is as follows:

There is also, with the previous indorsement, a copy of the succeeding contract with B. D. Greene, for the uncompleted portion of the work, by which it will be seen that the prices are the same as in the original contract with Ward. There is herewith a report dated March 21, 1890, from Mr. S. T. Abert, United States agent, in charge of the work, by which it will be seen that the amount earned by Ward and remaining unpaid is \$2,215.78. Deducting the expenses incurred by the United States because of the failure of Ward to complete the contract in the time designated in the contract (\$298.81), there will remain the sum of \$1,916.97, the same as the amount named in House bill No. 859.

H. M. ADAMS,  
Acting Chief of Engineers.

Mr. DOCKERY. Is this a unanimous report from the Committee on Claims?

Mr. LESTER. It is.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

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

NEWBERRY COLLEGE.

Mr. LATIMER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2714) for the relief of the Newberry College.

The SPEAKER. The bill will be read subject to objection. The bill was read at length.

Mr. DOCKERY. Mr. Speaker, inasmuch as this bill involves a considerable amount, about \$15,000, I hope the gentleman will let it go over.

Mr. BURROWS. I was about to ask the amount of the bill.

Mr. LATIMER. Fifteen thousand dollars.

Mr. DOCKERY. Let it go over.

Mr. BURROWS. I think this is a matter that ought to be considered when these questions can come regularly before the House on Friday.

The SPEAKER. Objection is made.

WILLIAM R. STEINMETZ.

Mr. GORMAN. Mr. Speaker, I ask unanimous consent for the consideration of the bill (S. 812) for the relief of William R. Steinmetz.

The bill was read, as follows:

*Be it enacted, etc.*, That the President of the United States be, and is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint Capt. William R. Steinmetz, United States Army, retired, a major on the retired list of the Army, with the rank and pay of that grade from February 26, 1891, under the provisions of sections 3 of "An act to provide for the examination of certain officers of the Army, and to regulate provisions therein," approved October 1, 1890.

Mr. DOCKERY. I hope the gentleman will consent to let this go over. It is open to the objection that it is a bill to increase the retired list.

Mr. OUTHWAITE. This is not a bill to increase the retired list, but to make a correction.

Mr. GORMAN. This officer is now on the retired list.

Mr. DOCKERY. If I have misapprehended the bill, I would be glad to have the report read.

Mr. GORMAN. The report is quite lengthy; but I could make a short explanation.

The SPEAKER. Without objection, the gentleman can make a brief explanation.

Mr. GORMAN. I will say, Mr. Speaker, that Capt. Steinmetz entered the volunteer service as a private early in 1861. He served continuously, excepting the time he was on sick leave, until 1891. There were three captains, Capt. De Hanne, Capt. Elbery, and Capt. Steinmetz, on sick leave. Capt. Elbery, as the report says, "by some curiously involved procedure, as well as ingenious, was put on the retired list over Capt. De Hanne," who, I understand, is now deceased, "as major." Capt. Steinmetz was then entitled to be retired under the law of 1891, and to be examined by volunteer officers. He asked for it. Instead of that they retired him on a law of 1862, which was repealed by the act of 1891, which says:

And no act now in force shall be so construed as to limit or restrict the retirement of officers as herein provided for.

He was retired under an examination that "was curiously involved as well as ingenious," and the Department has not been able to explain the reason for its action in this matter.

Mr. HOLMAN. Will the gentleman read that portion of the act again?

Mr. GORMAN. It is:

And no act in force shall be so construed as to limit or restrict the retirement of officers as herein provided for.

Mr. HOLMAN. How provided?

Mr. GORMAN. Here is how they are provided:

That should the officer fail in his physical examination, and be found incapacitated for service by reason of physical disability contracted in line of duty, he shall be retired with the rank to which his seniority entitles him to be promoted.

His seniority entitled him to be retired as a major. He took the examination, but he should have been examined by officers from the volunteer service. Instead of that, he was examined by an examining board, that made a report in 1875, every one of whom was in the regular service. I say that the old German doctor has been grossly abused.

Mr. COOMBS. When was he retired?

Mr. GORMAN. After the act of 1891.

Mr. DOCKERY. What is the effect of the bill?

Mr. GORMAN. It is simply to give him his legal right, and retire him as a major.

Mr. DOCKERY. What is the additional charge involved?

Mr. GORMAN. The difference between the pay of a captain on the retired list and a major.

Mr. DOCKERY. How much is that?

Mr. HUNTER. About \$18 or \$20 a month.

Mr. BARTLETT. I ask the gentleman to let it go over or I shall have to object.

Mr. GORMAN. I hope the gentleman will not do that, as the matter has been up twice before, and is too meritorious, I think, to be put off in that way.

Mr. BARTLETT. We had evidence yesterday of the danger of these bills.

Mr. OUTHWAITE. This is not to put a man on the retired list, but simply to give him the status on the retired list that he is entitled to under the law.

Mr. GORMAN. There can be no question about that.

Mr. GROSVENOR. This is an assumption that the War Department has violated the law of the land and done a gross injustice to a member of the Army.

Mr. GORMAN. That is the Senate report, which Senator DAVIS makes.

Mr. GROSVENOR. This is an indirect way of pensioning a retired officer. That is all.

Mr. GORMAN. Oh, no. The law is as plain as it can be, and by right this man was entitled to be retired by a retiring board composed of volunteer officers.

Mr. GROSVENOR. Then the War Department has entire power to do justice.

Mr. GORMAN. Not at all; because his vacancy has been filled and it can not reinstate him; nor can the President reinstate him.

Mr. BARTLETT. I shall insist on my objection that it go over until to-morrow. I desire to have an opportunity to examine it.

Mr. GORMAN. I hope the gentleman will not do that.

The SPEAKER. Is there objection?

Mr. BARTLETT. I object.

The SPEAKER. Objection is made.

#### ORDER OF BUSINESS.

Mr. CATCHINGS. Mr. Speaker, I present a report from the Committee on Rules.

The Clerk read as follows:

*Resolved*, That this calendar day, after the second morning hour, be assigned to the consideration of bills reported from the Committee on Public Buildings and Grounds, in the order indicated by said committee.

That Thursday, the 9th instant, after the second morning hour, be assigned to the consideration of bills reported from the Committee on Claims, in the order indicated by said committee.

Mr. CATCHINGS. I demand the previous question.

The previous question was ordered; and under the operation thereof the resolution was agreed to.

#### CHANGE OF REFERENCE.

On motion of Mr. OUTHWAITE, by unanimous consent, the Committee on Pacific Railroads was discharged from the further consideration of the bill (H. R. 7909) to facilitate and expedite legal proceedings by the United States and other creditors against Government-aided railroad companies, etc., and it was referred to the Committee on the Judiciary.

#### JUDGE RICKS.

Mr. BAILEY. Mr. Speaker, I present a privileged report from the Committee on the Judiciary.

The report was read, as follows:

Your Committee on the Judiciary, having had under consideration a memorial of the Central Labor Union of Cleveland, Ohio, preferring charges of official misconduct and dishonesty against Hon. Augustus J. Ricks, judge of the United States court for the northern district of Ohio, beg leave to report the following resolutions, and recommend their adoption:

*Resolved*, That the Committee on the Judiciary be, and it is hereby, instructed to investigate the said charges against the Hon. Augustus J. Ricks, judge of the United States court for the northern district of Ohio, and report to this House what action, if any, ought to be taken in reference to such charges.

*Resolved further*, That, for the purpose of this investigation, the said Committee on the Judiciary is hereby authorized and empowered to sit at such time and place as it may determine, to send for persons and papers, to administer oaths, to take testimony, to employ a stenographer, and to appoint a subcommittee, which subcommittee, if appointed, shall have the same powers as the full committee.

*Resolved further*, That the Sergeant-at-Arms is hereby directed to attend the sessions of the committee or subcommittee in person or by deputy, to serve such process as may be issued, and to execute its orders; and the sum of \$500, or so much thereof as may be necessary, is hereby appropriated out of the contingent fund of the House to defray the expenses of this investigation.

And the Clerk of the House is directed to pay said sum to the chairman of the committee or of any subcommittee of the Committee on the Judiciary that may be appointed to conduct said investigation, on voucher or vouchers to be approved by the Committee on Accounts.

Mr. GROSVENOR. Mr. Speaker—

Mr. BAILEY. Mr. Speaker, I suppose there will be no objection to these resolutions, and if not, I will ask for the previous question. I observe, however, that the gentleman from Ohio [Mr. GROSVENOR] is on his feet, and if he desires to debate the matter I will withhold the demand for the present.

Mr. GROSVENOR. Mr. Speaker, I think this matter has been hurried with indecent haste. I compliment the Judiciary Committee upon the fact that occasionally it is capable of producing a result with such spontaneous combustion as is manifested in this case. Here is a judge of the district court of the United States who, as the House knows, has had no notice whatever of the pendency of this matter, and now this resolution is launched upon him for an investigation to proceed without any notice whatever to him, a sort of star-chamber, *ex parte* performance.

Now, I want to put myself exactly right upon this question. If the Judiciary Committee have any evidence whatever which justifies them in supposing that this investigation ought to be made, I have not the slightest objection to it; but I submit that a judge of one of the great courts of this country ought to be treated with at least as much respect as a defendant on a charge of "drunk and disorderly" in a police court. He at least ought to have a copy of the charges furnished to him and an opportunity to come here from the distant point where he now is, and be heard by counsel or in some way before this committee.

To launch this matter upon him on twenty-four hours' notice and provide in this way for a junketing expedition out into Ohio is, in my judgment, rather premature, and, to say the least of

it, is a very hurried performance. I have no knowledge about this question. I know nothing about the truth of these charges; but I submit again, that decent respect ought to be shown to the dignity of the office held by this gentleman, in providing for an examination of so high a character as one which involves the possible impeachment of a judge of one of the courts of the United States.

Mr. BAILEY. Mr. Speaker, the only possible excuse for the intemperate language of the gentleman from Ohio is that he confesses that he knows absolutely nothing about the matters involved in this resolution. I say to him now that if he is a friend to Judge Ricks he should want these charges investigated immediately, because an honest man would not want to sleep a single night under the imputations which are contained in the sworn charges which are presented in this memorial.

Since the gentleman has seen fit to characterize this proceeding as one of indecent haste, I will say to him that an agent of the Judiciary Department was at one time instructed to proceed to Ohio to investigate these charges, but Judge Ricks is now off upon his summer vacation, and the investigation was therefore postponed. It does seem to me that a man who rests under charges of this kind would rather go home and face his accusers than be taking his ease at the seashore.

Mr. GROSVENOR. Can the gentleman state that Judge Ricks has any knowledge whatever that this memorial has been presented in this House?

Mr. BAILEY. I have no knowledge as to whether he has or not; but I say to the gentleman from Ohio that this is merely an effort to put the committee in a position to give Judge Ricks an opportunity to refute the charges. This implies no censure upon him. It only implies that charges have been made of such a grave character as to justify an investigation. I understood the gentleman from Ohio himself to say the other day, when this memorial was presented by his colleague, Mr. JOHNSON, that he would be glad to have an investigation. I say to him now, without disclosing the secrets of the committee room, that there was not a Republican on the Judiciary Committee who asked for delay or suggested that delay was proper. They all spoke like men and lawyers, and said that the judiciary ought to be above reproach. If there is a taint of suspicion upon a judge, it ought to be removed from him or else he ought to be removed from the bench.

Mr. GROSVENOR. Does the gentleman propose to inaugurate a drumhead court-martial of a United States judge at this stage of the session, and carry it over to the Senate and try it in twenty-four hours, and make a vacancy? Is that the purpose?

Mr. BAILEY. This gentleman can not answer that question. That is a question to be determined by the Judiciary Committee after action by the House on this resolution.

Mr. GROSVENOR. They seem to have determined almost everything already. They have proceeded to inaugurate a court, to fix the terms of the trial, and to appropriate money for the expenses of it, without giving any notice to the accused that he is accused.

Mr. BAILEY. But he will have ample notice before the committee proceeds to the investigation.

Mr. GROSVENOR. The gentleman speaks of Judge Ricks as being my friend. I do not know him by sight; I never spoke to him in my life, except upon one occasion, when I was introduced to him. The only object I have in the world with reference to this matter is simply to have the ordinary proceedings of a respectable tribunal carried on in this case. I have no confidence in the fairness and justice of the Judiciary Committee in this matter.

Mr. BAILEY. The committee feels complimented to know that it does not enjoy the confidence of the gentleman from Ohio.

Mr. GROSVENOR. Very well.

Mr. BAILEY. I demand the previous question.

The previous question was ordered; and under the operation thereof the resolution was adopted.

On motion of Mr. BAILEY, a motion to reconsider the vote by which the resolution was adopted was laid on the table.

#### KNIGHTS OF PYTHIAS ENCAMPMENT.

Mr. WARNER. I ask consent for the immediate consideration of the resolution which I send to the desk.

The Clerk read as follows:

*Resolved by the House of Representatives of the United States of America (the Senate concurring)*, That permission be, and is hereby, given to the citizens' committee, Knights of Pythias Encampment, of which Chapin Brown is chairman, to illuminate the Dome of the Capitol on the nights of August 27, 28, 29, and 30, 1894, under the control and direction of the Architect of the Capitol.

A MEMBER. What is this?

Mr. WARNER. It is a resolution which involves no expense

to the Government. It simply provides that on four evenings designated the Dome of the Capitol may be illuminated, under the control and supervision of the Architect of the Capitol, at the expense of the citizens' committee of the Knights of Pythias.

Mr. TALBERT of South Carolina. Is there any provision that these people shall "keep off the grass" in the Capitol grounds, or is there anything to prevent them from speaking from the Capitol steps? [Laughter.]

Mr. WARNER. There is no provision of that kind. This organization has already been granted the use of the "White Lot," so that no provision of the sort referred to is necessary.

There being no objection, the resolution was considered and adopted.

JOSIAH B. ORBISON.

Mr. PHILLIPS. I ask unanimous consent for the present consideration of the bill (H. R. 1279) for the relief of Josiah B. Orbison.

The bill was read.

Mr. DOCKERY. If I remember aright this bill has already been objected to once. I think it had better go over.

Mr. PHILLIPS. I ask that the report be read.

Mr. DOCKERY. Let it be read subject to objection.

The report was read.

Mr. PHILLIPS. By request of the gentleman from Missouri [Mr. DOCKERY] I ask that the bill go over until to-morrow.

The SPEAKER. The bill is not before the House. The gentleman can withdraw his request, and he will be recognized to-morrow to renew it, if he will remind the Chair of the matter.

WILLIAM R. STEINMETZ.

Mr. GORMAN. Mr. Speaker, the gentleman from New York has withdrawn his objection to the bill (S. 812) for the relief of William R. Steinmetz, on the condition that an amendment be inserted, providing for the usual examination and finding by a retiring board.

The SPEAKER. The gentleman from Michigan [Mr. GORMAN] states that the objection made to the consideration of the bill (S. 812) for the relief of William R. Steinmetz has been withdrawn. Is there further objection?

Mr. DINGLEY. Let the bill be read again.

The bill was read.

Mr. GORMAN. I ask that the amendments which I propose to offer to the bill be also read.

The Clerk read as follows:

After the word "army," in line 7, insert "subject to examination and finding by a retiring board."

The SPEAKER. Is there further objection to the consideration of this bill?

Mr. BYNUM. Perhaps I did not catch fully the purport of the bill; but I believe it is a bill to place some one on the retired list. I think I must object.

JUDICIAL DISTRICT IN GEORGIA.

Mr. WOLVERTON. I ask unanimous consent for the present consideration of the bill (H. R. 7461) to amend an act entitled "An act to create a new division of the northern judicial district of Georgia," approved March 3, 1891.

The bill was read, as follows:

*Be it enacted, etc.,* That the terms of the circuit and district courts for the western division of the northern judicial district of Georgia, held at Columbus, shall convene on the first Monday in May and the first Monday in December, instead of the first Monday in June and the first Monday in January, as now provided by law. And each of said terms shall continue as long as the presiding judge may deem necessary.

Sec. 2. That all laws and parts of laws conflicting with this act are hereby repealed.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed for a third reading, was accordingly read the third time, and passed.

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

ORDER OF BUSINESS.

Mr. BRODERICK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6531) to pension Nancy Gabriella Anderson.

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

The bill was read at length.

Mr. JONES. I would like to inquire whether this bill has been considered by the Committee of the Whole?

Mr. BRODERICK. It has not been. It has been reported favorably from the Committee on Pensions, is on the Calendar, and there is no minority report against it.

Mr. JONES. I object to the consideration of the bill.

Mr. HOPKINS of Illinois. I call for the regular order.

Mr. BRYAN. I ask the gentleman to withdraw that a moment until I can present a petition.

Mr. HOPKINS of Illinois. I think we had better have the regular order.

Mr. LOUD. Petitions can go through the box anyway.

The SPEAKER. The regular order is the call of committees for reports.

The committees were called for reports.

OCALA, FLA., PORT OF DELIVERY.

Mr. MALLORY, from the Committee on Interstate and Foreign Commerce, reported back with a favorable recommendation the bill (S. 1885) extending the privileges of transportation of dutiable merchandise for appraisement to the city of Ocala, in the State of Florida; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER. The morning hour begins at three minutes past 1 o'clock. The Committee on the Public Lands had a bill before the House which the Chair is informed the committee do not desire to consider in this hour.

Mr. McRAE. No; the bill has reached the stage where it is privileged, and I do not care to use the morning hour for that purpose.

The SPEAKER. Then the Chair will direct the call of the other committees.

MINERAL LANDS.

Mr. WEADOCK (when the Committee on Mines and Mining was called). Mr. Speaker, by direction of the Committee on Mines and Mining, I call up for consideration the bill (H. R. 7840) to amend section 2335 of the Revised Statutes.

The bill was read, as follows:

*Be it enacted, etc.,* That section twenty-three hundred and thirty-five of the Revised Statutes be amended to read as follows:

"Sec. 2335. All affidavits required to be made under this chapter may be verified before any officer authorized to administer oaths in any State or Territory of the United States or in the District of Columbia having an official seal, and all testimony and proofs may be taken before any such officer, and when duly certified by the officer taking the same, attested by his seal of office, shall have the same force and effect as if taken before the register and receiver of the land office. In cases of contest as to the mineral or agricultural character of land, the testimony and proofs may be taken, under such regulations and notice as the Commissioner of the General Land Office may prescribe: *Provided,* That the presence of rock in place, or of deposits, bearing gold, silver, cinnabar, or other valuable mineral, shall be regarded as *prima facie* evidence that the land containing the same is mineral in character: *Provided further,* That in investigating the character of land, with a view to ascertaining whether it is more valuable for mineral than agricultural purposes, evidence may be taken of the mineral discovered or developed adjacent to such land, proof of which shall be corroborative evidence that the land in question is mineral in character: *And provided further,* That, except in Utah, wherever land is proven to be within a well-defined mineral belt, it shall be deemed *prima facie* evidence of the mineral character of said land."

Mr. DINGLEY. I desire to make an inquiry as to whether there is anything in this bill which would require its consideration in Committee of the Whole. It seems to be a bill which covers a good deal of ground.

Mr. WEADOCK. There is nothing in the bill that would require its consideration in committee.

Mr. DINGLEY. Does it indirectly grant any public property?

Mr. WEADOCK. No, sir.

The SPEAKER. On what Calendar is it?

Mr. WEADOCK. On the House Calendar.

The SPEAKER. It is on the House Calendar.

Mr. WEADOCK. Mr. Speaker, this bill proposes to amend the statute named (section 2335, Revised Statutes), relating to mineral lands, in three particulars: The first is, that whereas affidavits are now required to be sworn to before any officer authorized to administer oaths within the land district, they may be sworn to under the proposed amendment to the law before any officer authorized to administer oaths in any State or Territory of the United States, or the District of Columbia, having an official seal.

This change will save both time and expense to those who have located land, and of course costs the Government nothing. Whenever legal proceedings can be made cheaper with safety to the public, the change in that direction should be made.

A bill (S. 1515) has already passed the Senate, and has been favorably considered by the House Committee on Mines and Mining, which amends various sections of the statutes relating to mining, among others section 2335, the one we now propose to amend. This section in the Senate bill is as follows:

Sec. 2335. All affidavits required to be made under this chapter may be verified before any officer authorized to administer oaths in any State or Territory of the United States or in the District of Columbia having an official seal, and all testimony and proofs may be taken before any such officer, and when duly certified by the officer taking the same, attested by his seal of office, shall have the same force and effect as if taken before the register and receiver of the land office. In cases of contest as to the mineral or agricultural character of land the testimony and proofs may be taken, under such regulations and notice as the Commissioner of the General Land Office may prescribe: *Provided,* That the presence of rock in place bearing gold, silver, cinnabar, petroleum, or other valuable mineral shall be re-

garded as prima facie evidence that the land containing the same is mineral in character: *And provided further*, That in investigating the character of land with a view to ascertain whether it is more valuable for mineral than agriculture, evidence may be taken of the mineral discovered or developed adjacent to such land.

The second change the bill makes over the old law is one in practice in the land offices. At present testimony is to be taken on personal notice of at least ten days, and if the person can not be found, then by notice published once a week for thirty days in a newspaper to be designated by the receiver, etc., in cases of contest. The bill before the House proposes to leave that matter within the discretion of the Commissioner of the General Land Office, and the testimony shall be taken under such rules and regulations as that officer may prescribe.

The third change is putting, perhaps, into the statute what is now a rule of evidence. That is, that in cases of contest as to the agricultural or mineral character of the land between agricultural claimants, who can take up 160 acres of land, and mineral claimants, who can take up only a small portion of the public lands, when a question arises before the officers of the Land Office, as the case may be, and the testimony shows that the land is within a certain well-defined mineral belt, where we find rock in place carrying ore in the immediate vicinity, that fact shall be regarded as prima facie evidence that the land itself is mineral in character. That is, in other words, if a piece of land that is claimed to be mineral land, and also claimed to be agricultural land, is surrounded by other portions of land, all of which are mineral in character, the evidence of that fact shall be regarded as prima facie evidence that the land in question is mineral and not agricultural.

The prospective State of Utah is excepted from the bill on account of the peculiar geological formation of mineral lands there, being very different from other mining localities.

I desire now to yield five minutes, or such further time as he wishes, to the gentleman from California, who is the author of the bill.

Mr. CAMINETTI. I think it is not necessary to occupy the time of the committee after the statement the gentleman has made.

Mr. WEADOCK. Mr. Speaker, if no other gentleman desires to be heard on the bill, or to ask a question in regard to it, I shall ask the previous question on the bill.

Mr. HERMANN. Before that, not having had the pleasure of hearing the gentleman's statement, I would like to ask if this bill is merely to define the character of mineral land?

Mr. WEADOCK. That is one of the objects sought; but the purpose of the bill is rather to define the rule of evidence which shall be applied in contests relating to the mineral or agricultural nature of the land in question.

Mr. HERMANN. In mineral contests.

Mr. WEADOCK. In contests as to whether land is mineral or agricultural; that is, when the contest is between persons claiming the land for agricultural or mineral purposes, I have just stated that when the surrounding land is shown to be mineral land, that fact shall be regarded as prima facie evidence that the land which is in controversy is mineral in character. This fixes a rule of evidence that has been followed in the General Land Office. The Commissioner of the General Land Office and the Secretary of the Interior both approve of the measure which has been incorporated in the bill for the purpose stated.

I will here refer briefly to the statements of these officers: The Commissioner of the General Land Office, in a letter to the Secretary of the Interior bearing date July 9, 1894, says of the first proposition in the bill:

I am aware of no objection to the amendment, but on the other hand am strongly of the opinion that it would result in much greater convenience to mineral claimants.

The Secretary of the Interior, in a communication to the chairman of this committee, dated July 16, 1894, suggests a substitute for the second proposition contained in the original bill in the following language:

I concur generally in the views of the Commissioner, with the modifications and amendments recommended in his report, but I would suggest that the proviso in the nineteenth line, on page 5, be amended so as to read as follows:

*Provided*, That the presence of rock in place, bearing gold, silver, cinnabar, or other valuable deposit of minerals, shall be regarded as prima facie evidence that the land containing the same is and always has been mineral in character: *Provided further*, That in investigating the character of land, with a view to ascertaining whether it is more valuable for mineral than agricultural purposes, evidence may be taken of the mineral discovered or developed adjacent to such land, proof of which shall be corroborative evidence that the land in question is mineral in character: *And provided further*, That wherever land is proven to be within a well-defined mineral belt it shall be prima facie evidence of the mineral character of such land until the contrary is proved.

Mr. HERMANN. As the gentlemen knows, under the rules for adjustment of mineral land titles, if the major portion of the last legal subdivision shall be adjudged as mineral, that determines its quality as distinguished between agricultural and min-

eral lands. If it be mineral it carries the character of mineral as to the remainder.

Mr. HOLMAN. How is that?

Mr. HERMANN. If the major portion of the last legal subdivision is mineral in character, that makes the entire legal subdivision mineral. That is the rule.

Mr. PICKLER. I desire to ask the gentleman one question.

Mr. WEADOCK. I yield to the gentleman from South Dakota for a question.

Mr. PICKLER. I understand that this changes the rule of evidence to some extent?

Mr. WEADOCK. It does not change the rule of evidence, but makes the rule of evidence which ought to prevail, the law upon the subject.

Mr. PICKLER. It ought not to interfere with contests that already exist.

Mr. WEADOCK. It can not do that.

Mr. PICKLER. They may construe it over in the Interior Department differently from what the gentleman supposes. We have had a great deal of trouble over a law which passed in 1891. The contest should be determined on what the law was heretofore.

Mr. WEADOCK. That would seem to be so. The law is not intended to be retroactive.

Mr. PICKLER. I hope the gentleman will express in terms in his bill that it shall not be retroactive.

Mr. WEADOCK. It is not necessary; as we can not make a law retroactive, except it be done in express terms in the law when it is passed.

Mr. PICKLER. I know that it is what all you lawyers claim; but all we who have had experience on the Committee on Public Lands know we have had a great deal of trouble over the law which was passed in 1891, and they construed that as being retroactive in regard to contests. I ask the gentleman to accept an amendment that it shall not change the rule of evidence as to pending contests.

Mr. WEADOCK. I have no objection to that. I should say it was that way now.

Mr. PICKLER. I move to amend the bill by inserting:

*Provided*, That nothing herein contained shall change the rule of evidence as to pending contests.

The SPEAKER *pro tempore*. The Clerk will report the amendment of the gentleman from South Dakota.

The Clerk read as follows:

*Provided*, That nothing herein contained shall change the rule of evidence as to pending contests.

Mr. WEADOCK. I accept that amendment. I demand the previous question on the bill and amendment.

The previous question was ordered, and under the operation thereof the amendment was agreed to, the bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. WEADOCK, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### EFFECT OF MACHINERY ON LABOR.

Mr. MCGANN (when the Committee on Labor was called): Mr. Speaker, I call up the House joint resolution (H. Res. 95) providing for an investigation relating to the effect of machinery on labor.

The joint resolution was read, as follows:

*Resolved, etc.*, That the Commissioner of Labor be, and he is hereby, authorized and directed to investigate and report upon the effect of the use of machinery upon labor and the cost of production, the relative productive power of hand and machine labor, the cost of manual and machine power as they are used in productive industries, the effect upon wages of the use of machinery operated by women and children, and whether changes in the creative cost of products are due to a lack or to a surplus of labor or to the introduction of power machinery. To enable the Commissioner of Labor to carry out the provisions of this resolution the sum of \$10,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, but should not this sum be sufficient to complete the investigation called for herein, the Commissioner of Labor is hereby authorized to complete it under the regular appropriations for the Department of Labor.

The SPEAKER *pro tempore*. This bill is on the Union Calendar.

Mr. MCGANN. I ask unanimous consent to consider this bill in the House as in Committee of the Whole.

The SPEAKER *pro tempore*. The gentleman from Illinois asks unanimous consent to consider this bill in the House as in Committee of the Whole.

Mr. BARTLETT. I object.

The SPEAKER *pro tempore*. Objection is made.

Mr. MCGANN. I move that the House resolve itself into Committee of the Whole, to consider this bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. COOMBS in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of the bill which the Clerk will now report. The resolution was again read.

Mr. MCGANN. I move that the committee rise and report the joint resolution to the House with a favorable recommendation.

Mr. CANNON of Illinois. I would like to ask a single question before that motion is put. It seems to me to be a wise resolution; but I would be glad to ask if this resolution has been placed in form after consultation with the Commissioner of Labor?

Mr. MCGANN. Yes, sir.

Mr. CANNON of Illinois. And it meets with his approval?

Mr. MCGANN. It meets his approval; and the statement is made by him that he can not furnish the information which is asked of his Bureau in that regard. It is information which is desirable not only to the members of the House of Representatives, but to students of political economy and business men throughout the country; and he says that this is a most opportune time to get that information.

Mr. CANNON of Illinois. And he thinks it is practical to make the investigation? Is the sum, \$10,000, large enough?

Mr. MCGANN. The sum was suggested by himself.

Mr. CANNON of Illinois. It seems to me that it is a well-timed resolution.

The motion was agreed to.

The committee accordingly rose; and Mr. DOCKERY having resumed the chair as Speaker *pro tempore*, Mr. COOMBS, Chairman of the Committee of the Whole, reported that that committee had had under consideration the joint resolution H. Res. 95 and had directed him to report the same to the House with a favorable recommendation.

Mr. MCGANN. I demand the previous question on the adoption of the resolution.

The previous question was ordered, and under the operation thereof the joint resolution was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MCGANN, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

#### EFFICIENCY OF THE MILITIA.

Mr. MEYER (when the Committee on the Militia was called). Mr. Speaker, I call up for consideration the bill H. R. 7819. I would state that the bill which I present—

The SPEAKER *pro tempore*. The Clerk has not the Calendar print, and the Chair is advised that this bill has never been reported.

Mr. MEYER. The bill has been slightly amended and a reprint of the original bill and amendment ordered by the committee and approved by the committee; and therefore I ask unanimous consent that the bill H. R. 7819, which I send to the desk, be substituted for the bill H. R. 5039, and the report which has been made to accompany it.

The SPEAKER *pro tempore*. Has the committee reported any bill?

Mr. MEYER. Yes, sir. The committee has reported the bill H. R. 5039, for which it is proposed to substitute this bill.

The SPEAKER *pro tempore*. The gentleman calls up the bill H. R. 5039.

Mr. FITHIAN. That bill has not been reported.

The SPEAKER *pro tempore*. The bill H. R. 5039?

Mr. FITHIAN. I think not.

The SPEAKER *pro tempore*. That has been reported, the Chair is advised.

Mr. MEYER. I have the report in my hand, Mr. Speaker. The title of the bill was read, as follows:

A bill (H. R. 5039) to promote the efficiency of the militia.

The SPEAKER *pro tempore*. The gentleman from Louisiana, the Chair understands, asks unanimous consent to substitute the bill H. R. 7819, as amended by the committee, for bill H. R. 5039.

Mr. HOLMAN. The bill had better be read.

The SPEAKER *pro tempore*. The bill H. R. 5039 will be read. The bill was read, as follows:

*Be it enacted, etc.*, That the militia shall consist of every able-bodied male citizen who is of the age of 18 and under the age of 45 years, and shall be divided into two classes, the organized to be known as the National Guard, and the unorganized to be known as the reserve militia. That the National Guard shall consist of such regularly enlisted troops as are or may be organized in the several States and Territories and the District of Columbia in pursuance of their respective laws, not in conflict with the provisions of this act, and the organization shall conform as closely as possible to that prescribed for the Army.

Sec. 2. That the reserve militia shall not be subject or liable to any military duty to the United States, except when called into service by act of Congress passed for that purpose; that the National Guard shall not be subject or liable to any military duty to the United States, except when called into service by act of Congress passed for that purpose or by the President of the United States, as hereinafter provided; and every officer and enlisted man of the National Guard called into service of the United States who shall refuse to obey such call shall be punished as a court-martial may direct.

Sec. 3. That the Vice-President of the United States; the officers, judicial and executive, of the Government of the United States; the members of both Houses of Congress, and their respective officers; all custom-house officers, with their clerks; all postmasters and persons employed in the transportation of the mail; all ferrymen employed at any ferry on post-roads; all inspectors of exports; all artificers and workmen employed in the armories and arsenals of the United States; all pilots; all mariners actually employed in the sea service of any citizen or merchant within the United States; all persons in the Army and Navy of the United States, and all persons who now are exempted by the laws of the respective States, shall be exempted from militia duty, notwithstanding their being above the age of 18 and under the age of 45 years.

Sec. 4. That the adjutant-general of each State and Territory shall, under the direction of the governor thereof, make returns and reports to the Secretary of War at such times and in such form as he shall from time to time prescribe.

Sec. 5. That the Secretary of War shall, in his annual report each year, transmit to Congress an abstract of the returns and reports of the adjutants-general of the States and Territories, with such observations thereon as he may deem necessary for the information of Congress.

Sec. 6. That the national guard shall be instructed in the same system of drill and tactics that may from time to time be prescribed for the Army.

Sec. 7. That whenever the United States are invaded or are in imminent danger of invasion from any foreign nation or Indian tribe, or of rebellion against the authority of the Government of the United States, it shall be lawful for the President to call forth such number of the national guard of the State or States most convenient to the place of danger or scene of action as he may deem necessary to repel such invasion or to suppress such rebellion, and to issue his orders for that purpose to the governor or governors thereof for such number of the national guard as he may think proper; and he may, in time of peace, accept from the governor of each State and Territory, respectively, as he may think proper, each number of the national guard as may be offered for the purpose of united instruction and discipline, when the state of the appropriation will permit.

Sec. 8. That when the national guard of more than one State is called into the actual service of the United States by the President he may, in his discretion, apportion them among such States according to representative population.

Sec. 9. That the national guard and militia, when called into the actual service of the United States for the suppression of the rebellion against and resistance to the laws of the United States, shall be subject to the same rules and articles of war as the regular troops of the United States.

Sec. 10. That whenever the President calls forth the national guard of the States, to be employed in the service of the United States, he may specify in his call the period for which such service will be required, not exceeding nine months, and the national guard so called shall be mustered in and continue to serve during the terms so specified, unless sooner discharged by command of the President.

Sec. 11. That the reserve militia and national guard, when called into the actual service of the United States, or accepted by the President, shall, during their time of service, be entitled to the same pay and allowances as may be provided by law for the Army of the United States.

Sec. 12. That whenever the militia or national guard is called into the actual service of the United States their pay shall be deemed to commence from the day of their appearing at the place of rendezvous of the forces called out.

Sec. 13. That the expenses incurred by marching the militia or national guard of any State or Territory to their place of rendezvous, in pursuance of a requisition of the President or of a call made by the authority of any State or Territory and approved by him, shall be adjusted and paid in like manner as the expenses incurred after their arrival at such places of rendezvous, on the requisition of the President; but this provision does not authorize any species of expenditure previous to arriving at the place of rendezvous which is not provided by existing laws to be paid for after their arrival at such place of rendezvous.

Sec. 14. That courts-martial for the trial of the militia or national guard shall be composed of militia or national-guard officers only.

Sec. 15. That the sum of \$500,000 is hereby annually appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of providing arms, ordnance stores, signal stores, engineer stores, subsistence stores, medical stores, quartermaster stores, and camp equipage for issue to the national guard.

Sec. 16. That said appropriation shall be apportioned among the several States and Territories, under the direction of the Secretary of War, according to the number of Senators and Representatives to which each State, respectively, is entitled in the Congress of the United States and to the Territories and District of Columbia, in such proportion and under such regulations as the President may prescribe: *Provided, however*, That no State shall be entitled to the benefits of the appropriation apportioned to it unless the number of its regularly enlisted, organized, and uniformed active national guard shall be at least one hundred men for each Senator and Representative to which such State is entitled in the Congress of the United States. And the amount of said appropriation which is thus determined not to be available shall be covered back into the Treasury.

Sec. 17. That the purchase or manufacture of arms, ordnance stores, signal stores, engineer stores, subsistence stores, medical stores, quartermaster's stores, and camp equipage for the national guard, under the provisions of this act, shall be made under the direction of the Secretary of War, as such arms, ordnance, signal, engineer, subsistence, medical, and quartermaster's stores and camp equipage are now manufactured or otherwise provided for the use of the regular Army, and they shall be receipted for and shall remain the property of the United States and be annually accounted for, for which purpose the Secretary of War shall prescribe and supply the necessary blanks and make such regulations as he may deem necessary to protect the interests of the United States.

Sec. 18. That all arms, equipments, ordnance, or other military stores, or tents which may become unserviceable or unsuitable, shall be examined by a board of officers of the national guard, and its report shall be forwarded by the governor of the State or Territory direct to the Secretary of War, who shall cause such stores to be inspected by an inspector-general or such other officer or officers of the Army as he may appoint for that purpose, and shall then direct what disposition, by sale or otherwise, shall be made of them, and if sold, the proceeds of such sale shall be covered into the Treasury of the United States.

Sec. 19. That any State or Territory may, in addition to the stores and supplies issued under the provisions of this act, purchase for use of its national guard or militia, at regulation prices for cash at place of sale, such stores and supplies from any department of the Army as in the opinion of the Secretary of War can be spared, and funds received from such sales shall not be covered into the Treasury, but shall be used for the purchase of supplies by the department making the sale.

Sec. 20. That when any State, Territory, or the District of Columbia turns into the War Department arms, equipments, or other military supplies obsolete or unserviceable, under instructions from the Secretary of War, which

have been issued by said Department under the law for arming and equipping the national guard or militia, the Secretary of War will cause such old and unserviceable or obsolete material to be sold, and will report the amount received therefor from time to time to the Secretary of the Treasury, who is directed to then credit to the appropriation for arming and equipping the national guard the amounts so reported to him by the Secretary of War. The Secretary of War, on receiving notification from the Secretary of the Treasury that the amounts have been carried to the appropriation aforesaid, will credit the respective States, Territories, or District of Columbia, as the case may be, with the amounts to which each shall be entitled.

SEC. 21. That each State and Territory furnished with stores and supplies under the provisions of this act shall require every organization in its national guard, not excused by the governor of such State or Territory, to go into camp of instruction or to be quartered at a United States fort for instruction in heavy artillery at least seven consecutive days in each year, and to assemble for drill and instruction not less than twelve times in each year, and shall also require an annual inspection of each organization in its national guard, and that the Secretary of War shall, in his annual report each year, transmit to Congress an abstract of the returns and reports of these inspections, with such observations thereon as he may deem necessary for the information of Congress.

SEC. 22. That upon the application of the governor of any State or Territory furnished with stores or supplies under the provisions of this act, the Secretary of War may, in his discretion, detail one or more officers of the Army to attend any encampment of the national guard of such State or Territory, and may direct that such officer or officers as he may appoint for that purpose shall visit such camps and make reports to the Secretary of War, who shall cause the reports to be consolidated and prepared for publication in the office of the Adjutant-General, and copies thereof to be furnished to the governors of the States and Territories.

SEC. 23. That upon the application of the governor of any State or Territory furnished with stores and supplies under the provisions of this act the Secretary of War may, in his discretion, detail one or more officers of the Army to report to the governor of such State or Territory for duty in connection with the national guard. The governor may, in his discretion, commission such officer in the national guard during said detail with such rank as he may deem proper, and the acceptance of such an appointment by an officer so detailed shall not be considered a violation of section 1222 of the Revised Statutes of the United States. An officer so assigned shall receive no pay or emoluments from the United States, except those of his rank in the Army. All such assignments shall be revoked at the request of the governor of the State or Territory or at the pleasure of the Secretary of War.

SEC. 24. That this act is to take effect at the beginning of the fiscal year after its passage.

The SPEAKER *pro tempore*. The Chair will call the attention of the gentleman from Louisiana to the fact that this is on the Union Calendar.

Mr. HOLMAN. Let it be considered in Committee of the Whole.

Mr. MEYER. I move that the House resolve itself into Committee of the Whole for the purpose of considering this bill.

The question was taken; and the Speaker *pro tempore* announced that the yeas seemed to have it.

Mr. MEYER. Division.

Pending the count, Mr. MEYER rose.

The SPEAKER *pro tempore*. For what purpose does the gentleman rise?

Mr. MEYER. Mr. Speaker, I ask unanimous consent that this bill be withdrawn till to-morrow, without losing its privilege.

Mr. FITHIAN. I have no objection to the gentleman withdrawing the bill, but I do object to his committee having the hour to-morrow.

The SPEAKER *pro tempore*. The Chair understands the gentleman to withdraw the bill; which he has a right to do.

Mr. MEYER. I desire to withdraw the bill, reserving whatever privilege we may have for its consideration in the morning hour to-morrow.

The SPEAKER *pro tempore*. It can have no privilege to-morrow except by unanimous consent.

Mr. FITHIAN. I object to the Committee on the Militia having the morning hour to-morrow.

Mr. MEYER. Mr. Speaker, I ask that the vote be announced.

The SPEAKER *pro tempore*. The gentleman from Louisiana, then, withdraws his request, and the Chair will announce the vote on the motion to go into Committee of the Whole to consider the bill. Upon this question the yeas are 36 and the noes are 23. The yeas have it, and the motion is agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. OUTHWAITE in the chair.

The CHAIRMAN. The House is in the Committee of the Whole for the consideration of a bill (H. R. 5039) to promote the efficiency of the militia.

The bill was read, as follows:

*Be it enacted, etc.*, That the militia shall consist of every able-bodied male citizen who is of the age of 18 and under the age of 45 years, and shall be divided into two classes, the organized to be known as the national guard, the unorganized to be known as the reserve militia. That the national guard shall consist of such regularly enlisted troops as are or may be organized in the several States and Territories and the District of Columbia in pursuance of their respective laws, not in conflict with the provisions of this act, and the organization shall conform as closely as possible to that prescribed for the Army.

SEC. 2. That the reserve militia shall not be subject or liable to any military duty to the United States, except when called into service by act of Congress passed for that purpose; that the national guard shall not be subject or liable to any military duty to the United States, except when called into service by act of Congress passed for that purpose or by the President of the United States, as is hereinafter provided; and every officer and enlisted man of the national guard called into service of the United States who shall refuse to obey such call shall be punished as a court-martial may direct.

SEC. 3. That the Vice-President of the United States; the officers, judicial and executive, of the Government of the United States; the members of both Houses of Congress, and their respective officers; all custom-house officers, with their clerks; all postmasters and persons employed in the transportation of the mail; all ferrymen employed at any ferry on post-roads; all inspectors of exports; all artificers and workmen employed in the armories and arsenals of the United States; all pilots; all mariners actually employed in the sea service of any citizen or merchant within the United States; all persons in the Army and Navy of the United States, and all persons who now are exempted by the laws of the respective States, shall be exempted from militia duty, notwithstanding their being above the age of 18 and under the age of 45 years.

SEC. 4. That the adjutant-general of each State and Territory shall, under the direction of the governor thereof, make returns and reports to the Secretary of War at such times and in such form as he shall from time to time prescribe.

SEC. 5. That the Secretary of War shall, in his annual report each year, transmit to Congress an abstract of the returns and reports of the adjutants-general of the States and Territories, with such observations thereon as he may deem necessary for the information of Congress.

SEC. 6. That the national guard shall be instructed in the same system of drill and tactics that may from time to time be prescribed for the Army.

SEC. 7. That whenever the United States are invaded or are in imminent danger of invasion from any foreign nation or Indian tribe, or of rebellion against the authority of the Government of the United States, it shall be lawful for the President to call forth such number of the national guard of the State or States most convenient to the place of danger or scene of action as he may deem necessary to repel such invasion or to suppress such rebellion, and to issue his orders for that purpose to the governor or governors thereof for such number of the national guard as he may think proper; and he may, in time of peace, accept from the governor of each State and Territory respectively, as he may think proper, such number of the national guard as may be offered for the purpose of united instruction and discipline, when the state of the appropriation will permit.

SEC. 8. That when the national guard of more than one State is called into the actual service of the United States by the President he may, in his discretion, apportion them among such States according to representative population.

SEC. 9. That the national guard and militia, when called into the actual service of the United States for the suppression of the rebellion against and resistance to the laws of the United States, shall be subject to the same rules and articles of war as the regular troops of the United States.

SEC. 10. That whenever the President calls forth the national guard of the States to be employed in the service of the United States he may specify in his call the period for which such service will be required, not exceeding nine months, and the national guard so called shall be mustered in and continue to serve during the terms so specified, unless sooner discharged by command of the President.

SEC. 11. That the reserve militia and national guard when called into the actual service of the United States, or accepted by the President, shall during their time of service be entitled to the same pay and allowances as may be provided by law for the Army of the United States.

SEC. 12. That whenever the militia or national guard is called into the actual service of the United States their pay shall be deemed to commence from the day of their appearing at the place of rendezvous of the forces called out.

SEC. 13. That the expenses incurred by marching the militia or national guard of any State or Territory to their place of rendezvous, in pursuance of a requisition of the President or of a call made by the authority of any State or Territory and approved by him, shall be adjusted and paid in like manner as the expenses incurred after their arrival at such places of rendezvous on the requisition of the President; but this provision does not authorize any species of expenditure previous to arriving at the place of rendezvous which is not provided by existing laws to be paid for after their arrival at such place of rendezvous.

SEC. 14. That courts-martial for the trial of the militia or national guard shall be composed of militia or national guard officers only.

SEC. 15. That the sum of \$600,000 is hereby annually appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of providing arms, ordnance stores, signal stores, engineer stores, subsistence stores, medical stores, quartermaster stores, and camp equipment for issue to the national guard.

SEC. 16. That said appropriation shall be apportioned among the several States and Territories, under the direction of the Secretary of War, according to the number of Senators and Representatives to which each State, respectively, is entitled in the Congress of the United States, and to the Territories and District of Columbia in such proportion and under such regulations as the President may prescribe: *Provided, however*, That no State shall be entitled to the benefits of the appropriation apportioned to it unless the number of its regularly enlisted, organized, and uniformed active national guard shall be at least one hundred men for each Senator and Representative to which such State is entitled in the Congress of the United States. And the amount of said appropriation which is thus determined not to be available shall be covered back into the Treasury.

SEC. 17. That the purchase or manufacture of arms, ordnance stores, signal stores, engineer stores, subsistence stores, medical stores, quartermaster's stores, and camp equipment for the national guard, under the provisions of this act, shall be made under the direction of the Secretary of War, as such arms, ordnance, signal, engineer, subsistence, medical, and quartermaster's stores and camp equipment are now manufactured or otherwise provided for the use of the regular Army, and they shall be receipted for and shall remain the property of the United States and be annually accounted for, for which purpose the Secretary of War shall prescribe and supply the necessary blanks and make such regulations as he may deem necessary to protect the interests of the United States.

SEC. 18. That all arms, equipments, ordnance, or other military stores, or tents which may become unserviceable or unsuitable, shall be examined by a board of officers of the national guard, and its report shall be forwarded by the governor of the State or Territory direct to the Secretary of War, who shall cause such stores to be inspected by an inspector-general or such other officer or officers of the Army as he may appoint for that purpose, and shall then direct what disposition, by sale or otherwise, shall be made of them, and if sold, the proceeds of such sale shall be covered into the Treasury of the United States.

SEC. 19. That any State or Territory may, in addition to the stores and supplies issued under the provisions of this act, purchase for use of its national guard or militia, at regulation prices for cash at place of sale, such stores and supplies from any department of the Army as in the opinion of the Secretary of War can be spared; and funds received from such sales shall not be covered into the Treasury, but shall be used for the purchase of supplies by the department making the sale.

SEC. 20. That when any State, Territory, or the District of Columbia turns into the War Department arms, equipments, or other military supplies obsolete or unserviceable, under instructions from the Secretary of War,

which have been issued by said Department under the law for arming and equipping the national guard or militia, the Secretary of War will cause such old and unserviceable or obsolete material to be sold, and will report the amount received therefor from time to time to the Secretary of the Treasury, who is directed to then credit to the appropriation for arming and equipping the national guard the amounts so reported to him by the Secretary of War. The Secretary of War, on receiving notification from the Secretary of the Treasury that the amounts have been carried to the appropriation aforesaid, will credit the respective States, Territories, or District of Columbia, as the case may be, with the amounts to which each shall be entitled.

Sec. 21. That each State and Territory furnished with stores and supplies under the provisions of this act shall require every organization in its national guard, not excused by the governor of such State or Territory, to go into camp of instruction or to be quartered at a United States fort for instruction in heavy artillery at least seven consecutive days in each year; and to assemble for drill and instruction not less than twelve times in each year, and shall also require an annual inspection of each organization in its national guard, and that the Secretary of War shall, in his annual report each year, transmit to Congress an abstract of the returns and reports of these inspections, with such observations thereon as he may deem necessary for the information of Congress.

Sec. 22. That upon the application of the governor of any State or Territory furnished with stores or supplies under the provisions of this act, the Secretary of War may, in his discretion, detail one or more officers of the Army to attend any encampment of the national guard of such State or Territory, and may direct that such officer or officers as he may appoint for that purpose shall visit such camps and make reports to the Secretary of War, who shall cause the reports to be consolidated and prepared for publication in the office of the Adjutant-General, and copies thereof to be furnished to the governors of the States and Territories.

Sec. 23. That upon the application of the governor of any State or Territory furnished with stores and supplies under the provisions of this act the Secretary of War may, in his discretion, detail one or more officers of the Army to report to the governor of such State or Territory for duty in connection with the national guard. The governor may, in his discretion, commission such officer in the national guard during said detail with such rank as he may deem proper, and the acceptance of such an appointment by an officer so detailed shall not be considered a violation of section 1322 of the Revised Statutes of the United States. An officer so assigned shall receive no pay or emoluments from the United States, except those of his rank in the Army. All such assignments shall be revoked at the request of the governor of the State or Territory or at the pleasure of the Secretary of War.

Sec. 24. That this act is to take effect at the beginning of the fiscal year after its passage.

Mr. HOLMAN. That is the original bill, I believe. I hope the amendments will be read.

Mr. DOCKERY. Amendments are not in order until after general debate.

The CHAIRMAN. General debate is now in order. If there is no objection, general debate will be considered as closed.

Mr. DUNN. Mr. Chairman, I desire to speak on this subject.

Mr. HOLMAN. There is no substitute pending, I believe?

The CHAIRMAN. No substitute has been offered. It would not be in order at this time. The gentleman from Louisiana [Mr. MEYER], in charge of the bill, is recognized for general debate.

Mr. MEYER. Mr. Chairman, in considering this bill "to promote the efficiency of the militia," it is proper to review our constitutional powers, our past policy, and our present exigencies. The bill is in accordance with our undoubted powers, and involves no change in the general policy of the Government; but it does provide some slight modifications of existing laws on the subject of the militia, which are calculated to make the system more adequate to our present needs and requirements.

The Constitution, in Article I, section 8, declares that—

Congress shall have power to raise and support armies, but no appropriation of money to that use shall be for a longer term than two years.

To make rules for the government and regulation of the land and naval forces.

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress.

In Article IV, section 4, it is further provided:

The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the Legislature, or of the executive (when the Legislature can not be convened), against domestic violence.

Again in Article II, section 2, it says:

The President shall be Commander-in-Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States.

Article II of the amendments declares that—

A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

The slightest consideration of these elaborate provisions will disclose the great importance attached by the framers of the Constitution to this feature of our policy. The powers given to Congress and to the President in regard to the militia are great indeed. They were conferred at a time when the spirit of personal freedom and regard for State rights were universal and stronger even than now, but these very sentiments only served to quicken the purpose to provide for the national defense. Only a few years before this country had established its independence, after a long and painful struggle with England, in

which it was assisted by the generous and powerful hand of France. The experience of history, the dangers to free institutions from large standing armies, warned our ancestors against the creation of a large regular army in our midst. The young Republic wisely adopted the policy of maintaining only a small regular army, and though we suffered some from this lack of a standing force during the war of 1812, the gallantry of our people made partial amends for the deficiency of regular troops and finally gave us the signal victory of New Orleans.

But with the adoption of this scheme of having only a small standing army, well equipped and officered as a nucleus for defense, Congress felt the increased necessity of promptly invoking its ample powers under the Constitution for organizing and arming the militia of the Union. The report which accompanies this bill gives a recital of the laws passed so repeatedly by Congress for this purpose. They are republished in that report. The existing law on this subject for the organization, equipment, and governing of the militia is found in sections of the Revised Statutes 1625 to 1662, inclusive, and section 1667, and chapter 172 of the laws of 1882, which provides for supplying heavy guns and mortars to the militia for practice at sea-coast ports. Chapter 129 of the laws of 1887 provides for the annual appropriation of \$400,000 for the militia, and chapter 372 of the laws of 1889 relates to the purchasing of arms for the militia.

The first law directing the organization of the militia was passed by Congress May 8, 1792. It was a very thorough and comprehensive statute. This act was reenacted by that of 28th February, 1795, and was amended by the act of 18th April, 1814.

In these several statutes, sir, you find an interpretation by the men who made the Constitution, and by their contemporaries, of the powers of Congress over the subject of organizing and disciplining the militia. The necessities of that period may have been greater or less than now, but the measure of power then exercised can fairly be claimed now, if our present or future exigencies, in the discretion of Congress, shall require us to exercise them.

In addition, sir, I may say that these statutes of May, 1892, February, 1795, and April 18, 1814, have each and all been the subject of the most careful judicial review by the Supreme Court of the United States, in the case of *Houston vs. Moore*, 5 Wheaton. This case grew out of a Pennsylvania State law, passed March 28, 1814, providing that officers and privates of the militia of that State neglecting or refusing to serve when called into actual service, in pursuance of any order or requisition of the President of the United States, shall be liable to the penalties defined in the act of Congress, approved February 28, 1795, and also to such as Congress might subsequently impose.

After reviewing these three Federal statutes the court says that "the whole ground of Congressional legislation is covered by the laws referred to;" the manner in which the militia is to be organized, armed, and governed, and provision made for calling out the quota, and that these laws amount to a full execution of the powers conferred upon Congress by the Constitution.

The court says that the President's orders calling out the militia may be "given to the chief executive magistrate of the State, or any militia officer he may think proper."

In every word of this full, careful, and elaborate opinion the constitutionality and validity of these laws are upheld. In the dissent of Mr. Justice Story, who denied the validity of the Pennsylvania statute, he said:

No doubt has been breathed of the constitutionality of the provisions of the act of 1795, and they are believed to be in all respects within the legitimate authority of Congress.

In the case of *Martin vs. Mott*, reported in 12 Wheaton, 19, the court again expressly says that the act of 1795 is within the constitutional authority of Congress over the militia. The court further says that "the distinction between a requisition and an order is untenable."

Such is the reasoning and the decision of the United States Supreme Court in respect to these statutes. They stand on our statute book as respects power and validity wholly unassailed, and the only point of difficulty is that in some provision for armament and for organization the progress of the military art requires changes and modifications.

Mr. FITHIAN. What is to be the annual amount of appropriation under this bill?

Mr. MEYER. This bill fixes the annual amount of appropriation the same as under existing law, namely, \$400,000 a year.

Mr. FITHIAN. Under this bill there may be organized, as I observe, 100 militiamen for each Representative and Senator in Congress, making about 45,000 soldiers. The bill also in another section provides that the President may authorize the organization in the different Territories and in the District of Columbia of as many companies of militia as he may see fit. There is absolutely no limit fixed in the bill to the number of men that

may be thus organized in the District of Columbia and in the different Territories.

Mr. MEYER. I will say to the gentleman that although this bill, under the construction which he places upon it, authorizes a force of 45,000, we have now over 100,000 organized militia called the National Guard of the respective States; and as I shall proceed further with my remarks the gentleman will find, I trust, a satisfactory explanation with regard to that matter.

Mr. FITHIAN. The different organizations of State militia are not, however, a charge upon the General Government.

Mr. MEYER. Nor is it proposed that the organizations under this bill shall be, as I shall presently explain.

Mr. FITHIAN. Oh, yes; these militia must be paid.

Mr. MEYER. But the money goes to the respective States.

Mr. FITHIAN. Let me call the attention of the gentleman to the fact that this appropriation is only for arms, ordnance, signal stores, engineer stores, subsistence, etc. I read from the bill:

That the sum of \$400,000 is hereby annually appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of providing arms, ordnance stores, signal stores, engineer stores, subsistence stores, medical stores, quartermaster stores, and camp equipage for issue to the National Guard.

Now, none of that money would be appropriated for the payment of these militiamen; and whenever the Government nationalizes them, then the expense of keeping them up becomes a charge upon the General Government.

Mr. MEYER. But the only condition under which the Government can nationalize these troops—the only condition under which the President is authorized by the provisions of existing law, or by the provisions of this bill, to call out the troops, is in case of such emergency as is contemplated and provided for by law that has stood on our statute books for over one hundred years, and under which Presidents have in every emergency exercised their powers.

Mr. CANNON of Illinois. How much does this bill increase the appropriation over the present law?

Mr. MEYER. Not one dollar.

Mr. TALBERT of South Carolina. I would like to ask whether the appropriation asked for in this bill is covered in the general appropriation bill that has been passed?

Mr. MEYER. Yes, sir.

Mr. TALBERT of South Carolina. Then this does not make any new appropriation?

Mr. FITHIAN. It will be found that there are expenses for inspectors and a great many other expenses covered in this bill which are to be charged against the General Government.

Mr. MEYER. If the gentleman will allow me, I will continue my remarks, in the course of which he will perhaps find some of his suggestions answered. Not a dollar is authorized to be expended for inspectors or any purpose under the provisions of this bill, except for arms, stores, etc., as specified in the section quoted by the gentleman from Illinois.

No greater powers are desired or necessary than these laws contain. I ask that the pending bill may be compared with these early statutes of Congress, and it will be seen that they merely codify these laws, retrenching surplussage, repealing the obsolete, and making slight additions to existing arrangements for organization. The powers and rights of the States are left as they were placed and defined by the provisions of the Federal Constitution and by the early statutes of Congress. I proceed, sir, to examine and explain this bill before us now as briefly as may be.

Section 1 follows the act of 1892 in declaring that the militia shall consist of every able-bodied male citizen who is of the age of 18 and under 45 years. It goes on to divide this force into the organized and the unorganized, the latter to be known as the reserve militia. The first, or organized, are to consist of such regularly enlisted troops as are or may be organized in the States and Territories or the District of Columbia. There can be no objection, I conceive, to this distinction. The title of "National Guard" applied to the organized militia may be objected to by some, but is one of form and not of substance; hence authority is given that these may be known as the National Guard of the State, or such other designation as the respective States may prescribe. It might be changed so as to read the "active militia," but the matter is one of mere unimportant detail.

Mr. TALBERT of South Carolina. I wish to call the gentleman's attention to the fact that when we mobilize the militia of the several States and put them under the control of the Federal authorities we thereby destroy their present efficiency as State troops.

Mr. MEYER. Not in any degree when they are called forth for objects especially authorized by the law.

Mr. TALBERT of South Carolina. If this bill does not affect the present law in that respect, what is its object?

Mr. MEYER. In the present law there are many things which have become obsolete, useless, and inappropriate, in view of the progress of military science and the use of improved fire arms and ordnance. The object of this bill is to codify all the existing laws and to make such changes as will render those laws intelligible and reasonable, capable of being understood by anyone who may look into them, and without rendering it necessary to search throughout the entire field of legislation for one hundred years past.

Mr. TALBERT of South Carolina. Does not this bill give the President the right to call out the militia, and transfer them from one State to another when he chooses?

Mr. MEYER. He is already invested with such authority in case of war or insurrection. That power was given to the President under the act of 1792, and has never been changed.

Mr. TALBERT of South Carolina. As the President has always been recognized as the commander-in-chief of the militia when called into actual service of the United States, what is the necessity of inserting such a provision in this bill?

Mr. MEYER. It is desirable to embody in precise form all the laws relating to the militia, with such changes as the modern system of warfare and tactics may make necessary.

Mr. TALBERT of South Carolina. I am only calling the gentleman's attention to these points; I have not had time to examine the bill.

Mr. MEYER. Section 2 declares that the reserve militia shall not be subject to military duties to the United States unless called out by Congress. The organized militia may be called out by Congress or by the President in certain contingencies defined in section 7. That section is simply a reaffirmation of the Constitution and of the act of February 28, 1795, judicially declared to be valid. Section 3 repeats the exemptions from militia duty provided for by existing laws: All persons actually needed to maintain and manage the postal and military service of the United States, and all persons who now are or may hereafter be exempted by the laws of the respective States, and all locomotive engineers on post roads, and other persons employed in the management of roads used for the postal or military service of the United States, shall be exempted, etc. All persons now exempted by the laws of their respective States are exempted by this law.

Section 4 follows the law of March 2, 1843, in requiring returns and reports from the adjutant-general of each State and Territory. Without such reports the President can not frame an intelligent call for service.

Section 5 directs the Secretary of War to make report and abstracts to Congress of these returns with such observations as he may deem necessary. Congress is clearly entitled to this information.

Section 6 says that the organized militia shall be instructed in the same system of drill and tactics that may be prescribed from time to time for the Army. This follows the act of May 12, 1823, and the terms of the Constitution, giving power to discipline the militia.

Section 7 has already been cited. It follows the Constitution and existing law on the subject.

Section 8 declares that when the militia of more than one State is called into actual service of the United States by the President he may in his discretion apportion them among the States according to representative population. This merely repeats the law of July 27, 1862, now in force.

Section 9 declares that when the militia shall be called into actual service of the United States to suppress rebellion against the laws of the United States, they shall be subject to the same rules and articles of war as the regular troops. This repeats the laws of 1795, and July 29, 1861. Possibly this provision should be extended to all occasions when actual service by the militia to the United States is required.

Section 10 follows the existing law of July 7, 1862, in declaring that whenever the President calls forth the militia of the States to be employed in the service of the United States, he may specify in his call the period for which such service will be required, not exceeding nine months, and the militia so called forth shall serve during the term specified, unless sooner discharged.

Section 11 follows the laws of March 19, 1836, and July 29, 1861, in giving the militia when in actual service the same pay and allowances as may be provided by law for the Army of the United States.

Section 12 declares that the pay of the militia shall be deemed to begin from the day of their appearing at the place of rendezvous. This follows the law of January, 1795, now in force.

Section 13 reenacts the laws of 1795 and April 20, 1818, relative to reimbursing expenses of marching the militia to their places of rendezvous.

Section 14 declares that courts-martial for the trial of the militia shall be composed of militia officers only. This follows the law of 1798 now in force.

Section 15 appropriates the sum of \$400,000 for providing arms, ordnance stores, and other stores and military supplies for issue to the militia. This follows the existing law of February 12, 1887, and is certainly not a large appropriation or excessive in comparison with the important objects desired to be obtained.

Section 16 declares that this appropriation shall be apportioned according to the number of Senators and Representatives to which each State is entitled, but each State before receiving its quota must have an active enlisted force of at least 100 men for each Senator and Representative it is entitled to in Congress. This last provision is clearly just, in order to prevent any State from receiving the benefit of the appropriation without having a fair body of organized troops, and in general the section follows the line of existing laws.

Mr. FITHIAN. Then the bill requires each State to have an organized force of not less than 100 for each Representative and Senator, before it can be entitled to any part of this appropriation?

Mr. MEYER. Yes, sir.

Mr. FITHIAN. That means that it shall have its full quota.

Mr. BARTLETT. Under the existing law is not the money divided upon a different method?

Mr. MEYER. The method is somewhat different. Each State receives its quota in proportion to the available force of militia, whether organized or not. Certainly, for common safety, every State should be encouraged, even required, to maintain some organization, that it may contribute to the national defense when occasion requires.

Sections 17 to 20, inclusive, of the reported bill relate to the purchase and distribution of arms, stores, and supplies for the militia, their care and the method of accounting for the same, the disposition of those that may become unserviceable and obsolete, and other matters of detail, to which no objection can be made, and adds a provision "that the Secretary of War may, at the request of any State or Territory, exchange any arms for such later or improved patterns as may be on hand in any United States arsenal, and the apportionment shall be made in the same ratio as provided in section 16 of this act."

Section 21 of the bill enacts that each State and Territory receiving stores and supplies under this act shall require every organization in its active forces, not excused by the governor of such State or Territory, to go into camp of instruction or be quartered at a United States fort for instruction on heavy artillery at least seven consecutive days in each year, and to assemble for drill and instruction not less than twelve times in each year, also to be annually inspected. The object of this provision is that the militia shall learn how to use the arms they receive at the hands of the Federal Government and be able when called into actual service to perform proper and efficient military duty. There can be no hardship in the State requiring this much of the organizations whose armament is supplied in whole or in part by the National Government; and even here the organizations may be excused by the governor of the State or Territory in his discretion. The control of this provision for discipline remains entirely with the States.

Section 22 allows the Secretary of War, upon the request of the governor of the State or Territory furnished with stores and supplies, to detail one or more officers to attend the encampment of the organized militia of such State and make report to the Secretary of War.

Section 23 goes farther and allows the Secretary of War upon application of the governor of the State or Territory receiving stores and supplies, to detail one or more officers of the Army to report to the governor of such State or Territory for duty in connection with the militia. The governor may commission such officer with such rank as he may deem proper, but the officer is to receive no additional pay or emoluments from the United States. These assignments may be revoked at the request of the governor or at the pleasure of the Secretary of War.

I need not point out the value to the State and the service whose efficiency we desire to improve of having the advantage of the presence and instruction of trained officers of the regular Army. For the time being they are in the service of the State. The tendency of such arrangements is to secure a far better force than now, and one that in event of war may be able to act in concert with the regular Army for the national defense and safety.

Such is the bill now proposed for adoption. It conforms to the language of the Constitution, is clearly within the scope of its powers, trenches on no rights reserved to the States of the Union, and in the main is a reenactment of old and well-known laws.

Mr. BARTLETT. I would like to have that stated.

The CHAIRMAN. The morning hour has expired and the committee will rise.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. OUTHWAITE, from the Committee of the Whole, reported that they had had under consideration a bill (H. R. 5039) to promote the efficiency of the militia, and had come to no resolution thereon.

The SPEAKER. The Clerk will report the special order.

The Clerk read as follows:

*Resolved*, That this calendar day, after the second morning hour, be assigned to the consideration of bills reported from the Committee on Public Buildings and Grounds in the order indicated by said committee.

The SPEAKER. The bills referred to in the special order are all in Committee of the Whole.

Mr. BANKHEAD. I move that the House resolve itself into Committee of the Whole for consideration of business under the special order.

The motion was agreed to; the House accordingly resolved itself into Committee of the Whole, Mr. MCCREARY of Kentucky in the chair.

PUBLIC BUILDING, NEWPORT, KY.

Mr. BANKHEAD. Mr. Speaker, I call up the bill (H. R. 2337) for the erection of a public building at Newport, Ky.

The bill was read, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, or otherwise provide a site for, and cause to be erected thereon a suitable building, with a fireproof vault therein, for the accommodation of the post-office at the city of Newport, Ky. The plans, specifications, and full estimates of said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum of \$100,000: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 50 feet, including streets and alleys; and for the purpose herein mentioned the sum of \$100,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury: *Provided further*, That no part of said sum shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Kentucky shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Mr. WASHINGTON. Is there a report in this case?

Mr. BANKHEAD. Yes, sir.

Mr. WASHINGTON. I ask to have it read.

The report (by Mr. BERRY) was read, as follows:

The Committee on Public Buildings and Grounds to whom was referred the bill (H. R. 2337) for the erection of a public building at Newport, Ky., submit the following report:

The city of Newport, Campbell County, Ky., is one of the oldest cities in the State and the third in population and importance. The population is now about 35,000, with several small towns and a thickly settled population about her dependent upon it for its postal accommodations, including Fort Thomas, a military post of the United States, making in all 50,000 people who receive their mail at this point.

The Government has never had a public building here, but has rented from time to time such building as might be offered. The Government is now occupying an old store which is totally unsuited for the purpose, being dark and unaccommodious. The rental paid therefore is \$1,400 per annum.

The Newport post-office handles not less than 8,000 pieces of mail per day, and the number is still increasing. It will pay a net revenue this year to the Post-Office Department of over \$10,000. The location of Newport being directly opposite Cincinnati, Ohio, and connected by two bridges and an admirable system of electric street railroads, causes a large amount of the mailing receipts to go to the Cincinnati office, which lessens the receipts of the Newport post-office. It will be a measure of economy for the Government to own its own building and thus have a suitable home for its post-office.

Your committee, therefore, report the bill favorably, and recommend its passage.

[Cries of "Vote!" "Vote!"]

Mr. HUTCHESON. Mr. Chairman, I would like to hear some explanation of this bill.

Mr. SICKLES. The explanation is in the report.

Mr. HUTCHESON. I would like to hear a statement from the gentleman from Kentucky.

Mr. BERRY. Mr. Chairman, the gentleman from Texas desires me to make a statement in regard to the necessity for this public building. The city of Newport is part of a center of population of half a million, including the three cities of Cincinnati, on the one side, and Newport and Covington on the opposite side of the river, but all three really constitute a homogeneous population. Newport is the third city in the Commonwealth, and is in a very prosperous and growing condition, with large manufactories. The postal receipts are about \$50,000 a year.

And I wish to say to this body that nearly every city in the State of Kentucky of any importance has now a public building; smaller towns than this being so supplied—such towns as Paducah, Owensboro, Richmond, Frankfort, Lexington, Covington, and towns of that kind.

This town of Newport has shown itself to be a very prosperous and growing city. Its population is increasing rapidly; it has all modern appliances in the way of pavements and electric roads,

and so on; and we ask only \$100,000 for the purchase of the ground and the erection of the building. It will be a measure of economy for the Government to make this appropriation, because to secure the proper facilities now, with sixteen or eighteen carriers, requires the annual payment of a rental that is largely in excess of the interest upon the amount of the investment which would be required for the construction of the building.

In all respects this measure, it seems to me, should commend itself to the consideration of the House. The proximity of the city of Newport to Cincinnati, its growing importance, and the amount of mail business done there, both for the city and the adjacent towns, warrant the town of Newport and its Representative on this floor, in asking this appropriation.

Mr. HUTCHESON. Let me ask the gentleman this question: What is the population of that town?

Mr. BERRY. It is about 35,000 at this time.

Mr. HUTCHESON. What did the census show?

Mr. BERRY. The last census showed a population of twenty-six or twenty-seven thousand. But that does not embrace the adjacent villages which are a part of the town of Newport. Belleview and Dayton are adjacent, there being no water course or other natural boundary to divide them from Newport; and they were simply incorporated as separate towns to prevent taxation from the central portion—Belleview having a population of about 6,000, and Dayton of about 8,000 more, a legitimate population, all of which belong geographically and properly to the town of Newport.

This town is connected by three excellent bridges with the city of Cincinnati. We have a rapid transit bridge there across the river which cost about \$1,000,000. We have lines of electric railroad which extend and operate all through the post-office district, extending up to Fort Thomas and the cemetery and to the adjacent towns of Dayton and Belleview, carrying fifteen to twenty thousand people daily from Newport to Cincinnati; and the receipts from the post-office there, let me state in this connection, would be very much larger except for the fact that the business men doing business in Cincinnati, and living in Newport, purchase their postage stamps largely on that side of the river, which increases the business of the Cincinnati post-office and lessens that which properly belongs to Newport.

Mr. VAN VOORHIS of New York. What courts are held there?

Mr. BERRY. We do not have any courts there. We do not ask the construction of a court-house; we ask only a plain brick building, with limestone trimmings, and a place for the post-office.

Mr. Chairman, I am aware of the fact that there is a spirit of economy pervading this body that might prevent it from acting on measures of this kind and doing what is fair and proper in connection with such matters as this.

This is the first bill making an appropriation for a public building that has been presented for the consideration of this House during this session, and I dislike, as a Democrat, to be compelled to acknowledge that we, in charge of the Government, are not able to do what is absolutely necessary for its support. While I believe in frugal living and economy in public matters as well as in private, I am not willing to say that in this matter the Democratic party can not make such appropriations as are necessary for the public service; and for that reason I have no hesitancy in asking you to support this bill.

Mr. WASHINGTON. May I ask the gentleman a question?

Mr. BERRY. Yes, sir.

Mr. WASHINGTON. What rent is the Government paying now?

Mr. BERRY. Fifteen hundred dollars a year, and we have fifteen or eighteen mail-carriers and the system is rapidly extending, while our post-office facilities are so bad that you have to pass through between these carriers to get to the post-office at all.

Mr. WASHINGTON. This will take a hundred thousand dollars, I believe?

Mr. BERRY. Yes, sir.

Mr. WASHINGTON. And yet you have no court?

Mr. BERRY. No court.

Mr. WASHINGTON. Are there any other Federal offices there?

Mr. BERRY. Yes; there is a board of examiners in pension cases, and things of that kind.

Mr. WASHINGTON. The Government never furnishes pension examiners with a room in a public building.

Mr. BERRY. Oh, yes; they do in Covington, opposite us.

Mr. WASHINGTON. Well, they do not in my district.

Mr. BERRY. And let me say further in this connection that we have a right to ask this thing. The State of Kentucky paid into the Treasury of the United States, as revenue, \$26,700,000

on tobacco and whisky last year, about one-fifth of the entire revenue collections.

Mr. BURROWS. I understand you have no United States court.

Mr. BERRY. No, sir; not at Newport. There is at Covington, just opposite, where the Government paid \$225,000 for the building.

Mr. BURROWS. Could not you erect a suitable post-office building for less than \$100,000?

Mr. BERRY. Well, I do not think so, if the proper site is secured for it. I think it would cost about \$40,000 to secure the site, and we could put up a suitable building for \$60,000 more.

Mr. BURROWS. In my city, where we have a post-office building, \$75,000 erected a suitable and very substantial building for the purpose, and also obtained the ground.

Mr. BERRY. Well, I would rather take \$75,000 than to fail altogether.

I do not want to ask anything unreasonable, but it seems to me that the amount this bill proposes is quite small in comparison with the necessities of the case. It must be remembered that we live under the shadow of the Queen City of the West, the strongest and most powerful city in Ohio; and we have to live up in some extent to the character of people we associate with. Our streets are graded, sewered, and paved with brick; we have the most magnificent system of electric railroads anywhere in the country, and living as we do near Cincinnati, we have to keep up somewhat with the conditions that surround us.

Mr. BURROWS. Well, I will say to the gentleman that my locality is quite favorably situated, and we have kept abreast with the civilization of the times.

Mr. WASHINGTON. Have you to put on style to keep up with Cincinnati?

Mr. BERRY. We have to keep up with Cincinnati, or people will not come on our side of the river. [Cries of "Vote!"]

Mr. HUTCHESON. I would like to ask the gentleman one question.

Mr. BERRY. Certainly.

Mr. HUTCHESON. I would like to state to the House that I do not propose to oppose any reasonable and just appropriation, but I have in mind my own town, when the same matter was under consideration, and the action of this House the RECORD will show as to what was done. We were compelled to contribute the land upon which the post-office was built; and I offer an amendment, Mr. Chairman, to this bill, that the sum appropriated shall not exceed \$60,000, and that the ground shall be furnished by the city. That is exactly what we had to do. We have a commerce to-day, as shown by our clearing house, of \$3,700,000 a week.

There are but ten cities in the United States that excel us. We had to give the ground. Ours is a city of 60,000 population, and we only got \$75,000 for the erection of the public building. Now, Mr. Chairman, it seems to me to be fair, and that is all I want, and I hope the gentleman will not ask anything else but what is fair.

Mr. WASHINGTON. What were the postal receipts in your town?

Mr. HUTCHESON. They were four times the amount at this place.

A MEMBER. What is the name of your city?

Mr. HUTCHESON. Houston, Tex. That is the distributing point for nearly 300 miles square.

Mr. HOPKINS of Illinois. Why should you make the city contribute the ground on which to erect a public building? This is a Government building, and I see no equity in requiring the city to furnish the ground.

Mr. HUTCHESON. That is exactly what was required of us. We were required to contribute the ground in order to get the building.

Mr. HOPKINS of Illinois. But if an injustice was done you, that is no reason why you should do an injustice to another city.

Mr. HUTCHESON. I would like to ask the gentleman if he has a bill to follow which might be an inducement for him to support this bill?

Mr. HOPKINS of Illinois. I might ask the gentleman if he wanted to be discourteous.

Mr. HUTCHESON. I do not want to be discourteous.

Mr. POST. I desire to ask the gentleman a question.

Mr. HUTCHESON. I will send up my amendment. I move to strike out "one hundred" and insert "sixty," and that the city shall contribute the ground.

Mr. BERRY. Mr. Chairman, I can not accept that amendment.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Texas.

Mr. HUTCHESON. I ask for a division of the question.

First, on the question of appropriating \$60,000, and then on the question as to the city contributing the ground.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Texas.

The Clerk read as follows:

In line 15, strike out "hundred" and insert "sixty."

Mr. ROBINSON of Pennsylvania. Mr. Chairman, I am opposed to the amendment of the gentleman from Texas [cries of "Vote!"], and in favor of the bill of the gentleman from Kentucky. In regard to the appropriations for public buildings, I am myself interested in a matter in the sundry civil bill, a Senate amendment which has been approved by the Supervising Architect, for an item of \$20,000 additional to complete the public building at Chester of stone instead of brick. Chester is a city through which all you gentlemen pass on your way to the metropolis of New York or the metropolis of our own State, Philadelphia.

We have received, through a bill passed in the Fifty-first Congress, \$80,000 for the Chester public building, secured through the efforts of my predecessor, and we are asking for an additional \$20,000. The amendment has passed the Senate and is now in conference. I have made a comparison of statistics and population upon this subject, and it is my judgment, in view of what has been done in the past, that when a city can come before this body with claims such as the city of Newport has, with about 35,000 inhabitants, and a postal distribution such as the gentleman has told you of, that an appropriation of \$100,000 is not too much. It is what we ask for Chester, a larger city, with greater interests and population. I will not trespass upon the patience of the House by reading this comparative statement which I have prepared.

Mr. WASHINGTON. Will not the gentleman read a part of it so that we may have the benefit of it?

Mr. ROBINSON of Pennsylvania. I am going to have it printed in my remarks.

Mr. WASHINGTON. But we can not get that until to-morrow.

Mr. ROBINSON of Pennsylvania. I will read some of it; and I think it comes with a little bad grace from my friend from Texas to say anything against public buildings, because the State of Texas has been most liberally treated by the United States Government.

I do not know whether his town has received any appropriation. The Supervising Architect's report will show that any town which has such claims as Newport or Chester, when they ask for \$100,000 for the construction of a public building, it ought to be granted by this Congress, no matter what the result would be elsewhere. From the Supervising Architect's report I see there are towns like Asheville, N. C., with a population of 10,235, where there has been an appropriation of \$100,000; and so I could go on down the list. Here is Bay City, Mich., with a population of 27,839 and an appropriation of \$200,000. Here is Fort Worth, Tex.—and I ask the attention of the gentleman from Texas—with a population of 23,076 and an appropriation of \$175,000. Here is Dallas, Tex., with a population of 33,067 and an appropriation of \$291,000; El Paso, population 10,338, appropriation \$200,000.

Now, gentlemen, these comparisons are, of course, odious, but at the same time they serve to throw light upon the reasonableness and the justice of appropriations for this purpose. I am in favor of the pending appropriation, and I am in favor of an appropriation of \$100,000 for a public building for every town in the United States that can show, as Newport shows, and as the city of Chester shows, that it has a mail distribution, letter-carrier service, population and business environment sufficient to warrant the expenditure of so much money. I might say that my case is a little stronger than that of Newport, as the Architect favors it, although I am not appealing to the jury before whom my case will be heard, except indirectly by these remarks and statistics.

Mr. WASHINGTON. How many of the buildings on the gentleman's list are used for post-offices only, no courts being held in them?

Mr. ROBINSON of Pennsylvania. The gentleman knows very well that it takes just the same size of building to conduct the postal business as it does to accommodate the judicial business, because the judicial business occupies most generally the second story of these buildings and the postal facilities the ground floors.

Mr. WASHINGTON. Oh, no; it takes twice as much space.

Mr. ROBINSON of Pennsylvania. Not at all. Now, Mr. Chairman, I ask leave to submit with my remarks and have printed in the RECORD this list of cities, with the population and the appropriation in each case, for the information of the House and of the public generally, the list including cities of the same or smaller population as Chester, Pa.

There was no objection.

The list is as follows:

Cities.	Popula- tion.	Amount.
Asheville, N. C.	10,235	\$100,000
Ashland, Wis.	9,356	100,000
Atchison, Kans.	13,963	100,000
Aurora, Ill.	19,688	100,000
Baton Rouge, La.	10,478	100,000
Bay City, Mich.	27,839	200,000
Birmingham, Ala.	26,173	335,000
Canton, Ohio	26,189	100,000
Carson City, Nev.	3,950	146,000
Cedar Rapids, Iowa	18,020	130,000
Charleston, S. C., wharf	54,955	233,000
Charleston, S. C., post-office		400,000
Charleston, W. Va.	21,287	142,853
Chattanooga, Tenn.	29,100	275,000
Columbia, Ga.	17,303	100,000
Dallas, Tex.	33,067	291,000
Danville, Ill.	11,491	100,000
Davenport, Iowa	26,872	\$25,000; 100,000
Eastport, Me.	4,308	117,971
El Paso, Tex.	10,338	200,000
Erie, Pa.	40,634	251,000
Fargo, N. Dak.	5,664	\$40,000; 100,000
Fort Worth, Tex.	23,076	175,000
Frankfort, Ky.	7,892	138,429
Galveston, Tex.	29,084	280,581
Greenville, S. C.	8,607	102,000
Jackson, Mich.	20,799	105,000
Jacksonville, Fla.	17,201	275,000
Kansas City, Mo.	132,716	750,000
Lancaster, Pa.	32,011	100,000
Lansing, Mich.	13,102	125,000
Los Angeles, Cal.	50,395	153,000
Lynn, Mass.	55,727	125,000
Mankato, Minn.	8,289	100,000
New Bedford, Mass.	40,733	150,000
Newburg, N. Y.	23,087	100,000
Norfolk, Va.	34,871	90,000
Paris, Tex.	8,254	100,000
Port Townsend, Wash.	4,558	240,000
Pueblo, Colo.	24,568	100,000
Racine, Wis.	21,014	100,000
Rockford, Ill.	23,584	100,000
Saginaw, Mich.	46,322	100,000
St. Albans, Vt.	7,771	85,000
San Jose, Cal.	18,060	200,000
Savannah, Ga.	43,189	200,000
Sioux City, Iowa	37,806	\$25,000; 165,000
Sioux Falls, S. Dak.	10,177	150,000
Springfield, Mo.	21,850	150,000
Texarkana, Tex.	9,852	110,000
Vicksburg, Miss.	13,373	109,500
Williamsport, Pa.	27,132	225,000
Wilmington, Del.	61,431	250,000
Wilmington, N. C.	20,056	200,000
Worcester, Mass.	84,658	300,000
For sites and buildings at Cheyenne, Wyo.	11,690	100,000
Boise City, Idaho.	2,311	
Helena, Mont.	13,834	
Spokane, Wash.	19,922	\$150,000

\*Not to exceed.

Mr. ROBINSON of Pennsylvania. The side figures for Davenport, Fargo, and Sioux City are being asked for in the sundry civil bill additional, and the last four cities, Cheyenne, Boise, Helena, and Spokane, are asking for \$100,000 in all in same bill. I do not antagonize any of these items, and merely allude to them that the comparison may be before the public.

Mr. BERRY. Mr. Chairman, I am willing to accept \$75,000 and to have the bill so amended.

Mr. HUTCHESON. I offer that amendment.

The question was taken on the motion of Mr. HUTCHESON to amend the bill in line 15, by striking out "one hundred thousand," and inserting "seventy-five thousand" before the word "dollars;" and it was agreed to.

The CHAIRMAN. The Chair is informed by the Clerk that the words "one hundred thousand" occur in another part of the bill. If there be no objection the amendment will be made there also, so as to conform to the one just adopted.

There was no objection, and it was so ordered.

Mr. PIGOTT. Mr. Chairman, I wish to ask the gentleman from Kentucky a question.

Mr. BANKHEAD. Mr. Chairman, I move that the bill as amended be laid aside to be reported to the House with the recommendation that it do pass.

Mr. PIGOTT. Mr. Chairman, I thought I had been recognized for the purpose of asking a question.

Mr. BERRY. What is the gentleman's question?

Mr. PIGOTT. I understand the gentleman to say that the profit of the Government from the post-office at Newport is about \$10,000?

Mr. BERRY. A little over \$10,000.

Mr. PIGOTT. If that is so, do you think it is good policy for the Government to erect public buildings in towns where the profits are only \$10,000, while refusing to erect them where the profits are \$30,000 and \$40,000?

Mr. BERRY. No, sir; I do not. I suggested, however, in

the remarks I made a while ago that from the peculiar location of the city of Newport a large portion of its postal receipts naturally went to Cincinnati.

Mr. PIGOTT. Another question: Do you think this is a good time to go into the erection of public buildings, in view of the present condition of the Treasury?

Mr. BERRY. I think it is, if the Government needs them.

A MEMBER. You can build them cheaper now than in more prosperous times.

The question was taken on the motion of Mr. BANKHEAD; and there were—ayes 113, noes 11.

Mr. PIGOTT. No quorum.

The CHAIRMAN. The point of no quorum being made, the Chair will appoint to act as tellers the gentleman from Connecticut, Mr. PIGOTT, and the gentleman from Alabama, Mr. BANKHEAD.

The committee divided by tellers.

Mr. PIGOTT (pending the announcement of the vote). Mr. Chairman, I withdraw the point of no quorum.

The motion of Mr. BANKHEAD was then agreed to, and the bill was laid aside to be reported to the House with the recommendation that it do pass.

#### PUBLIC BUILDING, BROCKTON, MASS.

Mr. BANKHEAD. I call up the bill (H. R. 116) for the erection of a public building at Brockton, Mass.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and is hereby, authorized and directed to purchase a site for a suitable building, with fireproof vaults therein, for the accommodation of the post-office and other Government offices at the city of Brockton, Mass., and cause such building to be erected thereon. The plans, specifications, and full estimates of said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum of \$75,000: *Provided*, That the site shall leave the building unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet, including streets and alleys; and no money appropriated for this purpose shall be available until a valid title to the site for said building shall be vested in the United States, nor until the State of Massachusetts shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Mr. BANKHEAD. The gentleman from Massachusetts [Mr. MORSE] who introduced this bill is absent at this time, and I move that it be passed over without prejudice.

Mr. BURROWS. Oh, no; let us pass the bill.

Mr. DINGLEY. What was the request of the gentleman from Alabama?

Mr. BANKHEAD. This bill was introduced by the gentleman from Massachusetts [Mr. MORSE], who is absent, and I thought that in justice to him it had better be passed over for the present without prejudice.

Mr. BURROWS. There will be no trouble about the bill. Let the report be read.

Mr. DINGLEY. Brockton is a city of 30,000 population, a much larger place than Newport, Ky., for which we have just passed a bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama that this bill be passed over without prejudice?

Mr. BURROWS. I object.

Mr. BANKHEAD. I merely made the suggestion because of the absence of the gentleman from Massachusetts. [Cries of "Vote!" "Vote!"]

Mr. DOCKERY. Let us have the report read and some explanation of the necessity for the bill.

The report (by Mr. MORSE) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 116) providing for the erection of a public building at Brockton, Mass., having had the same under consideration, respectfully report:

The city of Brockton is a most prosperous and rapidly growing manufacturing town of some 30,000 inhabitants, having increased to that number from 13,600 in 1880. The post-office receipts have increased from \$14,189 in 1881 to above \$39,000 in 1891, to \$40,271.29 for year ending June 30, 1892, and to \$44,798.31 for year ending June 30, 1893; and the convenience of the Federal business demands, and its extent justifies, the erection of a public building for the purpose.

After a careful investigation, your committee believes that an appropriate site can be secured and a suitable building erected thereon at a total cost not to exceed \$75,000.

It is therefore recommended that the bill do pass.

Mr. BANKHEAD. Mr. Chairman, I move that the bill be laid aside to be reported to the House with the recommendation that it do pass.

The question being taken on the motion of Mr. BANKHEAD, the Chairman declared that the ayes seemed to have it.

Mr. DOCKERY. I ask for a division.

The committee divided; and there were—ayes 102, noes 7.

Mr. CABANISS. No quorum, Mr. Chairman.

The CHAIRMAN. The gentleman from Georgia makes the point of no quorum, and the Chair will appoint to act as tellers the gentleman from Georgia, Mr. CABANISS, and the gentleman from Alabama, Mr. BANKHEAD.

The committee again proceeded to divide; but before the tellers had made a report—

Mr. CABANISS withdrew the point of no quorum.

So the bill was laid aside to be reported favorably to the House.

#### PUBLIC BUILDING AT PATERSON, N. J.

The CHAIRMAN. The Clerk will report the next public building bill in order on the Calendar.

The Clerk read as follows:

A bill (H. R. 27) to increase the appropriation for the erection of a public building at Paterson, N. J.

*Be it enacted, etc.*, That the amount heretofore fixed as the limit of cost for the erection of a public building, by the United States Government, at Paterson, N. J., be, and the same is hereby, increased to \$250,000, and that the same is hereby fixed as the limit of cost for the purchase of a site and the erection thereon of said building; and said additional sum is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be used and expended for the purposes provided in this act.

SEC. 2. That the officers of the United States Government having charge of the erection of public buildings are required to be governed by the limitation hereby prescribed in making the plans and contracts for the erection of said building.

Mr. DOCKERY. Mr. Chairman, I desire to make a point of order against so much of this bill as makes an appropriation of money.

Mr. BANKHEAD. I observe that this bill carries an appropriation. The committee did not intend so to report it. I move that the clause making the appropriation be struck out.

The CHAIRMAN. The Clerk will read the clause which the gentleman from Alabama [Mr. BANKHEAD] moves to strike out.

The Clerk read as follows:

And said additional sum is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be used and expended for the purposes provided in this act.

The amendment of Mr. BANKHEAD was agreed to.

Mr. DOCKERY. Now, Mr. Chairman, I would be glad to have the report read in this case.

The report (by Mr. CADMUS) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred House bill 27, respectfully report:

The question in this case is not whether a building shall be constructed, but as to whether the building to be constructed is adequate to the necessities of the Federal business of Paterson, N. J. A building was authorized by act of Congress approved June, 1888, limiting the cost of site and building to \$80,000, which amount was appropriated. It was soon ascertained that this sum was entirely inadequate; the proposed site alone would cost \$50,000. This site is now secured at a cost to the Government of \$23,000, the balance having been subscribed by the city of Paterson, leaving the amount of only \$57,000 available for the erection of the building. This amount is altogether inadequate for the wants of the city of Paterson, even at the present time, regardless of its rapid prospective growth.

The population of Paterson in 1883 was 58,000; in 1893, 97,000; estimated increase in the next ten years, 60 per cent. These figures are exclusive of a large and rapidly increasing suburban population.

The postal receipts for the year 1883 were \$35,054; in 1893, \$63,157; estimated increase in the next ten years, 75 to 100 per cent.

The industries of Paterson have kept pace with the increase of population. It has 599 establishments, employing 24,232 hands. The silk industry of Paterson alone ranks first of all the States in the Union, amounting to \$14,350,000, being 28 per cent of the total value of this industry in the whole country, the total wages paid being \$5,000,000 per annum.

Nearly the entire amount of raw silk which is used in the industry comes to Paterson by way of San Francisco, thus passing through the city on its way to the custom-house in New York City, and causing increased expense and much delay by reason of extra carting, storing, and reshipping back to Paterson, all of which could be avoided by having custom-house facilities in the proposed new Federal building.

This claim will appear reasonable when it is considered that the 121 ports of entry situated at different points throughout the United States there are only 7 where the value of merchandise passing through is greater than the amount which would pass through a custom-house located at Paterson with the silk industry alone.

A plain building, two stories high, about 86 feet by 80 feet in dimensions, of fireproof construction, suitable for the necessities of the Government, can not be provided for less than the amount named below. No immediate appropriation is necessary, as the amount already appropriated will be sufficient to start and carry on the work for the next fiscal year.

In view of the facts stated the committee recommend that the limit of cost for site and building be increased to \$250,000, and recommend that the bill do pass.

Mr. WASHINGTON. I move to amend the bill by striking out, in line 6, "\$250,000" and inserting "\$200,000" as the limit of cost.

The amendment was agreed to.

Mr. DOCKERY. Mr. Chairman, with the amendment just agreed to, I do not know that I shall offer any further objection to this bill. I realize that it is a most ungracious thing to interpose any sort of opposition to the passage of these bills; yet I realize also the influences which are at work to-day on this floor to impose upon the Treasury of the United States an enormous additional burden.

Now, Mr. Chairman, I do not appeal so much to the gentlemen on the other side of this Chamber as I do to the gentlemen who sit around me, gentlemen who were chosen to these places upon the demand of the country for economy in public expenditures.

I am not prepared to discuss this question fully and thoroughly as it ought to be discussed to-day; but if I am not misinformed this Government is already liable to the extent of millions of dollars, for which we have no money in the Treasury, to meet

the requirements of public-building bills. I appeal to gentlemen on this side of the House not to allow their personal interests to dominate the general interest and impose additional taxes upon the people.

Since I came into this Hall a few moments ago Representatives—most excellent gentlemen, for whom I have the highest respect—have come to me and said: "I must get my bill through, because it is essential to my interest in my district." I have heard the same plea from the other side. I appeal again to Democrats on this side. With a depleted Treasury, with the gold reserve down to \$50,000,000, with the gold reserve and the current revenues of the Government aggregating less than \$100,000,000, I appeal to you, in this condition of the Treasury, to postpone these demands upon the people of the United States.

I do not intend, Mr. Chairman, to interpose factious opposition against these measures. It is possible that I may feel constrained to make the point of "no quorum" against some bill which I consider peculiarly unmeritorious. But I prefer not to take that course. I believe that the majority ought to control. The object of the appeal which I now make is simply that Democrats around me may not press these demands upon the Treasury at a time when millions of our people are out of employment.

Gentlemen, these bills that you propose to pass will do you no good in your campaigns for reelection. Those gentlemen on the other side of the Chamber—adroit, shrewd, and able—will parade these figures in the campaign as an evidence of the profligacy of a Democratic House and a Democratic Congress in times of great financial stringency.

In view, therefore, of the Treasury condition, with \$50,000,000 already added to the interest-bearing debt of the country, I again ask Democrats to be true to their pledges and withhold their demands upon the Treasury until prosperous times shall return.

Mr. GROSVENOR rose.

Mr. DOCKERY. I yield to the gentleman a moment.

Mr. GROSVENOR. I wish to suggest to the gentleman that there is about an equal amount of danger that these bad men over here will parade the fact that the Democratic party is incapable of carrying on the ordinary incidental business of Government.

Mr. DOCKERY. I do not know what those "bad men"—and that expression, let it be remarked, is the gentleman's own language and not mine—may say. But if the "bad men," to whom the gentleman refers, indulge in that comment, I feel warranted in the assertion that they would be departing from a maxim of a great leader of the Democratic party, when he said on a certain occasion: "Tell the truth." [Laughter.]

Mr. BOUTELLE. What was the truth he wanted told?

Mr. DOCKERY. Oh, well, he wanted the truth told. That is sufficient.

I think, Mr. Chairman, when we reach the end of this session, the legislation of the Fifty-third Congress will be a sufficient answer to the suggestion of the gentleman from Ohio.

Mr. SICKLES. Well, let us come to a vote now. We have agreed on a tariff bill.

Mr. DOCKERY. I am very glad to hear it and hope the rumor is correct.

Mr. ROBINSON of Pennsylvania. I would like to ask the gentleman from Missouri a question. I advocated one of the bills, and voted for several of them, for the erection of public buildings here, and I do not think that that action is such as would justify the charge, or warrant the assertion, that I was indulging in profligacy or extravagance in voting away the public money. Is it not a fact, however, that the appropriation for the erection of these buildings will not come out of the present Treasury fund, but that it will be carried forward into the future, to be paid for out of appropriations hereafter?

Mr. DOCKERY. That is true.

Mr. ROBINSON of Pennsylvania. Yet you speak of the workingman being out of employment. Is it not true that the erection of these buildings in every city where there is a necessity for a public building will give thousands of the unemployed work?

Mr. DOCKERY. Well, the gentleman's own statement answers itself. In one breath he tells us that these bills make no present charge upon the Treasury, but that the amount is to be carried forward to be paid hereafter, and in the next breath he tells us that the working people are to derive employment from the erection of these buildings. How are they to be employed or to be paid when there is no appropriation?

Mr. ROBINSON of Pennsylvania. I say that the appropriation is carried forward into the future. It is not made in the bills.

Mr. DOCKERY. Does the gentleman consider it a wise business policy to pursue such a course as that at a time when the Treasury is nearly empty? Is that a policy that the gentleman

himself would pursue in the ordinary course of his own private affairs? The gentleman knows that we have borrowed money to pay the ordinary running expenses of the Government.

Mr. ROBINSON of Pennsylvania. No, sir; I would not consider it good policy; but I think the Government of the United States is big enough, strong enough, and able enough to appropriate all the money that is needed for such a purpose as this, and that there will be little or no trouble in securing all of the money that is necessary to carry on the affairs of the Government.

Mr. BANKHEAD. I move that the bill be laid aside with a favorable recommendation.

The question was taken; and on a division (demanded by Mr. DOCKERY) there were—ayes 115, noes 16.

Mr. BLACK of Georgia. No quorum.

The CHAIRMAN. The point of no quorum being made, the Chair will order tellers.

Mr. BLACK of Georgia and Mr. BANKHEAD were appointed tellers.

The committee again divided; and the tellers reported—ayes 136, noes 26.

Mr. BLACK of Georgia. Mr. Chairman, I withdraw the point of no quorum.

So (no further count being demanded) the motion was agreed to, and the bill was laid aside to be reported to the House with the recommendation that it do pass.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House was requested:

A bill (S. 523) for the relief of A. W. Wells, administrator;

A bill (S. 1018) granting a pension to Susan E. Cunningham;

A bill (S. 1876) to provide for the payment of accrued pensions in certain cases;

A bill (S. 2234) to further amend section 2399 of the Revised Statutes of the United States; and

A bill (S. 2281) to authorize the Postmaster-General to credit account of James A. Sexton with amount of funds stolen.

The message also announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 5901) to reimburse E. H. Nebeker, late Treasurer of the United States;

A bill (H. R. 6577) to authorize the construction of a wagon and foot bridge across the Chattahoochee River, at or near the town of Columbia, Ala.;

A bill (H. R. 7874) to enable the Secretary of the Interior to pay JOHN T. HEARD for professional services rendered the "Old Settlers" or Western Cherokee Indians out of the funds of said Indians.

A bill (H. R. 7383) relating to lights of fishing vessels.

The message 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. 6284) to prevent interference in the collection of State, county, and municipal taxes assessed against corporations and corporate property, and for other purposes.

The message also announced that the Senate had agreed to the reports of committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

A bill (H. R. 6777) to amend an act entitled "An act to incorporate the Washington and Great Falls Electric Railway; and

A bill (H. R. 6913) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1895, 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 resolution:

*Resolved by the House of Representatives (the Senate concurring).* That permission be and is hereby given to the citizens' committee of Knights of Pythias encampment, of which Chapin Brown is chairman, of illuminating the Dome of the Capitol on the nights of August 27, 28, 29, and 30, 1894, under the control and direction of the Architect of the Capitol.

The message also announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 4954) relative to recognizances, stipulations, bonds, and undertakings, and to allow certain corporations to be accepted as surety thereon;

A bill (H. R. 2669) making an appropriation and providing for the construction of a United States revenue cutter for service in the harbor of San Francisco, State of California.

#### ENROLLED BILL SIGNED.

Mr. PEARSON, from the Committee on Enrolled Bills, re-

ported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 7803) to amend sections 2401 and 2403 of the Revised Statutes;

A bill (H. R. 7827) to authorize a bridge across the Perdido River between the States of Florida and Alabama;

A bill (H. R. 7683) to correct the naval record of James Fay and grant him an honorable discharge;

A bill (H. R. 4326) to subject to State taxation national-bank notes and United States Treasury notes;

A bill (H. R. 3033) granting a pension to Amanda J. Lane;

A bill (H. R. 86) for the protection of persons furnishing materials and labor for the construction of public works.

A bill (S. 901) for the relief of the owners of the schooner Henry R. Tilton, and of personal effects thereon;

A bill (S. 2280) to amend section 2 of the act approved February 15, 1893, entitled "An act granting additional quarantine power, and imposing additional duties upon the Marine Hospital Service; and

A bill (S. 1949) for the relief of James E. North.

#### MESSAGE FROM THE PRESIDENT.

A message from the President, by Mr. PRUDEN, one of his secretaries, informed the House that the President had approved and signed bills and joint resolutions of the following titles:

On July 30, 1894:

An act (H. R. 4322) granting the use of certain land to the town of Castine, Me., for a public park;

An act (H. R. 5735) to remove the political disabilities of Caleb Huse; and

An act (H. R. 5860) to amend sections 4, 6, and 10 of the act of February 9, 1893, entitled "An act to establish a court of appeals for the District of Columbia, and for other purposes."

On July 31, 1894:

An act (H. R. 7097) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes.

An act (H. R. 2586) granting certain property to the city of Newport, Ky.

Joint resolution (H. Res. 208) to continue the provisions of a joint resolution approved June 29, 1894, entitled a "Joint resolution to provide temporarily for the expenditures of the Government."

On August 1, 1894:

An act (H. R. 3202) donating condemned cannon to the St. Lawrence State Hospital, at Ogdensburg, N. Y.

An act (H. R. 4858) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

An act (H. R. 38) relating to the pay and retirement of mates in the United States Navy.

An act (H. R. 6309) for the relief of the dependent relatives of the seamen of the Netherlands steamer Amsterdam who lost their lives in the effort to save the crew of the American schooner Maggie E. Wells, and also for the relief of the sole survivor of the rescuing party.

Joint resolution (H. Res. 94) providing for an investigation relative to the work and wages of women and children.

Joint resolution (H. Res. 32) to establish an observatory circle as a provision for guarding the delicate astronomical instruments at the United States Naval Observatory against smoke or currents of heated air in their neighborhood and undue vibrations from traffic upon the extension of public thoroughfares in the vicinity, and for other purposes.

An act (H. R. 4323) for the relief of William B. Chapman, George W. Street, John W. Hoes, Emmet C. Tuthill, and Joseph H. Curtis.

An act (H. R. 5459) to pension the minor children of Alfred Phipps.

An act (H. R. 7197) to provide a register for the schooner barge Astoria.

On August 2, 1894:

An act (H. R. 6171) to authorize the Metropolitan Railroad to change its motive power for the propulsion of the cars of said company.

On August 3, 1894:

An act (H. R. 6111) for the disposal of the accretions of the Virginus indemnity fund;

An act (H. R. 4452) adding the towns of Manchester and Vernon, in the State of Connecticut, to the customs district of Hartford, Conn., and making the city of Rockville, Conn., a port of delivery;

An act (H. R. 83) authorizing the State of Montana to make selections from certain public lands;

An act (H. R. 5293) concerning leases in the Yellowstone National Park;

An act (H. R. 4806) for the relief of Andrew Gray;

An act (H. R. 7734) to amend an act entitled "An act authorizing the construction of a high wagon bridge across the Missouri River at or near Sioux City, Iowa," approved March 2, 1889, as amended by acts of April 30, 1890, February 7, 1893, and March 24, 1894; and

An act (H. R. 108) to fix the times and places for holding the Federal courts in the State and district of Nebraska.

#### PUBLIC BUILDING, SOUTH OMAHA, NEBR.

Mr. BANKHEAD. Mr. Chairman, I now call up the bill (H. R. 109) to provide for the purchase of a site and the erection of a public building thereon at South Omaha, in the State of Nebraska.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and to cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of South Omaha and State of Nebraska, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of \$200,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination, and of his recommendation thereon, and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed \$6 per day and actual traveling expenses: *Provided, however,* That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

No money shall be used for the purpose mentioned until a valid title to the site for said building shall be vested in the United States, nor until the State of Nebraska shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The committee recommend the adoption of the following amendment:

In line 12, page 2, strike out "and fifty;" so that it will read \$200,000.

Mr. BANKHEAD. I move the adoption of the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the report.

[Cries of "Vote." "Vote."]

Mr. SNODGRASS. Let the report be read.

The report (by Mr. MERCER) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 109) to provide for the erection of a public building at South Omaha, Nebr., submit the following report:

South Omaha is the third largest city in Nebraska. Ten years ago not a town lot in sight; to-day 15,000 people enjoy the privileges of its protection and through its busy thoroughfares.

South Omaha is the third largest stock market in the world. The packing houses employ 5,000 persons, paying them in one year almost \$3,000,000. Over 1,000,000 hogs and 500,000 cattle killed in 1893.

The stock yards cover an area of 75 acres. South Omaha continually grows; her industries are varied and prospects great.

Mr. SNODGRASS. I would like to hear the remainder of that report read.

The CHAIRMAN. The Chair is informed that the entire report has been read.

Mr. SNODGRASS. I would like to have some explanation, then, of this bill.

Mr. HAINES of Nebraska. The report explains it.

Mr. SNODGRASS. There is very little explanation contained in the report.

Mr. MERCER. The report is very full, if the gentleman will examine it.

Mr. DOCKERY. There are certain letters accompanying the report that have not been read.

Mr. SNODGRASS. They form a part of the report. I move, Mr. Chairman, that the committee rise.

The question was taken, and the Chairman announced that by the sound the noes seemed to have it.

Mr. SNODGRASS. I ask a division.

The committee divided; and there were—ayes 0, noes 120.

Mr. SNODGRASS. I call for tellers on the vote.

Tellers were refused, there being nine members only voting in favor thereof.

Mr. SNODGRASS. Would a motion be in order that the House now adjourn?

The CHAIRMAN. That motion could not be made in Committee of the Whole.

Mr. BANKHEAD. I move that this bill be laid aside with a favorable recommendation.

The question was taken; and on a division (demanded by Mr. BLAND) there were—ayes 106, noes 6.

Mr. SNODGRASS. No quorum.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will order tellers.

Mr. SNODGRASS and Mr. BANKHEAD were appointed tellers. The committee again divided; and tellers reported—ayes 166, noes 13.

So the bill was ordered to be laid aside with a favorable recommendation. [Applause.]

The CHAIRMAN. The Clerk will report the next bill.

Mr. WILSON of Washington. A parliamentary inquiry.

The CHAIRMAN. The gentleman from Washington.

Mr. WILSON of Washington. At the present rate of procedure it would take a very long time to get through the Calendar. Would it be in order to move to lay aside fifty bills, so that we can all get in?

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. WILSON of Washington. At this rate we can never reach my State at all. I move that the committee rise.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. SNODGRASS. Division.

Pending the count—

Mr. SNODGRASS. I withdraw the demand for a division.

Mr. BANKHEAD. Mr. Chairman, I ask that the bill S. 22 be passed by.

The CHAIRMAN. Without objection, that request will be granted.

There was no objection.

#### PUBLIC BUILDING AT POTTSVILLE, PA.

Mr. BANKHEAD. The next bill on the Calendar is the bill (H. R. 155) to erect a public building at Pottsville, Pa. I call that up.

The CHAIRMAN. The Clerk will report the bill called up by the chairman of the Committee on Public Buildings and Grounds.

The bill was read, as follows:

*Be it enacted, etc.* That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site, and cause to be erected thereon a suitable, commodious, and substantial building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office, internal-revenue office, commissioners' office, and other Government offices, in the borough of Pottsville and State of Pennsylvania. The cost of the site and the building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of \$100,000, which said sum of \$100,000 is hereby appropriated for said purpose out of any moneys in the United States Treasury not otherwise appropriated, upon the following provisions, namely:

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city for at least fourteen days prior to the date specified in the advertisement for opening the proposals. The proposals made in response to said public advertisement at the time named in the advertisement, or within ten days subsequent thereto, shall be received, opened, and considered by a commission of three persons, who shall be appointed by the Secretary of the Treasury, and it shall be the duty of said commissioners to forward to the Secretary of the Treasury, within forty days from the date named in the advertisement for opening the proposals, a written report, with the original proposals, maps, and so forth, and the oaths prescribed by act of Congress approved June 23, 1874, and to definitely state in said report the site selected by them, and their selection of the site shall be final, and each commissioner shall be allowed a compensation for his services of an amount within the discretion of the Secretary of the Treasury, said compensation not to exceed \$200 and actual traveling expenses to each commissioner. So much of the appropriation herein made as may be necessary to defray the expenses of advertising for proposals, compensation, and actual traveling expenses of the commissioners, and other expenses incident to the selection of the site, shall be immediately available; so much of said appropriation as may be necessary for the preparation of sketch plans, drawings, specifications, and detailed estimates for the building by the Supervising Architect of the Treasury Department shall be available immediately upon the receipt of the report of the commissioners selecting the site; so much of said appropriation as may be necessary to make payment for the site shall be available upon the receipt of the written opinion of the Attorney-General in favor of the validity of title to the site selected, and when the State of Pennsylvania shall have ceded to the United States jurisdiction over the site selected, during the time that the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein, or so much of said appropriation as may be necessary to acquire title to the site by condemnation shall be immediately available; and after the site shall have been paid for and the sketch plans and detailed estimates for the building shall have been prepared by the Supervising Architect and approved by the Secretary of the Treasury, the Secretary of the Interior, and the Postmaster-General, the

balance of said appropriation shall be available for the erection and completion of the building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches.

The CHAIRMAN. The Clerk will now report the amendments recommended by the committee.

The amendments recommended by the committee were read, as follows:

Amend by substituting "sixty" instead of "one hundred" in line 14; by striking out the appropriation clause in lines 14, 15, 16, and 17, and by striking out all of the bill including and following the word "so," in line 33.

Mr. BANKHEAD. Mr. Chairman, I move that the amendments be adopted.

The amendments recommended by the committee were agreed to.

Mr. DOCKERY. I desire the reading of the report, or some explanation. This is a proposition to appropriate \$100,000.

Mr. BANKHEAD. It is \$60,000, now that the amendments of the committee have been adopted.

Mr. REILLY. I will be very glad to make a statement or to have the report read. The report is not lengthy.

Mr. DOCKERY. Let the report be read.

The report (by Mr. WRIGHT of Pennsylvania) was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 155) for the erection of a public building at Pottsville, Pa., having had the same under consideration, submit the following report:

A similar bill was introduced in the Fifty-first and Fifty-second Congresses and favorably reported by the Committee on Public Buildings and Grounds.

The population of Pottsville is about 15,000, to which is to be added the boroughs of Yorkville, Mount Carbon, and Palo Alto, contiguous to it and included in the delivery from the Pottsville post-office, which, with the other settlements surrounding the town, all accommodated with postal facilities at the same office, make altogether a population of over 20,000.

The town is prosperous and growing, and the postal business very large. The gross receipts of this post-office for the year ending June 30, 1893, were \$22,768.67, and the net revenue \$9,934.43. The money-order business, both domestic and international, is extensive, aggregating over \$100,000 annually.

The number of registered letters at this office is also very large, averaging about 20,000 per year. Pottsville is besides a distributing center, five railroads having terminals there, and nearly 100 passenger trains moving in and out of the town daily. There are 9 letter-carriers at this office, and the accommodations and facilities are totally inadequate for the volume of business done at this place.

The Government is also at present obliged to rent rooms for its internal-revenue business at Pottsville, which is considerable and fast increasing.

The extent of the public business at this place justifies and the public interests and convenience require a public building. The committee believe that a suitable site can be secured and a building erected thereon such as will accommodate for many years to come all Federal business at Pottsville at a total cost not to exceed \$60,000.

Your committee, therefore, recommend that the bill in question be amended by substituting "sixty" instead of "one hundred" in line 14; by striking out the appropriating clause in lines 14, 15, 16, and 17, and by striking out all of the bill including and following the word "so," in line 33. And that so amended the bill do pass.

Mr. WASHINGTON. I would like to ask the gentleman from Pennsylvania if there is a Federal court held in Pottsville.

Mr. REILLY. No, sir.

Mr. WASHINGTON. Have you any other Federal officials there except the postmaster?

Mr. REILLY. Yes, sir; we have an internal-revenue collector, for whose office the Government now pays rent, as well as for the post-office. We also have a United States commissioner.

Mr. WASHINGTON. How much rent is paid for the present post-office?

Mr. REILLY. For the internal-revenue office and the post-office it is, I think, about \$1,000 a year; I do not know the exact figures. I will say to the gentleman from Tennessee and to the House that this post-office has not only always been self-sustaining, but that it has yielded a net revenue to the Government, and now yields a net revenue of \$10,000 a year; so that in six years we will be able to pay back this money to the Government, if any gentleman has scruples as to the propriety and justice of this investment.

Mr. WASHINGTON. The rent is a good deal less than the interest on \$60,000.

Mr. REILLY. That is true; but the facilities at this office have been and now especially are utterly inadequate, and we have been endeavoring to secure improved facilities, but in view of the possibility of some action of this kind no definite arrangements have yet been made. Inspectors of the Department have repeatedly reported as to the inadequacy of the present quarters and the necessity for better accommodations to transact the public business at this place. This is a very important office. Besides the office force proper, there are ten letter-carriers and ten railway mail clerks sign out from that place; so that the gentleman can see that it is a great distributing point. In addition to the large local business, there are nearly a hundred passenger trains, many of which carry mail, in and out every day, and there is a very large amount of mail matter handled at this office. In the Fifty-first Congress, when a majority of the committee was of the opposite political party, a similar bill was reported, and twice since, and every time it has been

reported unanimously; and I think that is very fair evidence of the merits of the proposed bill.

Mr. WASHINGTON. Does not my friend think that they can rent sufficient accommodation there for a while longer?

Mr. REILLY. Oh, of course that could be done; but I do not think there is a place in the country, considering the revenues that this office has yielded in the past, and the volume of business transacted, in which action of this kind can more properly be taken, or which is so much entitled to have a public building, both in the interest of the Government and of the public. Moreover, as a matter of public policy, I think it wiser to erect necessary public buildings than to pay out annually large sums for rent.

Mr. HERMANN. Mr. Chairman, I desire to say this in reference to this particular bill: I believe it is a worthy measure and one which should receive the approval of this House. But I wish to say—and I ask the ear of the chairman of the committee to this proposition—that one building in a State should be considered at a time, and then another building in another State should be considered. There should be some equality in this matter. I discover by looking at the Calendar that there are several public buildings in this particular State. Possibly the rest of them are not as deserving as this one which we are considering.

But what I particularly desire to call the attention of the House to is this: that from the way in which these bills are placed on the Calendar there is some injustice done to other States in the Union. I particularly call attention of the Committee on Public Buildings and Grounds to the condition of my own State. The capital of that State, which I have the honor in part to represent, is without a public building of any kind or character; and in the district which I also have the honor to represent, you will find an area equal to the entire State of Pennsylvania, and I desire to call the attention of the Committee on Public Buildings and Grounds to this great injustice that seems to be shown on the Calendar in placing two or three bills for the erection of public buildings in one State, while other States have none placed on the Calendar at all.

Mr. REILLY. This is the first bill of this kind called up for the State of Pennsylvania in this Congress.

Mr. HERMANN. I am in favor of this bill. I am simply calling the attention of the Committee on Public Buildings and Grounds to the injustice of giving two or three public buildings to one State, while other States are neglected. That is the case with Pennsylvania, as shown by the Calendar, and some other States are in the same favored position; and that, I say, is an injustice to the States that are entirely left out.

Mr. BANKHEAD. Mr. Chairman, I move that the bill be laid aside to be reported to the House with the recommendation that it do pass.

The question being taken on the motion of Mr. BANKHEAD, the Chairman declared that the ayes seemed to have it.

Mr. HALL of Missouri. I ask for a division.

The committee divided; and there were—ayes 113, noes 8.

Mr. HALL of Missouri. No quorum.

Mr. HALL of Missouri and Mr. BANKHEAD were appointed tellers.

Mr. HALL of Missouri (pending the count by tellers). I withdraw the point of no quorum, Mr. Chairman.

The motion of Mr. BANKHEAD was then agreed to, and the bill was laid aside to be reported to the House with the recommendation that it do pass.

#### PUBLIC BUILDING, CUMBERLAND, MD.

Mr. BANKHEAD. Mr. Chairman, I call up the bill (H. R. 4283) to provide for the purchase of a site and the erection of a public building thereon at Cumberland, Md.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States court-house, post-office, and other Government offices in the city of Cumberland and State of Maryland, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of \$75,000.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination, and of his recommendation thereon, and the reasons therefor, which shall be accompanied by the original proposals and all maps, plats, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may

appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plats, or documents taken by or submitted to them, in like manner as hereinbefore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed \$6 per day and actual traveling expenses: *Provided, however,* That the member of said commission appointed from the Treasury Department shall be paid only his actual traveling expenses.

So much of the appropriation herein made as may be necessary to defray the expenses of advertising for proposals, actual traveling expenses of said agent, and the compensation and actual traveling expenses of said commissioners, and other expenses incident to the selection of the site, and for necessary survey thereof, shall be immediately available.

So much of said appropriation as may be necessary for the preparation of sketch plans, drawings, specifications, and detailed estimates for the building by the Supervising Architect of the Treasury Department shall be available immediately upon the approval by the Secretary of the Treasury of such site.

No money appropriated by this act shall be available, except as hereinbefore provided, until a valid title to the site for said building shall be vested in the United States, nor until the State of Maryland shall have ceded to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

After the said site shall have been paid for, and the sketch plans and detailed estimates for the building shall have been prepared by the Supervising Architect and approved by the Secretary of the Treasury, the Secretary of the Interior, and the Postmaster-General, the balance of said appropriation shall be available for the erection and completion of the building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches.

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

Mr. BANKHEAD. I wish to occupy just about a minute in making a statement with reference to this bill. It provides for the erection of a public building at Cumberland, Md., the site and building to cost not exceeding \$75,000. There is a United States court held there, there is also an internal-revenue office, and the post-office receipts are about \$20,000. I regard this as one of the most meritorious bills on the Calendar. It was reported last year, but was not reached for consideration. I hope that it will now be favorably reported by this committee and passed.

Mr. DOCKERY. I ask that the report be read.

The report (by Mr. MCKAIG) was read, as follows:

Mr. MCKAIG, from the Committee on Public Buildings and Grounds, submitted the following report (to accompany H. R. 4283):

The Committee on Public Buildings and Grounds have had under consideration the bill (H. R. 4283) to provide for the purchase of a site and the erection of a public building thereon at Cumberland, in the State of Maryland, and report the same back with recommendation that it be adopted.

The committee further report the following facts in relation to said city of Cumberland to sustain their favorable report:

Cumberland is the second city in size in the State of Maryland; it is the county seat of Allegany County, which is one of the largest and richest counties in the State. The taxable basis of the city is \$6,500,000, whilst the taxable basis of city and county is \$18,500,000.

The buildings generally are of a substantial rather than a showy character, though many of them, such as the city hall, court-house, academy, banks, and churches, are pleasing specimens of architectural beauty.

The city is lighted by both gas and electricity, Edison and arc lights.

The city is well supplied with schools and churches. Of the former there are seven public schools and of the latter there are eighteen.

The population of 1870 was 8,056, in 1880 it was 10,663, in 1890 it was 12,729. Since taking the last census the number of inhabitants has largely increased, making the present actual population not less than 14,000.

The moving of the Baltimore and Ohio Railroad Company's division shops to the city will bring a permanent addition of 1,000 mechanics and other high-grade workmen and cause an increase of from 4,000 to 5,000 in the population of the city, and that will add largely to the receipts of its post-office. The Baltimore and Ohio Railroad Company are now engaged in putting down 63 tracks, each a mile long, a part of which is in the city limits, as now constituted, to provide a magnificent yard for the use of the terminal of the second and third divisions of the Baltimore and Ohio Railroad Company and the first division of the Pittsburg and Connellsville Railroad Company, which are to be located at the city of Cumberland.

The city is the center of the great coal and lumber region of the Alleghenies and is the source of supply for all the towns along the seven railroads that enter the same, thus making it an important railroad center and constituting it a distributing point in a radius of country over 150 miles in extent, in which there are no large towns. The nearest cities are Pittsburg, 149 miles to the northwest; Baltimore, 192 miles to the east; Washington, 152 miles southeast; Wheeling, 204 miles to the west, and Harrisburg, 220 miles to the northeast. This vast country is filled with building material of every kind, and light and fuel in the shape of coal and gas coal, besides a grade of coal that is used and is dependent upon said city for its supply.

The Georges Creek soft-coal region is annually discharging from 1,200,000 to 1,400,000 tons of the finest steaming coal in the world, which is transported to the markets of the Eastern and Western cities via Cumberland, over the seven railroads radiating therefrom.

The city has 15 miles of paved streets, 30 miles of water pipes, 5 miles of electric street railway, and 32 manufacturing plants, employing many mechanics and laboring men and manufacturing products that are shipped all over the country.

It also possesses three national banks, each with a capital stock of \$100,000, and an aggregate deposit of \$1,500,000.

Cumberland is an important deputy station of the internal-revenue office of the State of Maryland. The receipts from the internal revenue for the year 1889 were \$19,331.40; for 1890 were \$33,672.49, and for the year 1891 \$42,007.90. January receipts in 1892 were \$4,146.55, making a grand total in three years and one month of \$99,158.44. Receipts of February, 1891, were \$2,053.70, while

from February 1 to the 10th day of said month, 1892, they were \$2,144. Annual rental of said deputy office, \$200.

The area of territory covered by distribution of mail matter from the Cumberland post-office reaches an average radius of 5 miles beyond the city limits, covering now the 14,000 people residing in the corporate limits under the free-delivery system of distribution, and the whole distribution from said office covering the city and country, delivery would not be overestimated when placed as a population of 17,000 souls. Amount of business transacted by the post-office, including gross receipts, fiscal year ending June 30, 1881, was \$10,200.68, whilst the postal receipts for the fiscal year ending June 30, 1891, were \$16,750.62, showing a net increase of \$6,549.94 in ten years. Annual receipts from box rents, \$734.

Receipts from all sources, June 30, 1891, \$17,489.43, whilst the receipts from all sources, June 30, 1890, were \$14,948.67, showing an increase of \$2,540.76, being 17 per cent of an increase for the fiscal year ending June 30, 1891.

The classification and postal standing of said city are shown by the following extract from the Postmaster-General's report for the year 1891:

Cumberland, class 2:	
Gross receipts	\$17,481.91
Salary	2,400.00
Clerk hire	2,100.00
Rent, light, and fuel	700.00
Incidental expenses	143.19
Free delivery	3,328.77
Total expenditures	3,671.96
Net revenue	8,809.95
Per cent	50

The Government agent, when the releasing took place this year, owing to the crowded condition of the office and great want of space, undertook to rent at several other points in said city; but failing to procure a suitable place for less than \$1,200, was forced to re-lease the same building, showing that, while the present post-office is conveniently located on the principal street of the city, yet the Government agent considers it entirely inadequate for the accommodation of the constantly increasing volume of business now being transacted by the said office.

To provide a suitable lot for the site of a post-office building with the required space of 40 feet upon all sides of said building, thus providing that it shall be unexposed from fire (the said 40 feet including streets and alleys), would necessitate the purchase of land which at present has valuable buildings upon it; 40 feet of said buildings would have to be cleared entirely off of said lot to give the required space upon each side of said post-office building where said building faces upon two streets and a 40-foot alley.

The city of Cumberland, being located in a valley of small dimensions, surrounded by large mountains upon the west, northwest, and south, and large hills on the east and southeast, and a portion of said territory being taken up by the water space formed by the intersection of the Potomac River and Willis Creek at a point within the corporate limits, necessarily makes a limited area for the accommodation of over 14,000 people, thereby enhancing largely cost of building lots, making property by the square foot or otherwise very expensive.

Large sums of money are kept in the post-office after banking hours, in a safe that is not at all burglar-proof, and the building is so located and of such a character that burglars could easily break into it and rifle the contents of the post-office.

Mr. JONES. Mr. Chairman, I hope the gentleman from Maryland [Mr. MCKAIG] will make an explanation with reference to this bill.

Mr. MCKAIG. Mr. Chairman, I do not think it is necessary for me to make a speech on this subject. The report, I admit, is longer than it ought to be. All I have to add is that Cumberland is a city over a hundred years old; being old Fort Cumberland, from which Braddock marched upon Fort Du Quesne.

It has a population of from twelve to fifteen thousand. The United States courts are to be held there, and there is also a deputy internal revenue office. It is the second city in Maryland in population, and I believe that State has only two United States public buildings. There may be a small one at Annapolis, but the two to which I refer are in the city of Baltimore, and one is over eighty years old; so it can not be charged that Maryland has asked too much in the way of public buildings.

Mr. HITT. What are the gross receipts of the post-office at Cumberland?

Mr. MCKAIG. Twenty-one thousand dollars.

Mr. HERMANN. Mr. Chairman, I desire to supplement what my friend from Maryland has just said, and I take great pleasure in availing myself of this opportunity to say a word in behalf of the old city in which I formerly had the pleasure to reside. Cumberland occupies a very important position in the commerce of that portion of the State of Maryland. It has considerable manufactures, and there are great coal mines all around it, and it is a very important business center. Then, too, as my friend [Mr. MCKAIG] says, it is one of the oldest cities in the State, and it is in every way entitled to have such a public building as this bill provides for.

Mr. MCKAIG. Mr. Chairman, I move that the bill be laid aside to be reported to the House with the recommendation that it do pass.

The question being taken on the motion of Mr. MCKAIG, the Chairman declared that the ayes seemed to have it.

Mr. TALBERT of South Carolina asked for a division, but subsequently withdrew the demand.

The motion was then agreed to, and the bill was laid aside to be reported to the House with a favorable recommendation.

Mr. DOCKERY. Now, Mr. Chairman, I ask the gentleman in charge of these bills [Mr. BANKHEAD] to move that the committee rise. We have reached almost the usual hour of adjournment and have disposed of six bills.

Mr. BANKHEAD. Mr. Chairman, there are two other bills

on the Calendar that ought to be considered and acted upon. One of them is a bill authorizing the erection of a new post-office building in the city of Chicago. That is a very important measure, a new building being absolutely necessary there in the near future. The present post-office building is in a dangerous condition and is entirely inadequate for the business. It has been inspected and condemned as dangerous.

Then, there is a bill on the Calendar providing for an additional appropriation for the Appraiser's warehouse in the city of New York. That, also, is an exceedingly important matter, New York being, as we all know, the city where three-fourths of the revenue of the Government is collected. There are, also, four or five other bills that ought to be passed upon, and I am somewhat at a loss to know just what to do. If we should go on and undertake to consider the two bills I have specified, we should then be unable to dispose of those bills which we have disposed of in Committee of the Whole, and if we fail to consider them now we may not have another opportunity at this session. I ask unanimous consent that the gentleman from Illinois [Mr. BLACK] be permitted to make a brief statement.

There was no objection.

#### PUBLIC BUILDING AT CHICAGO.

The CHAIRMAN. If there be no objection, the gentleman from Illinois [Mr. BLACK] will be allowed to make a statement on the bill indicated by the gentleman from Alabama as the one he proposes to call up next. The Chair hears no objection.

Mr. CAMPBELL. I hope that, in conjunction with this permission to the gentleman from Illinois, my colleague from New York, Gen. SICKLES, may also be permitted to make a short statement in regard to the public building at New York. That is perfectly fair.

Mr. SICKLES. I should like to be heard, Mr. Chairman. I have been waiting here all day, against the protest of my physician, upon an assurance that the New York public building bill would be called up early.

Mr. BLACK of Illinois. Mr. Chairman, I am not enough versed in parliamentary methods to determine exactly what ought to be done to carry out the purpose I have in view. I believe a majority of the members of this House would favor the measures which we propose to present, if they could have an opportunity of hearing them stated and of passing upon their merits. What I want to do is by some parliamentary process to get an hour's time. If there is any motion that can be suggested by some parliamentarian—

Mr. CAMPBELL. Extend the session until 6 o'clock.

Mr. SICKLES. There is no reason why the Committee of the Whole should not go right on with its business. Let us vote down any motion to rise. No motion for the extension of the session is necessary.

The CHAIRMAN. It is in the power of the committee to determine when it will rise.

Mr. BLACK of Illinois. I desire to make a statement as to the merits of House bill No. 397, which I desire to have taken up and considered now.

Mr. CAMPBELL. In connection with this proposition I hope it will be agreed that the New York public building bill shall also be taken up. The Committee on Public Buildings and Grounds adopted a resolution that this New York bill should be one of the first considered. I am in favor of the Chicago bill; but if that bill is to be considered, I want the New York bill considered at the same time or immediately afterward. [Applause.]

Several MEMBERS. That is all right.

Mr. BANKHEAD. I call up the bill (H. R. 397) to provide for the erection of a Government building at Chicago, Ill.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is hereby authorized and directed to cause to be erected upon the present post-office site in the city of Chicago, in the State of Illinois, which site is bounded by Adams, Jackson, Clark, and Dearborn streets, a commodious and sufficiently fire-proof building for the use of the post-office, United States courts, United States treasury, United States collectors, and other necessary officers of the Government not otherwise provided for; the building to be so constructed as to occupy all the available area of the present site to the street lines on all sides, and all of the old material to be used in the new building as far as may be practicable and consistent with permanent work; and the Secretary of the Treasury is hereby further authorized and directed to have prepared by the Supervising Architect full and complete plans, specifications, and detailed drawings within ninety days after the approval of this act, the said plans to be first approved by the Secretary of the Treasury, the Postmaster-General, and the Attorney-General of the United States, after which the work shall be publicly advertised according to law for not less than one month, and the work let to the lowest responsible bidder or bidders.

SEC. 2. That the Secretary of the Treasury is hereby further authorized and directed, in the specifications for the erection of the building, to require that the entire work of constructing the building shall be finished and the building ready for occupancy within eighteen months after the approval of contract. And for the erection of the said building the sum of \$4,000,000 is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, the said sum to be available immediately after the passage of this present act.

Mr. BLACK of Illinois obtained the floor.  
Mr. DOCKERY. I make a point of order against the appropriation carried in this bill.

The CHAIRMAN. The gentleman from Missouri [Mr. DOCKERY] reserves a point of order.

Mr. BLACK of Illinois. I move to amend the bill by striking out that part which relates to the appropriation.

The CHAIRMAN. The Clerk will read the part of the bill which the gentleman from Illinois [Mr. BLACK] moves to strike out.

The Clerk read as follows:

And for the erection of said building the sum of \$4,000,000 is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, the said sum to be available immediately after the passage of this present act.

Mr. CANNON of Illinois. If it is the desire of the Committee of the Whole to strike out this appropriation, I do not object, but it is not subject to a point of order. I will ask my colleague [Mr. BLACK] whether he intends to follow up this motion, if adopted, by an authorization to place the building under contract, to be paid for as appropriations may hereafter be made?

Mr. BLACK of Illinois. Of course it is understood that the necessary steps will be taken to complete the building as rapidly as practicable.

The amendment of Mr. BLACK of Illinois was agreed to.

Mr. BLACK of Illinois. I move that the bill as amended be laid aside to be reported favorably to the House.

The question being taken—

The CHAIRMAN. The ayes seem to have it.

Mr. HUTCHESON. I call for a division.

The question being again taken, there were—ayes 140, noes 8.

Mr. JONES. No quorum.

Tellers were ordered; and Mr. BLACK of Illinois and Mr. JONES were appointed.

The committee again divided; and the tellers reported—ayes 141, noes 2.

Mr. JONES. No quorum.

The CHAIRMAN. There being no quorum, the Clerk will call the roll.

The roll was called, when the following members failed to answer to their names:

- |                    |                 |                   |                   |
|--------------------|-----------------|-------------------|-------------------|
| Abbott,            | Curtis, N. Y.   | Kilgore,          | Ray,              |
| Adams, Ky.         | Denson,         | Lacey,            | Rayner,           |
| Adams, Pa.         | Donovan,        | Layton,           | Richardson, Mich. |
| Aitken,            | Draper,         | Lefever,          | Ritchie,          |
| Alderson,          | Dunphy,         | Linton,           | Robertson, La.    |
| Allen,             | Edmunds,        | Lockwood,         | Russell, Ga.      |
| Arnold,            | Ellis, Ky.      | Loud,             | Ryan,             |
| Babcock,           | Ellis, Oregon   | Loudenslager,     | Sayers,           |
| Bailey,            | Epes,           | Lynch,            | Schermerhorn,     |
| Baker, N. H.       | Everett,        | Magner,           | Shaw,             |
| Baldwin,           | Fielder,        | Maguire,          | Sherman,          |
| Barnes,            | Fyan,           | Marshall,         | Sibley,           |
| Belden,            | Gardner,        | Marvin, N. Y.     | Simpson,          |
| Bell, Colo.        | Gear,           | McAleer,          | Snodgrass,        |
| Bell, Tex.         | Gillet, N. Y.   | McCall,           | Sorg,             |
| Beltzhoover,       | Gillett, Mass.  | McDowell,         | Sperry,           |
| Bower, N. C.       | Goldzier,       | McKeighan,        | Stallings,        |
| Bowers, Cal.       | Goodnight,      | McLaurin,         | Stephenson,       |
| Branch,            | Gorman,         | McMillin,         | Stevens,          |
| Breckinridge, Ark. | Graham,         | McNaguy,          | Stockdale,        |
| Breckinridge, Ky.  | Gresham,        | Meiklejohn,       | Strong,           |
| Brickner,          | Grow,           | Meredith,         | Swanson,          |
| Broderrick,        | Hager,          | Milliken,         | Sweet,            |
| Burnes,            | Haines,         | Montgomery,       | Talbot, Md.       |
| Cabaniss,          | Hall, Minn.     | Moon,             | Tarsney,          |
| Cadmus,            | Hare,           | Moore,            | Taylor, Ind.      |
| Causey,            | Harnier,        | Morse,            | Taylor, Tenn.     |
| Chickering,        | Harter,         | Moses,            | Thomas,           |
| Childs,            | Haugen,         | Murray,           | Tucker,           |
| Clark, Mo.         | Hayes,          | Mutchler,         | Turner, Ga.       |
| Clarke, Ala.       | Heard,          | Newlands,         | Turner, Va.       |
| Cobb, Mo.          | Heimer,         | Northway,         | Turpin,           |
| Cockran,           | Henderson, Iowa | Oates,            | Wadsworth,        |
| Cockrell,          | Hines,          | O'Neil, Mass.     | Walker,           |
| Coffeen,           | Holman,         | Outhwaite,        | Waugh,            |
| Cogswell,          | Hooker, Miss.   | Payne,            | Weadock,          |
| Conn,              | Hooker, N. Y.   | Paynter,          | Wever,            |
| Cooper, Fla.       | Hopkins, Pa.    | Pence,            | White,            |
| Cooper, Ind.       | Houk,           | Pendleton, Tex.   | Whiting,          |
| Cornish,           | Hudson,         | Pendleton, W. Va. | Wilson, W. Va.    |
| Cousins,           | Hulleck,        | Pigott,           | Wolverton,        |
| Crain,             | Hull,           | Powers,           | Woodard,          |
| Culbertson,        | Johnson, Ind.   | Price,            | Wright, Mass.     |
| Curtis, Kans.      | Johnson, Ohio   | Randall,          |                   |

The CHAIRMAN. The committee will now rise.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. MCCREARY of Kentucky reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 174), had found itself without a quorum, whereupon he had directed the roll to be called, and now reported the names of the absentees to the House.

The SPEAKER. The names of the absentees will be entered upon the Journal. One hundred and seventy-five members have answered to their names; nota quorum.

Mr. HOPKINS of Illinois. I ask unanimous consent that the House now take a recess until 11 o'clock to-morrow.

Mr. MADDOX. I move that the House do now adjourn.

The question was taken; and on a division there were—ayes 66, noes 54.

Mr. SICKLES. Tellers.

Tellers were ordered.

Mr. BANKHEAD and Mr. MADDOX were appointed tellers.

The House again divided; and the tellers reported—ayes 48, noes 59.

Mr. MADDOX. I ask for the yeas and nays.

The yeas and nays were ordered.

The Speaker announced the appointment of Mr. MADDOX and Mr. BANKHEAD as tellers at the desk.

The question was taken; and there were—yeas 48, nays 76, not voting 227; as follows:

- |              |            |            |                   |
|--------------|------------|------------|-------------------|
| Bartholdt,   | Crawford,  | Lapham,    | Richards, Ohio    |
| Black, Ga.   | De Armond, | Lawson,    | Richardson, Tenn. |
| Bland,       | Dockery,   | Maddox,    | Russell, Conn.    |
| Brookshire,  | Doolittle, | Mahon,     | Scranton,         |
| Bynum,       | Enloe,     | Mallory,   | Sipe,             |
| Capehart,    | Erdman,    | McDearmon, | Swanson,          |
| Catchings,   | Geary,     | Meyer,     | Talbert, S. C.    |
| Cobb, Ala.   | Griffin,   | Money,     | Tate,             |
| Cooper, Ind. | Hendrix,   | Neill,     | Washington,       |
| Cooper, Tex. | Jones,     | Page,      | Wilson, Ohio      |
| Cox,         | Kribbs,    | Paschal,   | Wise,             |
| Crain,       | Kyle,      | Price,     | Woomer.           |

YEAS—48.

NAYS—76.

- |              |                 |               |                    |
|--------------|-----------------|---------------|--------------------|
| Aldrich,     | Cooper, Wis.    | Hunter,       | Richardson, Mich.  |
| Apsley,      | Covert,         | Kiefer,       | Robbins,           |
| Bankhead,    | Cummings,       | Lane,         | Sickles,           |
| Bartlett,    | Daniels,        | Livingston,   | Smith,             |
| Barwig,      | Davey,          | Marsh,        | Somers,            |
| Berry,       | Dunn,           | Martin, Ind.  | Springer,          |
| Black, Ill.  | Durborow,       | McCreary, Ky. | Stone, C. W.       |
| Boatner,     | English, Cal.   | McDannold,    | Stone, Ky.         |
| Boutelle,    | Forman,         | McEtrick,     | Straus,            |
| Bretz,       | Geiss nhamer,   | McGann,       | Tawney,            |
| Bryan,       | Goldzier,       | McKaig,       | Terry,             |
| Bunn,        | Grady,          | McRae,        | Tracey,            |
| Cadmus,      | Hainer,         | Mercer,       | Updegraff,         |
| Campbell,    | Hatch,          | Morgan,       | Van Voorhis, N. Y. |
| Cannon, Ill. | Henderson, Ill. | O'Neill, Mo.  | Van Voorhis, Ohio  |
| Caruth,      | Hepburn,        | Post,         | Wanger,            |
| Clancy,      | Hicks,          | Quigg,        | Warner,            |
| Cockran,     | Hitt,           | Reed,         | Williams, Ill.     |
| Coombs,      | Hopkins, Ill.   | Reilly,       | Wright, Pa.        |

NOT VOTING—227.

- |                    |                  |                   |                 |
|--------------------|------------------|-------------------|-----------------|
| Abbott,            | Dingley,         | Johnson, Ind.     | Randall,        |
| Adams, Pa.         | Dinsmore,        | Johnson, N. Dak.  | Ray,            |
| Adams, Ky.         | Dolliver,        | Johnson, Ohio     | Rayner,         |
| Aitken,            | Donovan,         | Ke.m.             | Reyburn,        |
| Alderson,          | Draper,          | Kilgore,          | Richie,         |
| Alexander,         | Dunphy,          | Lacey,            | Robertson, La.  |
| Allen,             | Edmunds,         | Latimer,          | Robinson, Pa.   |
| Arnold,            | Ellis, Ky.       | Layton,           | Rusk,           |
| Atery,             | Ellis, Oregon    | Lefever,          | Russell, Ga.    |
| Babcock,           | English, N. J.   | Lester,           | Ryan,           |
| Bailey,            | Epes,            | Linton,           | Sayers,         |
| Baker, Kans.       | Everett,         | Lockwood,         | Schermerhorn,   |
| Baker, N. H.       | Fielder,         | Loud,             | Settle,         |
| Baldwin,           | Fithian,         | Loudenslager,     | Shaw,           |
| Barnes,            | Fletcher,        | Lucas,            | Shell,          |
| Belden,            | Funk,            | Lynch,            | Sherman,        |
| Bell, Colo.        | Fyan,            | Magner,           | Sibley,         |
| Bell, Tex.         | Gardner,         | Maguire,          | Simpson,        |
| Beltzhoover,       | Gear,            | Marshall,         | Snodgrass,      |
| Bower, N. C.       | Gillet, N. Y.    | Marvin, N. Y.     | Sorg,           |
| Bowers, Cal.       | Gillett, Mass.   | McAleer,          | Sperry,         |
| Branch,            | Goodnight,       | McCall,           | Stallings,      |
| Breckinridge, Ark. | Gorman,          | McCleary, Minn.   | Stephenson,     |
| Breckinridge, Ky.  | Graham,          | McCulloch,        | Stevens,        |
| Brickner,          | Gresham,         | McDowell,         | Stockdale,      |
| Broderrick,        | Grosvenor,       | McKeighan,        | Stone, W. A.    |
| Brosius,           | Grout,           | McLaurin,         | Storer,         |
| Brown,             | Grow,            | McMillin,         | Strait,         |
| Bundy,             | Hager,           | McNaguy,          | Strong,         |
| Burnes,            | Haines,          | Meiklejohn,       | Sweet,          |
| Burrows,           | Hall, Minn.      | Meredith,         | Talbot, Md.     |
| Cabaniss,          | Hall, Mo.        | Milliken,         | Tarsney,        |
| Caminetti,         | Hammond,         | Montgomery,       | Taylor, Ind.    |
| Cannon, Cal.       | Hare,            | Moon,             | Taylor, Tenn.   |
| Causey,            | Harmer,          | Moore,            | Thomas,         |
| Chickering,        | Harris,          | Morse,            | Tucker,         |
| Childs,            | Harter,          | Moses,            | Turner, Ga.     |
| Clark, Mo.         | Hartman,         | Murray,           | Turner, Va.     |
| Clarke, Ala.       | Haugen,          | Mutchler,         | Turpin,         |
| Cobb, Mo.          | Hayes,           | Newlands,         | Tyler,          |
| Cockrell,          | Heard,           | Northway,         | Wadsworth,      |
| Coffeen,           | Heimer,          | Oates,            | Walker,         |
| Cogswell,          | Henderson, Iowa  | Ogden,            | Waugh,          |
| Conn,              | Henderson, N. C. | O'Neil, Mass.     | Weadock,        |
| Cooper, Fla.       | Hermann,         | Outhwaite,        | Wells,          |
| Cornish,           | Hines,           | Patterson,        | Wever,          |
| Cousins,           | Holman,          | Payne,            | Wheeler, Ala.   |
| Culbertson,        | Hooker, Miss.    | Paynter,          | Wheeler, Ill.   |
| Curtis, Kans.      | Hooker, N. Y.    | Pearson,          | White,          |
| Curtis, N. Y.      | Hopkins, Pa.     | Pence,            | Whiting,        |
| Dalzell,           | Houk,            | Pendleton, Tex.   | Williams, Miss. |
| Davis,             | Hudson,          | Pendleton, W. Va. | Wilson, Wash.   |
| DeForest,          | Hulleck,         | Perkins,          | Wilson, W. Va.  |
| Denson,            | Hull,            | Phillips,         | Wolverton,      |
|                    | Hutcheson,       | Pickler,          | Woodard,        |
|                    | Ickirt,          | Pigott,           | Wright, Mass.   |
|                    | Izlar,           | Powers,           |                 |

So the House refused to adjourn.

During the roll call the following proceedings took place:

Mr. DOCKERY. Mr. Speaker, I ask unanimous consent that

the roll call be suspended, and that the House do now stand adjourned.

Mr. TRACEY. Regular order.

Mr. DOCKERY. I ask unanimous consent to reconsider the vote by which the yeas and nays were ordered.

Mr. CAMPBELL. I object.

The roll call was then resumed and concluded, as above.

Mr. HOPKINS of Illinois. Mr. Speaker, I desire to ask unanimous consent that the point of no quorum be withdrawn on the bill and that we take a recess until to-morrow—

The SPEAKER. But a call has developed a record of no quorum.

Mr. HOPKINS of Illinois. That is so.

The call of the roll was resumed and concluded.

The following pairs were announced:

Until further notice:

Mr. OATES with Mr. STORER.

Mr. ABBOTT with Mr. THOMAS.

Mr. RUSSELL of Georgia with Mr. MOON.

Mr. BRICKNER with Mr. McDOWELL.

Mr. MONTGOMERY with Mr. MORSE.

Mr. BLACK of Illinois with Mr. CURTIS of New York.

Mr. TAYLOR of Indiana with Mr. BELDEN.

Mr. SCHERMERHORN with Mr. TAYLOR of Tennessee.

Mr. McMILLIN with Mr. HOUK.

Mr. GRESHAM with Mr. MAHON.

Mr. MOSES with Mr. WADSWORTH.

Mr. WHITING with Mr. WHITE.

Mr. GOODNIGHT with Mr. WALKER.

Mr. CLARKE of Alabama with Mr. HENDERSON of Illinois.

Mr. STOCKDALE with Mr. BRODERICK.

Mr. TURPIN with Mr. GILLET of Massachusetts.

Mr. BRECKINRIDGE of Arkansas with Mr. HOPKINS of Illinois.

Mr. LOCKWOOD with Mr. WEVER.

Mr. COFFEEN with Mr. LACEY.

For this day:

Mr. TURNER of Georgia with Mr. CHICKERING.

Mr. PAYNTER with Mr. SHAW.

Mr. HENDERSON of North Carolina with Mr. SHERMAN.

Mr. CORNISH with Mr. HOOKER of New York.

Mr. STALLINGS with Mr. HENDERSON of Iowa.

Mr. SORG with Mr. MEKLEJOHN.

Mr. ALDERSON with Mr. ROBINSON of Pennsylvania.

Mr. BARNES with Mr. McCLEARY of Minnesota.

Mr. WHEELER of Alabama. Mr. Speaker, I would like to vote on this call.

The SPEAKER *pro tempore*. Was the gentleman in the Hall of the House and failed to hear his name called?

Mr. WHEELER of Alabama. I would have been had not the door been locked in the passage which connects the basement committee rooms with the House. I had been attending the numerous votes in the House, and went to my committee room for a few moments. I returned in ample time to vote, but found the door locked, and I had to walk clear around. [Laughter.]

The SPEAKER *pro tempore*. The Chair can not entertain the request on the statement of the gentleman.

Mr. WHEELER of Alabama. I did not expect to be allowed to vote, and it is not essential that I should have voted upon the pending motion, but I wished to call attention to the inconvenience to which members are subjected by locking this door while the House is in session.

The result of the vote was then announced as above recorded.

Mr. BANKHEAD. I move a call of the House.

The question was taken; and the Speaker *pro tempore* announced that the yeas seemed to have it.

Mr. BANKHEAD. Division.

The committee divided; and there were—yeas 43, yeas 25.

So a call of the House was ordered.

Mr. JONES. Tellers. [Cries of "Too late!"]

Mr. MADDOX. I move that the House do now adjourn.

The question was taken; and the Speaker *pro tempore* announced that the yeas seemed to have it.

Mr. WHEELER of Alabama and others. Division.

The House divided; and there were—yeas 38, yeas 47.

Mr. MADDOX. Mr. Speaker—

Mr. JONES. Tellers.

Mr. MADDOX. I demand the yeas and nays.

Mr. SICKLES. Regular order. I ask that the call of the House be proceeded with.

Mr. BERRY. A point of order.

Mr. SICKLES. A call of the House has been ordered, and I demand that it proceed.

The question was taken on ordering the yeas and nays.

The SPEAKER *pro tempore*. Seventeen gentlemen have risen in support of the demand—not a sufficient number—and the yeas and nays are refused. The Clerk will proceed to call the roll.

The Clerk proceeded to call the roll.

Several MEMBERS. What is the question?

The SPEAKER *pro tempore*. This is a call of the House that has been ordered.

Mr. SICKLES. That is all right. That is what I understand.

The roll was called, when the following-named members failed to respond:

Abbott,	Davis,	Ikert,	Pigott,
Adams, Ky.	De Forrest,	Izlar,	Powers,
Adams, Pa.	Denson,	Johnson, Ind.	Randall,
Aitken,	Dingley,	Johnson, N. Dak.	Ray,
Alderson,	Dinsmore,	Johnson, Ohio.	Rayner,
Alexander,	Dolliver,	Kem,	Reyburn,
Allen,	Donovan,	Kilgore,	Richardson, Tenn.
Arnold,	Draper,	Kyle,	Ritchie,
Avery,	Dunphy,	Lacey,	Robertson, La.
Babcock,	Edmunds,	Layton,	Robinson, Pa.
Bailey,	Ellis, Ky.	Lefever,	Rusk,
Baker, Kans.	Ellis, Oregon	Lester,	Russell, Ga.
Baker, N. H.	English, N. J.	Linton,	Ryan,
Baldwin,	Epes,	Lockwood,	Schermerhorn,
Barnes,	Everett,	Loud,	Shaw,
Belden,	Fielder,	Loudenslager,	Shell,
Bell, Colo.	Fithian,	Lucas,	Sherman,
Bell, Tex.	Funk,	Lynch,	Sibley,
Beltzhoover,	Fyan,	Magner,	Simpson,
Bingham,	Gardner,	Maguire,	Snodgrass,
Blair,	Gear,	Marshall,	Sorg,
Bland,	Gear, N. Y.	Marvin, N. Y.	Sperry,
Boen,	Gillet, N. Y.	McAleer,	Stallings,
Bower, Cal.	Gillet, Mass.	McCall,	Stephenson,
Branch,	Goodnight,	McCleary, Minn.	Stevens,
Breckinridge, Ark.	Gorman,	McCulloch,	Stoddard,
Breckinridge, Ky.	Graham,	McDowell,	Stone, Ky.
Bretz,	Gresham,	McKeighan,	Storer,
Brickner,	Griffin,	McLaurin,	Strait,
Broderick,	Grosvenor,	McMillin,	Straus,
Brosius,	Grout,	McNagney,	Strong,
Brown,	Grow,	Meklejohn,	Swanson,
Bundy,	Hager,	Meredith,	Sweet,
Burnes,	Hafnes,	Milliken,	Talbot, Md.
Burrows,	Hall, Minn.	Money,	Tarsney,
Bynum,	Hall, Mo.	Montgomery,	Taylor, Ind.
Cabaniss,	Hare,	Moon,	Taylor, Tenn.
Caminetti,	Harmer,	Moore,	Thomas,
Cannon, Cal.	Harris,	Morgan,	Tucker,
Cannon, Ill.	Harter,	Morse,	Turner, Ga.
Capehart,	Hartman,	Moses,	Turner, Va.
Causey,	Haugen,	Murray,	Turpin,
Chickering,	Hayes,	Mitchler,	Tyler,
Childs,	Heard,	Newlands,	Udegraf,
Clark, Mo.	Heiner,	Northway,	Wadsworth,
Clarke, Ala.	Henderson, Iowa	Oates,	Walker,
Cobb, Mo.	Henderson, N. C.	Ogden,	Waugh,
Cockran,	Hepburn,	Outhwaite,	Weadock,
Cockrell,	Hermann,	Page,	Wells,
Coffeen,	Hicks,	Paschal,	Wever,
Con,	Himes,	Patterson,	Wheeler, Ill.
Cooper, Fla.	Holman,	Payne,	White,
Cooper, Ind.	Hooker, Miss.	Paynter,	Whiting,
Cooper, Texas	Hooker, N. Y.	Pearson,	Williams, Miss.
Cornish,	Hopkins, Pa.	Pence,	Wilson, Wash.
Cousins,	Houk,	Pendleton, Tex.	Wilson, W. Va.
Culbertson,	Hudson,	Pendleton, W. Va.	Wolverton,
Curtis, Kans.	Hull,	Perkins,	Woodard,
Curtis, N. Y.	Hull,	Phillips,	Wright, Mass.
Dalzell,	Hutcheson,	Pickler,	

The SPEAKER. The doors will now be closed and the Clerk will call the names of those who failed to respond on the first roll call.

The roll was called the second time.

The SPEAKER. One hundred and twelve gentlemen have answered to their names.

Mr. JONES. I move to dispense with further proceedings under the call.

Mr. DOCKERY. I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Virginia and the gentleman from Missouri move to dispense with further proceedings under the call.

The question was taken; and the Speaker announced that the yeas seemed to have it.

Mr. DOCKERY and Mr. JONES. Division.

The House divided; and there were—yeas 27, yeas 43.

Mr. DOCKERY. The yeas and nays.

The yeas and nays were ordered.

Mr. BOATNER. I move that the House do now adjourn.

The question was taken; and the Speaker announced that the yeas seemed to have it.

Mr. CAMPBELL and others. Division.

The House divided; and there were—yeas 30, yeas 39.

Mr. BOATNER. The yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 43, yeas 36, not voting 27; as follows:

YEAS—43.		
Bankhead,	Davey,	McCreary, Ky.
Barwig,	De Armond,	McErick,
Black, Ga.	Dockery,	Meyer,
Boatner,	Enloe,	Neill,
Bower, N. C.	Erdman,	Paschal,
Cobb, Ala.	Grady,	Price,
Cogswell,	Hunter,	Richards, Ohio
Coombs,	Jones,	Richardson, Tenn.
Cooper, Tex.	Kribbs,	Robertson, La.
Cox,	Maddox,	Sickles,
Crawford,	Martin, Ind.	Sipe,
		Stone, C. W.
		Stone, Ky.
		Strait,
		Talbot, S. C.
		Tate,
		Terry,
		Warner,
		Washington,
		Woomer,
		Wright, Pa.

NAYS—36.

Aldrich,	Covert,	Hopkins, Ill.	Reilly,
Apsley,	Cummings,	Kiefer,	Robbins,
Bartholdt,	Daniels,	Livingston,	Smith,
Black, Ill.	Dunn,	Marsh,	Somers,
Boutelle,	Durborow,	McGann,	Tawney,
Bryan,	English, Cal.	McKaig,	Tracey,
Cadmus,	Geissenhainer,	Mercer,	Van Voorhis, N. Y.
Campbell,	Hainer,	O'Neill, Mo.	Wever,
Cooper, Wis.	Hitt,	Quigg,	Wheeler, Ala.

NOT VOTING—272.

Abbott,	DeForest,	Izlar,	Pigott,
Adams, Ky.	Denson,	Johnson, Ind.	Post,
Adams, Pa.	Dingley,	Johnson, N. Dak.	Powers,
Aitken,	Dinsmore,	Johnson, Ohio	Randall,
Alderson,	Dolliver,	Kem,	Ray,
Alexander,	Donovan,	Kilgore,	Rayner,
Allen,	Doolittle,	Kyle,	Reed,
Arnold,	Draper,	Lacey,	Reyburn,
Avery,	Dunphy,	Lane,	Richardson, Mich.
Babcock,	Edmunds,	Lapham,	Ritchie,
Bailey,	Ellis, Ky.	Latimer,	Robinson, Pa.
Baker, Kans.	Ellis, Oregon	Lawson,	Rusk,
Baker, N. H.	English, N. J.	Layton,	Russell, Conn.
Baldwin,	Epes,	Lefever,	Russell, Ga.
Barnes,	Everett,	Linton,	Ryan,
Bartlett,	Fielder,	Lester,	Sayers,
Belden,	Fithian,	Lockwood,	Schermerhorn,
Bell, Colo.	Fletcher,	Loud,	Seranton,
Bell, Tex.	Forman,	Loudenslager,	Settle,
Beltzhoover,	Funk,	Lucas,	Shaw,
Berry,	Fyan,	Lynch,	Shell,
Bingham,	Gardner,	Magner,	Sherman,
Blair,	Gear,	Maguire,	Sibley,
Bland,	Geary,	Mahon,	Simpson,
Boen,	Gillet, N. Y.	Mallory,	Snodgrass,
Bowers, Cal.	Gillet, Mass.	Marshall,	Sorg,
Branch,	Goldzier,	Marvin, N. Y.	Sperry,
Breckinridge, Ark.	Goodnight,	McAleer,	Springer,
Breckinridge, Ky.	Gorman,	McCall,	Stallings,
Bretz,	Graham,	McCleary, Minn.	Stephenson,
Brickner,	Gresham,	McCulloch,	Stevens,
Broderick,	Griffin,	McDannold,	Stockdale,
Brookshire,	Grosvenor,	McDearmon,	Stone, W. A.
Brosius,	Grout,	McDowell,	Storer,
Brown,	Grow,	McKeighan,	Straus,
Bundy,	Hager,	McLaurin,	Strong,
Bunn,	Haines,	McMillin,	Swanson,
Burnes,	Hall, Minn.	McNagy,	Sweet,
Burrows,	Hall, Mo.	McRae,	Talbot, Md.
Bynum,	Hammond,	Meliklejohn,	Tarsney,
Cabaniss,	Hare,	Meredith,	Taylor, Ind.
Caminetti,	Harmar,	Milliken,	Taylor, Tenn.
Cannon, Cal.	Harris,	Money,	Thomas,
Cannon, Ill.	Harter,	Montgomery,	Tucker,
Capehart,	Hartman,	Moon,	Turner, Ga.
Caruth,	Hatch,	Moore,	Turner, Va.
Catchings,	Haugen,	Morgan,	Turpin,
Causey,	Hayes,	Morse,	Tyler,
Chickering,	Heard,	Moses,	Updegraff,
Childs,	Heiner,	Murray,	Van Voorhis, Ohio
Clancy,	Henderson, Ill.	Mutchler,	Wadsworth,
Clark, Mo.	Henderson, Iowa	Newlands,	Walker,
Clarke, Ala.	Henderson, N. C.	Northway,	Wanger,
Cobb, Mo.	Bendrix,	Oates,	Waugh,
Cockran,	Hepburn,	Ogden,	Weadock,
Cockrell,	Hermann,	O'Neill, Mass.	Wells,
Coffeen,	Hicks,	Outhwaite,	Wheeler, Ill.
Conn,	Hines,	Page,	White,
Cooper, Fla.	Holman,	Patterson,	Whiting,
Cooper, Ind.	Hooker, Miss.	Payne,	Williams, Ill.
Cornish,	Hooker, N. Y.	Paynter,	Williams, Miss.
Cousins,	Hopkins, Pa.	Pearson,	Wilson, Ohio
Crain,	Houk,	Pence,	Wilson, Wash.
Culbertson,	Hudson,	Pendleton, Tex.	Wilson, W. Va.
Curtis, Kans.	Hulick,	Pendleton, W. Va.	Wise,
Curtis, N. Y.	Hull,	Perkins,	Wolverton,
Dalzell,	Hutcheson,	Phillips,	Woodard,
Davis,	Ikirt,	Pickler,	Wright, Mass.

Mr. BOUTELLE. Mr. Speaker, is it not practicable for the Committee on Rules to bring in a special rule to extricate us from this difficulty and enable us to pass upon this legislation? [Laughter.]

The SPEAKER. This is a question of no quorum.

Mr. BOUTELLE. I supposed that the Committee on Rules could accomplish almost anything.

The SPEAKER. They can not make a quorum. [Laughter.]

Mr. BANKHEAD (during the call). Mr. Speaker, I ask unanimous consent that this roll call be suspended, my purpose being to make a motion to adjourn.

The SPEAKER *pro tempore*. Without objection, that may be done.

Mr. HOPKINS of Illinois. I object.

The Clerk resumed and completed the call.

Mr. BANKHEAD. Mr. Speaker, I am entirely satisfied we can not bring a quorum here to-night—

Mr. HOPKINS of Illinois. Regular order.

Mr. BANKHEAD. I therefore change my vote from no to aye.

Mr. BLACK of Illinois. Mr. Speaker, I ask unanimous consent to print in the RECORD, in connection with the remarks I made this afternoon, certain documents for the information of the House and its further consideration.

The SPEAKER *pro tempore* [Mr. TATE]. The only trouble is that the record shows there is no quorum present.

Mr. BLACK of Illinois. Well, if nobody makes objection— Mr. TALBERT of South Carolina objected, but immediately withdrew the objection.

Mr. BLACK of Illinois. Now, Mr. Speaker, there being no objection, I ask unanimous consent—

The SPEAKER *pro tempore*. The record shows by a ye-and-nay vote that there is no quorum present.

Mr. LIVINGSTON. Mr. Speaker, I make the point that if no gentleman objects or raises the point it is not a question for the Chair.

The SPEAKER *pro tempore*. Without objection, the request of the gentleman from Illinois will be granted.

There was no objection.

The documents are as follows:

HOUSE OF REPRESENTATIVES, UNITED STATES.

Washington, D. C., January 16, 1894.

To the Committee on Public Buildings and Grounds, House of Representatives, United States, and to the said House of Representatives:

The undersigned, your memorialists, members of this House and Representatives therein from Chicago and the State of Illinois, respectfully present:

That on the 23d day of September, A. D. 1893, House bill No. 397, a copy of which is here inserted, was presented to the House, referred to your honorable committee, and still remains under consideration thereby:

"A bill (H. R. 397) to provide for the erection of a Government building at Chicago, Ill.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to cause to be erected upon the present post-office site in the city of Chicago, in the State of Illinois, which site is bounded by Adams, Jackson, Clark, and Dearborn streets, a commodious and sufficiently fireproof building for the use of the post-office, United States courts, United States subtreasury, United States collectors, and other necessary officers of the Government not otherwise provided for; the building to be so constructed as to occupy all the available area of the present site to the street lines on all sides, and all of the old material to be used in the new building as far as may be practicable and consistent with permanent work; and the Secretary of the Treasury is hereby further authorized and directed to have prepared by the Supervising Architect full and complete plans, specifications, and detailed drawings within ninety days after the approval of this act, the said plans to be first approved by the Secretary of the Treasury, the Postmaster-General, and the Attorney-General of the United States, after which the work shall be publicly advertised according to law for not less than one month, and the work let to the lowest responsible bidder or bidders.

"SEC. 2. That the Secretary of the Treasury is hereby further authorized and directed, in the specifications for the erection of the building, to require that the entire work of constructing the building shall be finished and the building ready for occupancy within eighteen months after the approval of contract. And for the erection of the said building the sum of \$4,000,000 is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, the said sum to be available immediately after the passage of this present act."

Your memorialists further state that it is matter of public notoriety, here officially declared by us to the House and the committee, that the public building in the city of Chicago mentioned as the "old building" in said bill, and situate between Adams, Jackson, Clark, and Dearborn streets, is by reason of faulty construction, bad workmanship, defective material, and imperfect foundation work, unfitted for continued use, perilous to life and property, and in danger of falling at any time, all of which matters will later appear in the course of this memorial; that so great and apparent are this peril and danger that the said building has, in a formal and official manner, been abandoned and vacated by the United States court of appeals, as appears by the following order, duly entered of record in said court on the 12th of October, 1893:

"THURSDAY, October 12, 1893.

"Present: Hon. William A. Woods, circuit judge; Hon. James G. Jenkins, circuit judge.

"General order.

"The court being satisfied that the rooms in the Federal building in the city of Chicago, provided for the use of the court, are not proper rooms, the building having been declared by the official inspector to be unsafe, and being believed by the court to be unsafe and dangerous, the marshal of the court is directed to communicate this order of the court to the Attorney-General of the United States, and to ask his approval for the leasing of such rooms in the city of Chicago as may be necessary for the use of the court.

"It is further ordered that upon the conclusion of the argument of cases assigned for hearing on the 20th of October, instant, the court will adjourn to meet at the city of Milwaukee on the 2d day of November, proximo, and resume the call of the calendar."

"United States circuit court of appeals for the seventh circuit.

"I, Oliver T. Morton, clerk of the United States circuit court of appeals for the seventh circuit, do hereby certify that the foregoing written pages, numbered from 1 to 2, inclusive, contain a true copy of the general order of the United States circuit court of appeals for the seventh circuit, made and entered on the 12th day of October, A. D. 1893, October term, 1893, as the same remains upon the files and records of said United States circuit court of appeals for the seventh circuit.

"In testimony whereof I hereunto subscribe my name and affix the seal of said United States circuit court of appeals for the seventh circuit, at the city of Chicago, this 21st day of October, A. D. 1893.

"OLIVER T. MORTON,

"[SEAL.]

"Clerk of the United States Circuit Court of Appeals for the Seventh Circuit."

Your memorialists further show that the work upon this building was begun under an act passed December 21, 1871, two and one-half months after the great Chicago fire, which act made an appropriation of \$2,000,000 for the construction of said building. The attention of the Secretary of the Treasury at an early day was called to alleged defects in said building, its foundation and superstructure; thereupon he appointed a commission of three gentlemen, eminent civil engineers, namely, Gen. William Sooy Smith (who will appear later as a witness in this memorial), Mr. George B. Post, and Mr. O. W. Norcross, who reported that the foundation was too weak to sustain the building and dangerous settlements would occur, rendering very large expenditures of time and money necessary to secure the foundation; that the construction stone of the building was unfit for the purpose, and that the building, if completed, owing to defects in construction and material, would not deserve to stand.

The report of the commission to which we refer is found at page 650 of the Finance Report of 1875, and some of its startling statements and prophecies have been since fully verified and affirmed.

We quote a few of them: "The borings and sections show the presence of two mud deposits under the building, the first extending along nearly the entire Jackson street front and one-half the Clark street front of the building; the second underlies the northwest corner. \* \* \*

"The worst movements of the walls have taken place over these mud deposits, and it seems wonderful that the walls, even with their present weight, stand at all upon such insecure foundations.

"The foundation of the building \* \* \* is a bed of concrete varying in width with the thickness of the walls, about 2 feet wider than the footing courses, and of varying thicknesses from 2 feet 6 inches to 4 feet. As the angle of fracture of good concrete under pressure of a wall is 45 degrees, it should project beyond the footing courses on each side a distance equal to its thickness, or in this case from 2 feet 6 inches to 4 feet. But it does actually project beyond the footing courses only about 1 foot. This error is not material, as it appears impracticable to spread the bearings sufficiently with concrete to provide the necessary resistance to sustain the weight of the completed structure. The quality of the concrete is good, but it was carelessly left without adequate protection from the effect of freezing last winter, from which cause, in combination with unequal settlement, the cracks in the concrete and walls have occurred."

The Secretary of the Treasury thereupon, and upon the 24th of August, 1875, appointed another and greater commission, composed of seven of the most eminent civil engineers in the United States, drawn from civil and military life, asking them to examine with utmost care the building and its foundations. This last commission proceeded to the performance of their duty in apparently the most thorough, accurate, and painstaking manner, and on the 23d of September, 1875, this commission reported substantially that the foundation had not been carried to the requisite depth, where it might have been made perfectly secure; that the foundation of the building was not on firm ground; that the stone was not that which should have been selected for such a building. They recommended that a portion of the building should be taken down and rebuilt; that a part of the stonework should be removed, a part of it entirely omitted; and they commended the suspension of the work on account of the apparently dangerous crack in the wall and the general appearance of the building after its winter exposure.

And your memorialists refer to said reports, as found in said Financial Report of 1875, on page 650 aforesaid, and request their careful consideration by your honorable bodies. Yet they show that despite the various reports aforesaid, the last of which was acted upon by the Secretary of the Treasury by ordering compliance therewith, such was the situation that the said building was completed as at present it is. These defects, early pointed out, were not remedied. The walls have settled and cracked; the whole superstructure threatens at any time to fall into a ruinous mass.

Certain of these developments became very startling, and such of your memorialists as are members from the city of Chicago, being particularly acquainted with such developments, conceived it their duty to present facts in the case to the Treasury Department, whereupon the Secretary of the Treasury directed the Supervising Architect to proceed to Chicago and examine and report on the condition of the building. This he did, filing his report on the 31st of August, 1893, and as it presents an admirable résumé of the building operations, failures, and existing dangerous condition, we here incorporate it wholly in this report.

It is shown therein that the prophecies of evil found in the early reports had been fulfilled, and we call particular attention to parts of the statement underscored by us:

"TREASURY DEPARTMENT,  
"OFFICE OF THE SUPERVISING ARCHITECT,  
Washington, D. C., August 31, 1893.

"SIR: Various reports relative to the condition of the United States custom-house and post-office in the city of Chicago culminated about the 1st of July last in letters from the Hon. Judge Grosscup and Mr. H. J. Toolin, inspector of public buildings, Chicago (referred to this office), urgently calling attention to the alleged dangerous condition of said building, in consequence of which, and with your approval, I visited Chicago, leaving this city on July 28, accompanied by Mr. Adolph Cluss, chief inspector of public buildings, attached to this office, made a thorough inspection of said building, and have the honor to report, as follows:

"The condition of the building as regarding order and cleanliness I found to be discreditable throughout, and in places filthy and dangerous to the health of the occupants, betraying gross negligence or incompetence, or both, on the part of the custodian and superintendent, and calling imperatively for the appointment of an active, competent, and conscientious person to fill this important and responsible position.

"For a clear understanding, from a structural point of view, of the condition of the building in question, it is necessary to give in due sequence a short résumé of its record from the beginning.

"The excavations for the building were made and the concrete foundations put in place in the seasons of 1872-'73. In the spring of 1875 the walls of the first story and part of those of the second story were erected.

"At this early stage of the work settlements were perceptible, and charges were made that there were serious defects in the foundations and in the stone used for the superstructure of the building, in consequence of which charges, Hon. B. H. Bristow, then Secretary of the Treasury, appointed W. S. Smith, civil engineer, of Chicago, George B. Post, architect, of New York, and O. W. Norcross, builder, of Massachusetts (three men eminent in their callings), as a commission for the purpose of examining the condition of the building.

"On the 15th of June, 1875, this commission reported that the clay under the foundations contained dangerous mudholes, and was too weak to sustain the weight of the proposed building; that the sandstone used in the building was totally unfit for the purpose; that much inferior labor was incorporated in the building, and that it would be a waste of time and money to proceed further with the construction. Upon receipt of this report, on June 24, the Secretary of the Treasury ordered work upon the building to be suspended until Congress had taken action in the case.

"This stoppage of the work and the prospect of delay in the completion of the building alarmed the municipal authorities of Chicago, and the mayor, acting under instructions from the city council, appointed a commission of seven local architects for the purpose of reporting whether the building could be safely completed upon its then foundation. John M. Van Osdel acted as chairman. This commission, "in an evil hour," reported that the structure was strong and stable; that the cut stone used was durable, and that with minor changes in the foundation of some of the piers, at a moderate cost, the work could be resumed and carried to completion.

"Since these conclusions differed radically from those of the Government commission, the Secretary of the Treasury appointed another commission consisting of three architects, two civil-engineers, and two builders, Gen. W. B. Franklin being selected as chairman, for the purpose of reviewing the conflicting reports, and to make a new inspection of the building.

"This commission reported on the 23d of September, 1875, that the whole building was underlain with a compressible mixture of clay, sand, and water,

in thickness from 24 to 25 feet, below which there is a hard blue clay, down to which hard blue clay the foundation should have been carried, and had this course been adopted there would never have been any question concerning the safety of the building.

"They pronounced the cut stone of the building inferior; but in view of the fact of the large amount of money that had already been expended in the cutting of the stone and delivering it on the ground, they did not recommend a change in that item.

"They recommended that certain defects in the foundations should be remedied; that a radical reduction of the weight of the building should be made, observing the principle of equalizing the pressure on the footing stones; that certain defective piers should be rebuilt; that all stone work above the main cornice should be omitted, and then, notwithstanding the first report and their own tests and observations, unwisely recommended that the work be resumed.

"On the 25th of September, 1875, the Secretary of the Treasury, Hon. B. H. Bristow, unfortunately approved this report; instructed the then Supervising Architect to resume operations, and to be guided by its recommendations.

"On the resumption of operations little attention seems to have been paid to the recommendation of this report by the persons having the construction of the building in charge, and on May 13, 1878, William H. Smith, collector of customs, and H. W. Thompson, assistant district attorney, of Chicago, brought grave charges of alleged fraud, abuses, and neglect of duty on the part of officers, employés, and contractors connected with the construction of the building.

"These were reported upon on June 8, by H. F. French, Assistant Secretary of the Treasury, and on June 10 Hon. John Sherman, Secretary of the Treasury, approved the report as to frauds, abuses, and neglect by the Superintendent, contractors, and chief subordinates, deeming it best to employ other officials. French's report being turned over to the Attorney-General, a number of the officials were subsequently indicted; and there the matter seems to have ended.

"In May, 1880, the building was taken possession of by the postal service, although yet unfinished, and requiring another year for completion.

"Continued settlements were noticeable all through the period of construction, and the years 1881 to 1887 the record of the settlements of the building were kept by exact levels and measurements. Extensive repairs had to be repeatedly resorted to, and a complicated system of heavy iron rods were introduced—to hold the walls in position—which extend on the second and third floors, transversely and longitudinally over the whole area of the building, and which, it is almost needless to say, do not accomplish the object intended.

"In February and October, 1890, exhaustive reports, based upon exact instrumental determinations, and tests from foundations to roofs, were made by Mr. Adolph Cluss, an experienced expert of this office. In November following these were personally revised in all branches by Mr. James H. Windrim, then Supervising Architect, who indorsed and reported them in December, 1890, to Mr. Windom, the then Secretary of the Treasury.

"Observations and tests made at my recent inspection and during the three months last past prove that since the year 1875 the greatest settlement of the building has occurred at the corner of Jackson and Clark streets, and amounts to 11½ inches below the original level; the settlement at the corner of Adams and Clark streets amounts to 8½ inches, while the settlement in the center between these two points is but 6 inches.

"The interior walls and columns have settled very irregularly, and less than the heavy exterior walls. These unequal settlements have caused the present alleged unsafe condition of the building, and are shown by the cracks and fissures in the walls throughout, particularly at the junction of the exterior and interior walls; bulges and cracks in the walls surrounding the court yard and numerous humps and wavy surfaces in the floors of the offices and corridors throughout the entire building.

"The observations prove further that during the last three years the settlements have been going on at the same slow and steady rate of the earlier periods, and that the settlements are still largest and most pronounced at the points where originally the least reliable soil was built upon. Many old cracks repaired in 1891 indicate by fresh fissures that the movement has not stopped, but continues to the present date, and is likely to continue.

"The roof construction is in an equally deplorable condition with the other parts, and, as a whole, I have never been called upon to examine a building which shows so many plain and convincing evidences of grossly corrupt administration and wasteful and defective construction as this, with perhaps the single exception of the recently erected immigrant buildings on Ellis Island, New York Harbor.

"Taking it as a whole, I am inclined to say that there is no cause to fear an immediate collapse of the structure; but this is the best that I feel warranted in saying in its favor. In a building, however, which is unquestionably in movement pieces of heavy plastering and stucco cornices in the rooms and corridors, and of iron moldings, or even detached bricks, may occasionally, and are likely, to fall at any moment, to the imminent danger of life and limb, if not anticipated and prevented by the watchful care of a vigilant, alert, and conscientious superintendent.

"It is evident that unless the defects in the foundations are cured, there is no telling when a tragedy may occur. A radical cure would require a complete system of underpinning of the exterior walls with steel beams and concrete, thus extending the area of pressure upon the weak soil beneath. This underpinning, including the regulating and relaying of floors, rebuilding of walls, repairs to roofs, drainage and mechanical appliances, renewal of decorations, etc., would involve an enormous expenditure, which I estimate at from \$500,000 to \$750,000, and would interfere for a length of time with the occupation of the building by the postal and other services, and in the end result in an unsightly patched-up structure.

"I therefore hesitate to make any recommendation, further than the expenditure of the minimum amount of money necessary for the safety and convenience of the occupants, until the case is brought to the attention of Congress.

"The cost of the building has been as follows:

For the site.....	\$1,250,265.65
For the construction.....	4,615,121.35
Total.....	5,874,507.00

"To this must be added \$100,000 appropriated last winter for the annex, not yet ready for occupation, and intended for the accommodation of the increased business resulting from the World's Fair.

"To this, also, must be added the appropriation for repairs for March, 1885 to date, aggregating \$419,000, of which a sum of \$43,427 was unexpended on the 1st day of August, and which is now being drawn upon daily and heavily for the necessary repairs and preservation of the building.

Respectfully, yours,

"JEREMIAH O'ROURKE,  
"Supervising Architect.

"HON. JOHN G. CARLISLE,  
"Secretary of the Treasury."

Upon the receipt, by the courtesy of the Secretary of the Treasury, of said

report of the Supervising Architect, certain of your memorialists addressed a communication to the Secretary of the Treasury, a copy of which we here insert as best embodying our views of the situation at that time, and which have been intensified by recent events:

"HOUSE OF REPRESENTATIVES, UNITED STATES,  
"Washington, D. C., September 16, 1893.

"DEAR SIR: The undersigned members of Congress from the State of Illinois representing, some of us, the State at large, and others particularly the interests of the people of the city of Chicago, respectfully suggest that we have, by your courtesy, had opportunity to and have examined carefully the report of Mr. Jeremiah O'Rourke, Supervising Architect of the Treasury, submitted to you by that official on the 31st of August ultimo, touching the condition of the Federal building in the city of Chicago, commonly known as the post-office building, and in which are located various Government offices, the post-office, the collector's office, the United States marshal's office, the United States circuit and district courts for the northern district of Illinois, and the appellate courts, etc. We respectfully invite your attention to certain prominent features of that report.

"It shows that since the beginning of the post-office building in the city of Chicago there have been a number of careful examinations made of said buildings by commissions duly authorized thereto and by officials detailed for that purpose.

"Each and every one of said examinations has resulted in the exposure of gross faults of construction and serious defects in the materials employed in said building and they have exhibited a constantly increasing condition of danger and threatened ruin of said building.

"The report of the Supervising Architect of the 31st of August shows that one side of this building has sunk on varying lines from 8 1/2 inches to 14 inches; that the sinkings are irregular, and that the results of such irregularities are plainly visible in the breaking of the superstructure now partially held together by a system of iron rods passing at different heights from side to side and from end to end of the building for the purpose of holding the walls in position. But the Supervising Architect declares substantially that the purpose for which these rods have been used has not been accomplished.

"The Supervising Architect declares that a tragedy may occur at any time in this building. His language is: 'It is evident that unless the defects in the foundation are cured there is no telling when a tragedy may occur.'

"The curing of these defects, he states further, would involve an enormous expense; and would interfere with the occupation of the building during its progress, and when completed leave the building an unsightly and patched-up structure. He further states that, with possibly a single exception, 'no building he has ever been called upon to examine shows so many plain and convincing evidences of careless and corrupt administration, and wasteful, defective construction as this.' He states that the building is unquestionably in movement, and that fragments of it are likely to fall at any moment to the imminent danger of life and limb, and that constant vigilance and watchfulness are necessary to prevent recurring minor tragedies. He states that the settling of the building is going on now, as it did at the first; that the walls are bulged and cracked and the floors of offices and corridors humped and wavy.

"The nation, Mr. Secretary, was recently shocked by the falling of a public building in Washington where a few score men were employed. In the Government building at Chicago thousands of citizens enter and depart every day, except Sunday, and probably one thousand post-office employes come and go at all times, including the carriers who receive and dispatch mail matter, the clerks, the wagon men, and the various attachés of the post-office proper, in addition to which the courts are thronged with judges, attorneys, clients, and spectators. In short, it is a greatly frequented building, and the dimensions of a disaster, in the event of the tragedy occurring, which the Supervising Architect's report refers to, would be measured in its loss of human life only by the occupancy at the unforeknown hour at which it may occur.

"We are aware that the condition of the public Treasury is such that no unnecessary expenditure should be incurred, but the warning in this case is so plain, the information officially given is so explicit, and the possible disaster so grave that we do not feel that any ordinary financial consideration should weigh in determining the course to be pursued.

"In view of all the facts recited in the report to which we respectfully but earnestly invite your attention, we suggest and urge that you will direct the proper steps to be taken for the immediate vacation of the Federal building at Chicago and for securing other quarters for the transaction of the postal and other governmental services at that point.

"This course would be insisted upon by the municipal authorities of Chicago in case a private building was in the condition of the Federal building which the Supervising Architect alleges to exist. We furthermore request that you will cause said Supervising Architect's report to be communicated to the Congress of the United States to the end that legislation may be had looking to the erection of new and safe quarters for the transaction of the business of the Government in its postal services and in its various revenue offices and in its courts and other attachments.

"We beg further to suggest that the completion of this building, after the report first made to the Secretary of the Treasury, Hon. B. H. Bristow, would not have been allowed but for the circumstances which surrounded the inception of its construction. The preparations made for its building were made partly because the city had been devastated by fire of unparalleled magnitude and it was deemed expedient to afford relief to its workers, and so the ordinary prudent investigations and restrictions surrounding so large a structure were neglected, evaded, or disregarded. The amount expended upon the building is prodigious, but nevertheless it stands to-day a veritable deadfall, the hour of whose crumbling into ruin can not be foreseen nor averted without other enormous and unsatisfactory expenditures.

"We are aware, Mr. Secretary, that this unsightly pile may endure for a period. We are certain that there will be a speedy end to that period. We feel that we must, in justice to our fellow-citizens and constituents, make the request of you that we have made. We urge this, in no sensational or alarmist spirit, but because men of eminence as engineers and the Government officials thereto, appointed, qualified, and delegated, have each and all declared that this structure is insecure, threatening, and dangerous. A failure upon the part of those responsible would be attended with consequences to be remembered and regretted while the city has a history.

"We earnestly ask your cooperation in every just and practicable measure which may be taken to avert the disaster foreseen and foretold by the scientists and experts, and to add us in securing fitting accommodations for the great services of the Government at Chicago.

"Very respectfully yours,

"JOHN C. BLACK, M. C., Illinois.

"A. J. HUNTER, M. C., Illinois.

"J. FRANK ALDRICH, M. C., First Illinois.

"L. E. MCGANN, M. C., Second Illinois.

"ALLAN C. DURBOROW, JR., M. C., Third Illinois.

"JULIUS GOLDZIER, M. C., Fourth Illinois.

\*Hon. JOHN G. CARLISLE,  
"Secretary of the Treasury, Washington, D. C."

In replying to our said communication the Secretary, on the 4th of October, 1893, addressed to us the following letter, in which he said the power to comply with our requests contained in our communication to him was not in him, but in the Congress, adding:

"I concur, however, with the conclusion reached by the Supervising Architect, that it will be necessary to provide at a reasonably early day for the erection of a new and larger public building at Chicago."

We here add a copy of the Secretary's letter:

"TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,  
"Washington, D. C., October 4, 1893.

"GENTLEMEN: I have the honor to acknowledge the receipt of your communication of the 16th ultimo, in which, after reviewing the report recently made by the Supervising Architect upon the condition of the public building at Chicago, you say:

"In view of all the facts recited in the report, to which we respectfully but earnestly invite your attention, we suggest and urge that you will direct the proper steps to be taken for the immediate vacation of the Federal building at Chicago and for securing other quarters for the transaction of the postal and other governmental services at that point."

"This communication has been referred to the Supervising Architect of the Treasury Department, with instructions to reexamine the subject and submit such suggestions and recommendations as he might consider proper in view of the situation, and a copy of his response is herewith transmitted.

"It is scarcely necessary for me to call your attention to the fact that in the existing state of legislation upon the subject the Secretary of the Treasury has no power to vacate the building now occupied by the public officers at Chicago or to secure by rental or otherwise other buildings at that place for the transaction of the public business. Congress alone has the power to determine what shall be done with the present building, and whether or not a new one shall be erected or necessary accommodation secured for the public officers by renting suitable quarters.

"I concur, however, with the conclusion reached by the Supervising Architect that it will be necessary to provide at a reasonably early day for the erection of a new and larger public building at Chicago; but whether it shall be located on the present site or at some other place in that city is a question upon which I prefer not to express an opinion at this time.

"I also inclose herewith a copy of your communication above referred to.  
"Yours, respectfully,

"J. G. CARLISLE, Secretary.

"To Hon. JOHN C. BLACK, Hon. A. J. HUNTER, Hon. J. FRANK ALDRICH, Hon. L. E. MCGANN, Hon. ALLAN C. DURBOROW, Hon. JULIUS GOLDZIER, House of Representatives."

Your memorialists respectfully submit that the unbroken testimony of a line of architects, commissions, and officials, covering the entire life of the building, show it to be, as we affirm, unsafe, discreditable, and dangerous to human life and Government property, and that for these reasons it should be replaced at the earliest possible day by suitable governmental structures.

2.

But for other than mere reasons of humanity, heretofore urged, and because that, if it was perfectly safe, the said public building in Chicago has become outgrown and unfitted for the discharge of the work required to be done in it, because that it is antiquated in its structure, having none of the modern facilities for the doing of the immense business centering in Chicago, bearing no more relation to the building that should succeed it than a freight caboose bears to a vestibuled palace car, we urge the passage of the bill.

And we submit for your consideration the following statements:  
\* Chicago is to-day easily the second great postal point in the Union. The mails of 25,000,000 people are distributed through its limits, the city itself having a population of a million and a half, and all of this done with facilities prepared twenty years ago, in a town with a population of 400,000. We have not need to convince the Post-Office Department in this particular, for in his able report of last year the Postmaster-General declared as follows:

"The greatest concentration of the Railway Mail Service of the country is at Chicago, hence its importance as a receiving and distributing point is greatly out of proportion to its postal revenues or the number of local patrons. It needs further special attention also, by reason of its great expansion of territory. \* \* \* There should be no hesitancy, therefore, to make such direct and needful appropriations as will admit of bringing these offices (Chicago and New York) up to the highest standard of efficiency."

We commend the further recitals of the report, found on pages 36 and 37, wherein these two great cities are designated as collectors and distributors of the world's through mail, and that all emphasis may be given to the declaration of the Postmaster-General, that the importance of the office is over proportionate to its revenue, we find him stating (page 620) that the gross revenues of this office are \$4,672,018.12; that its net revenues are \$3,025,698.70. Give us the net revenue for eighteen months and we will build the fairest building in the postal service of the Union.

So earnest was the Postmaster-General in this matter that he urged what we respectfully ask at your hands—separate action.

We have already quoted the declaration of the Secretary of the Treasury as to the pressing need for adequate buildings in place of the present inadequate one.

Because, therefore, of the facts herein recited; because of the possible grave consequences to citizen and Government which may occur, and to prevent which does not lie within the power of the citizen, save by quitting the service of the Government; because that the buildings now in use have become outgrown, antiquated, and unsuitable, we respectfully ask that the committee will report the bill No. 37 to the House with such amendments, if any, as the committee in its wisdom may desire to make, and that action may be taken at an early day.

With great regard, we are your fellow-members and memorialists,

JOHN C. BLACK, M. C.,  
Illinois.  
ALLAN C. DURBOROW, JR.  
A. J. HUNTER.  
L. E. MCGANN.  
JULIUS GOLDZIER.  
J. FRANK ALDRICH.  
W. S. FORMAN.  
GEO. W. FITTHAN.  
A. J. HOPKINS.

JOHN J. McDANNOLD.  
WM. M. SPRINGER.  
GEO. W. SMITH.  
P. S. POST.  
B. F. FUNK.  
T. J. HENDERSON.  
EDWARD LANE.  
R. A. CHILDS.  
J. R. WILLIAMS.  
H. K. WHEELER.

\*I have not had time to inform myself as to statements contained in foregoing memorial, but from the reputation of the custom-house and post-office at Chicago, and from examination of same, I am satisfied that a new building should be constructed upon the site of the old, and will cheerfully cooperate to that end.

J. G. CANNON.  
R. R. HITT.  
B. F. MARSH.

JANUARY 17, 1894.

## MEMORANDA.

We add that the building site is ample for the public needs, being 321 feet by 395 feet between the building lines; that it is in the heart of the city, whose whole postal life has become accommodated to its present location; that it can be made as secure as a rock foundation by proper and exhaustive use of piles and cement, as shown in Government Engineer Board report of September, 1875, and as further shown by the stability of buildings on either side much greater in dimensions than the Government building, and which are stable and secure.

Also, part of letter from Gen. Smith, recently received, casting light on the "corrupt methods of construction" spoken of by architects:

"SEPTEMBER 21, 1893.

"There is a very important fact that, I think, was not stated in our report years ago, viz: While the plans showed the concrete underlying the footing courses spread at angle of 45°, it was actually cut under by the contractor to save material, giving it the form of a wedge with the point cut off.

"Even if the concrete had been put in as planned the load per square foot on the underlying soil would have been largely in excess of its sustaining power; but the weakness of the foundations was aggravated by this rascally diminution of area.

"The prediction I made in my testimony before the second Government board, that 'if the building was completed according to the plans (it was in course of construction when the investigation was in progress) it would be a first-class wreck inside of twenty years,' was absolutely fulfilled; and it needed no prophet to make it, nor does it now require divine inspiration to foretell the absolute collapse of the building within another twenty years, and probably very much sooner."

TREASURY DEPARTMENT, OFFICE SUPERVISING ARCHITECT,  
Washington, D. C., September 23, 1893.

SIR: In compliance with your verbal instructions, that I supplement, with practical suggestions and recommendations, my recent report on the post-office and custom-house building in the City of Chicago, dated August 12, 1893, in connection with the recent communication addressed to you by Hon. JOHN C. BLACK and other members of Congress from Illinois, dated 16th instant, I have the honor to do so, as follows:

While I must repeat and even emphasize the statement in my report as to the unsafe condition of the building in question, I desire to say that those statements were not intended to be understood in the extreme sense which the honorable members from Illinois seem to have taken them, as expressed in their very able communication to you on the subject.

I have been and, after mature reflection, I am still satisfied that the building is in no danger of an immediate collapse, and that, if so desired, it can be safely maintained and used for its present purposes for some years, or during the time required for the erection of a more suitable and permanent building; provided, however, that it is placed and kept under watchful care and receives the constant attention of a thoroughly competent and vigilant superintendent, with a suitable contingent force of alert and intelligent workmen at his command.

I have no hesitation in suggesting and recommending the erection of a new and larger building, in keeping with the growing wants of the city of Chicago, to be erected on the Lake front or on any suitable location that may be selected, other than the present site. This recommendation I make in the interest of economy as regards the Federal Government and eventual satisfaction to the citizens of Chicago.

The recent erection of the post-office annex at a cost of nearly \$100,000 makes this by far the most convenient and suitable building in the city for present requirements. To tear this annex down immediately after its erection would be a cause of just criticism and scandal. Its use for post-office purposes, etc., pending the erection of a new building would be far more convenient for the people of Chicago, would save the Government the very large expenditure required for the renting and fitting up of suitable buildings, even if such could be found in the city of Chicago, which is very doubtful.

In case it is decided to sell the present building and site, and use the receipts for the erection of a new Federal building on the Lake front, or elsewhere, I would recommend in the strongest manner, that the parties purchasing shall be bound strictly and without evasion to tear the present building down to the foundation, for to allow it to be "bushed up" or repaired by a private purchaser would be, in my opinion, to court inevitable disaster in the future.

I return herewith my report of August 31, and the communication of September 16, and have the honor to be,

Respectfully, yours,

JEREMIAH O'ROURKE,  
Supervising Architect.

Hon. JOHN G. CARLISLE,  
Secretary of the Treasury, Washington, D. C.

CHICAGO, January 22, 1894.

Hon. W. HESING, Postmaster:

SIR: Referring to your request for sanitary investigation of the post-office building in this city, I have the honor to inform you that I caused officers of this Department to investigate the same, and make a chemical examination of the air in certain rooms specified in the reports.

I herewith transmit them as a part of this report, and it will be seen that the present situation is such as to jeopardize the health and lives of the employes. In my opinion the present building should be either thoroughly overhauled or vacated. The renovation necessary to place it in proper sanitary condition would necessarily include new plumbing and painting, and a proper system of ventilation. This opinion is shared by the representative of the Marine Hospital Service, Dr. Hamilton, whose office is in the building, and with whom I have consulted.

I am, sir, very respectfully, yours,

ARTHUR R. REYNOLDS,  
Commissioner of Health.

I have read the foregoing report and transmitted papers, and respectfully concur therein.

JOHN B. HAMILTON,  
Surgeon, United States Marine Hospital Service.

CHICAGO, January 19, 1894.

DEAR SIR: We desire to make report regarding the investigation of the air in the Government building. The building was visited in the forenoon, at which time the fewest number of employes are present. The conditions, therefore, are unusually good at this time. After remaining in the rooms for a short time we noticed the fullness in the head which is due to an excess of carbon dioxide in the air. The amount of dust was marked. The air of the building was examined in four places: No. 1, basement; No. 2, bag room; No. 3, carriers' room; No. 4, west gallery of carriers' room.

In the basement the amount of dust was most marked, and Petri dishes four inches in diameter that were exposed here for three minutes showed

350 bacteria to have fallen upon them. The amount of carbon dioxide estimated in parts per 10,000 was 12.28 parts. In the washroom in the basement the presence of hydrogen sulphide was shown to be marked by using lead papers.

The bag room had been ventilated during the forenoon and was said to be in unusually good condition. The amount of carbon dioxide here was shown to be 12.24 parts per 10,000, and the number of bacteria that fell upon the exposed Petri dishes in three minutes was 410.

The amount of carbon dioxide in the carriers' room was shown to be 21.25 parts per 10,000, and the number of bacteria that fell upon the plates exposed as before was 178.

The air taken from the west gallery showed 16.33 parts of carbon dioxide, but the conditions were unusually good, as a number of the transoms were open at the time. The number of bacteria that fell upon the plates exposed in the gallery was 154.

The examination of the air in the building shows that the ventilation in the building is bad, as the amount of carbon dioxide should never be over 5 or 8 parts per 10,000 and the amount of dust would be much less. When the carbon dioxide is over 8 parts the sensation of headache and giddiness from which the men complain occurs, and when it is over 18 parts no mental work can be carried out satisfactorily.

Very respectfully submitted.

ADOLPH GEHRMANN, M. D.  
CASS L. KENNICOTT.

Dr. A. R. REYNOLDS,  
Commissioner of Health.

## REPORT AS TO SANITARY CONDITION OF POST-OFFICE.

DEAR SIR: In compliance with your request to make a thorough examination of the sanitary condition of the Chicago post-office, I respectfully submit the following report:

The building was visited in the forenoon, at which time the fewest number of employes were present. At this time the chemical examination was made. The sanitary examination extended through a period of four days.

The basement, in which about two hundred men are constantly employed, is dark, grimy, and unventilated. Upon application of the peppermint test we found the sewerage defective, catch-basins full and even with the floor surface. Found water-closet connections connecting with catch-basins and human excretion floating on the surface, especially in room called the weighing-room.

The water-closets and wash room in southeast corner of building, containing fourteen water-closets, several urinals and wash bowls, we found in a decidedly unsanitary condition. The fixtures themselves are covered with filth from constant use, soaked and impregnated, while underneath the fixtures water constantly stands. The air of this room is decidedly bad. During the peppermint test, peppermint was plainly discernible in and about fixtures, showing defects in sewerage system. The same general conditions apply to toilet rooms wherever found in basement or on the main floor.

Upon removing the covers of catch-basins in different parts of the basement the odor of peppermint was plainly discernible. As a properly constructed basin is supposed to be trapped against the main sewer or connection, it is plain to be seen that they are deficient in the most important requisite looking to safe or perfect sewerage.

No provision seems to have been made for a supply of fresh air to basement, while the building of the annex has darkened and decreased any chance for ventilation on that side of the building. In conversation with employes we found many of them complaining bitterly of the conditions with which they are surrounded. Sickness among employes is the rule rather than the exception.

On the main floor, in carriers' room and gallery, the air is exceedingly close and stifling. Here the employes complain of lassitude, headaches, etc. As at times there are from four hundred to five hundred working on this main floor their condition without ventilation may be imagined. (See chemical test).

The postmaster's room, northeast corner of building, is deficient in ventilation, being closed in from outer air by reason of the annex part of building, the supply of fresh air in this room being very deficient.

The offices occupied by officials of the Government in the upper part of building are fairly well off as regards light and air, but the plumbing work in general is radically wrong.

Returning to the carriers' room, the fresh-air supply is presumably taken from the corridor. The only supply the corridor receives is from the opening of the doors leading thereto. This is irregular and inefficient. Although transoms are provided over doors and windows, there is no indication of their ever having been opened of late years, as their appliances for opening are rusted and out of order. I failed to find an official or employe of the building who knew of their having been opened at any time.

The carriers' room is inclosed by skylight, no ventilation on same. At the time of our visit daylight was hardly discernible through it on account of the dirt upon it.

I can only say in regard to this building, it is utterly deficient in every requisite as regards drainage, light, and ventilation. Seven hundred employes in basement and carriers' room upon whom the sun can not shine during their employment in the building. The conditions are inexcusably bad, and would not be allowed in any mercantile establishment in the city of Chicago without action, prompt and vigorous, by this Department.

Very respectfully,

ANDREW YOUNG, Chief Inspector.

ARTHUR R. REYNOLDS, M. D.,  
Commissioner of Health.

TREASURY DEPARTMENT, OFFICE OF THE SUPERVISING ARCHITECT,  
Washington, D. C., September 23, 1893.

SIR: In compliance with your verbal instructions, that I supplement, with practical suggestions and recommendations, my recent report on the post-office and custom-house building in the city of Chicago, dated August 12, 1893, in connection with the recent communication addressed to you by Hon. JOHN C. BLACK and other members of Congress from Illinois, dated 15th instant, I have the honor to do so, as follows:

While I must repeat, and even emphasize, the statement in my report as to the unsafe and dangerous condition of the building in question, I desire to say that these statements were not intended to be understood in the extreme sense which the honorable members from Illinois seem to have taken them, as expressed in their very able communication to you on the subject.

I have been and, after mature reflection, I am still satisfied that the building is in no danger of an immediate collapse, and that if so desired it can be safely maintained and used for its present purposes for some years, or during the time required for the erection of a more suitable and permanent building; provided, however, that it is placed and kept under the watchful care and receives the constant attention of a thoroughly competent and vigilant superintendent, with a suitable contingent force of alert and intelligent workmen at his command.

I have no hesitation in suggesting and recommending the erection of a new and larger building, in keeping with the growing wants of the city of

Chicago, to be erected on the Lake front, or on any suitable location that may be selected other than the present site. This recommendation I make in the interest of economy as regards the Federal Government and eventual satisfaction to the citizens of Chicago.

The recent erection of the post-office annex, at a cost of nearly \$100,000, makes this by far the most convenient and suitable building in the city for present requirements. To tear this annex down immediately after its erection would be a cause of just criticism and scandal. Its use for post-office purposes, etc., pending the erection of a new building, would be far more convenient for the people of Chicago, and would save the Government the very large expenditure required for the renting and fitting up of suitable buildings, even if such could be found in the city of Chicago, which is very doubtful.

In case it is decided to sell the present building and site, and use the receipts for the erection of a new Federal building on the Lake front or elsewhere, I would recommend in the strongest manner, that the parties purchasing shall be bound strictly and without evasion to tear the present building down to the foundations, for to allow it to be "bushed up" or repaired by a private purchaser would be, in my opinion, to court inevitable disaster in the future.

I return herewith my report of August 31, and the communication of September 16, and have the honor to be

Respectfully, yours,

JEREMIAH O'ROURKE,  
Supervising Architect.

Hon. JOHN G. CARLISLE,  
Secretary of the Treasury, Washington, D. C.

[From Chicago Herald, October 13, 1893.]

OUT OF THE OLD RUIN—JUDGES WILL NOT RISK THEIR LIVES—UNSAFE CONDITION OF THE FEDERAL BUILDING CAUSES THE REMOVAL OF THE COURT OF APPEALS TO MILWAUKEE—NEW QUARTERS MUST BE SECURED.

An order entered by the judges in the United States circuit court of appeals yesterday will do more to draw attention to the need of a safe Federal building in Chicago than all the opinions expressed during the last few years. Judges Woods and Jenkins have decided that it is unsafe longer to hold court in the building. In the order yesterday next Friday is the last day in which the court will occupy its room in the Chicago ruin. The judges will reopen the court November 2 at Milwaukee. There is good accommodation to be had in the Federal building there without the probability of several pounds of plaster cornice cutting short the attendance of judges or counsel in a suit. The order in its entirety reads:

The court being satisfied that the rooms in the Federal building in the city of Chicago provided for the use of the court are not proper rooms, the building having been declared by the official inspector to be unsafe and being believed by the court to be unsafe and dangerous, the marshal of the court is directed to communicate this order of the court to the Attorney-General of the United States, and to ask his approval for the leasing of such rooms in the city of Chicago as may be necessary for the use of the court.

It is further ordered that upon the conclusion of the argument of cases assigned for hearing on the 20th of October, the court will adjourn to meet at the city of Milwaukee on the 2d day of November and resume the call of the calendar.

#### WHY THE ORDER WAS ISSUED.

Speaking of the intended removal of the court Judge Woods said after court had adjourned yesterday:

"We have had the matter under consideration for some months, and in view of the nature of the recent reports upon the building the order was made. It is not the intention to give the court a nugatory character, but even if we personally had no fears of the safety of the building it would not be right to compel others to come into it during the sitting of court. I believe myself that there is no danger of a general collapse, but there is every likelihood that some section of it may come down at any moment. It is not necessary that the entire building should fall to accomplish the destruction of perhaps half a dozen persons. A small-sized section of stone work could easily do that. Chicago is centrally located and the most convenient place in the circuit to hold court, but, of course, if we can not find a court-room here we must go elsewhere."

Judge Woods then referred to the narrow escape from injury which some attorneys had recently in the building. After leaving the court-room they were assembled at the elevator door when a large section of plaster fell from the ceiling and smashed into fragments at their feet.

OFFICE OF SUPERINTENDENT OF CONSTRUCTION,  
UNITED STATES CUSTOM-HOUSE, ETC.,  
Chicago, Ill., December 4, 1893.

DEAR SIR: In reply to your favor of the 27th ultimo, I beg to inform you that the square of ground on which the post-office stands measures on property line 321 feet on Adams street and Jackson street, and 396 feet on Clark and Dearborn streets, making 127,116 square feet in the square.

Respectfully, yours,

M. B. BAILEY, Superintendent.

Hon. JOHN C. BLACK, M. C.,  
Washington, D. C.

The following is from the report of the Committee on Public Buildings and Grounds:

Your committee is of the opinion that the needs of Chicago are immediate; that the Government, as a matter of justice to itself and in justice to its employes now engaged in the old building, can not afford to wait until the lake front title is adjudicated, if it ever can be.

In conclusion, your committee submits the following facts:

1. The site now owned and occupied by the Government is more desirable from a practical point of view, and we believe a more suitable location for the business of the Government than the lake front.

2. The needs of Chicago are immediate, and we believe an effort to secure the lake front equivalent to an indefinite postponement of action.

3. As the Government now owns ample ground in the very business center of the city, it is in the interests of convenience and economy to concentrate on that spot all of the business of the Government.

4. The lake front was dedicated to the people, and should be preserved for their use and benefit. It affords the only breathing place convenient to the densely populated business center of this great city, and is the only place within easy reach of those who are without the time or the means, when their work is over, to visit suburban parks and resorts.

No building would be thought of if it were not that the pressing needs of the Government actually demand it. There is scarcely a city in the United States which furnishes the National Treasury with more revenue than Chicago. This revenue arises from business transacted by the Government upon its own land and in its own building in that city. No reason can be given why the Government should call upon Chicago to purchase or donate

this land. To call upon Chicago as a matter of business for this donation is unreasonable, and to call upon her as a matter of charity is unnecessary. It is recommended that the bill do pass.

The following statement is given as showing the business done, the cost of doing the same, and the service performed in the five cities of Chicago, New York, Philadelphia, Boston, and Brooklyn:

Cities.	Streets.	Population.	Number of carriers.	Cost of carriage.
	<i>Miles.</i>			
Chicago	2,900	1,500,000	941	\$1.11
New York	600	1,900,000	1,225	1.38
Philadelphia	1,300	1,200,000	782	1.13
Boston	583	450,000	524	2.34
Brooklyn	609	1,000,000	482	-----

The State of Illinois pays of internal revenue \$31,000,000, or one-fifth collected in the United States. The district of Chicago pays \$9,000,000 which will be collected in the Government buildings under advisement, and is one-seventeenth of all that is collected in the United States. (See report collector of internal revenue dated July 26, 1894, page 8.)

Mr. CAMPBELL. Mr. Speaker, I desire to make a similar request to that made by the gentleman from Illinois [Mr. BLACK]. I ask to be permitted to print certain documents in connection with the remarks which I made to-day on the bill providing for the erection of an appraiser's warehouse in the city of New York.

Pending Mr. CAMPBELL'S request, the result of the vote was announced as above recorded; and the House accordingly (at 6 o'clock and 40 minutes p. m.) adjourned.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the following bills; which were referred to the Committee on Pensions, to wit:

A bill (S. 1935) granting a pension to Elizabeth Ellery;  
A bill (S. 2056) granting a pension to Ada J. Schwatka, widow of the late Lieut. Fredrich Schwatka.

#### PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referred as follows:

By Mr. MADDOX: A bill (H. R. 7916) authorizing the Secretary of the Interior to correct errors where double allotments of land have erroneously been made to an Indian, to correct errors in patents, and for other purposes—to the Committee on Indian Affairs.

By Mr. ELLIS of Oregon: A bill (H. R. 7917) extending the time for the completion of a railroad bridge over the Columbia River at or near Vancouver, in the State of Washington—to the Committee on Interstate and Foreign Commerce.

By Mr. HOUK: A bill (H. R. 7818) authorizing bona fide settlers on public lands to cut timber therefrom, and for other purposes—to the Committee on the Public Lands.

#### PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. CURTIS of Kansas: A bill (H. R. 7919) for the relief of J. J. Hitt—to the Committee on Claims.

By Mr. ENGLISH of New Jersey: A bill (H. R. 7920) granting an honorable discharge to Patrick Kelly, late a landsman, United States steamship Ohio—to the Committee on Naval Affairs.

By Mr. PEARSON: A bill (H. R. 7921) granting a pension to Samuel D. Worrall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7922) for the relief of J. Stephen Wilcoxon—to the Committee on War Claims.

By Mr. PENCE (by request): A bill (H. R. 7923) for the relief of Charles M. Larsh, of Denver, Colo.—to the Committee on the Public Lands.

Also (by request), a bill (H. R. 7924) for the relief of Mrs. Emma D. Larsh, of Denver, Colo.—to the Committee on the Public Lands.

By Mr. SPRINGER: A bill (H. R. 7925) to pension Hanna B. Munson—to the Committee on Invalid Pensions.

By Mr. TALBOTT of Maryland: A bill (H. R. 7926) for the relief of Thomas J. Benson—to the Committee on War Claims.

Also, a bill (H. R. 7927) for the relief of Barney Moore—to the Committee on War Claims.

## 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. ABBOTT: Petition of Sarah Cassandra Newport, for relief—to the Committee on War Claims.

By Mr. FITHIAN: Papers to accompany bill for the relief of Charles M. Brown—to the Committee on Military Affairs.

By Mr. FLETCHER: Petition of citizens of West Minneapolis, Minn., protesting against appropriations to sectarian schools for the education of Indians—to the Committee on Indian Affairs.

By Mr. MEYER: Petition of Robert M. White, of New Orleans, La., asking for the restitution of a tract of land donated to the United States under certain conditions and known as the "Jump revenue station," in the parish of Plaquemines, La.—to the Committee on the Public Lands.

Also, resolution of the Chamber of Commerce of the city of New Orleans, La., in favor of the completion and control of the Nicaragua Canal by the United States Government—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the New Orleans (La.) Post-Office Clerks' Association, in favor of the passage of the bill (H. R. 56) for the classification of postal clerks in first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, petition of certain manufacturers of alcohol in the State of Louisiana, in favor of the alcohol industry of said State—to the Committee on Alcoholic Liquor Traffic.

Also, resolutions of the General Assembly of the State of Louisiana, in favor of appropriations for the streams known as River Boeuf and Bayou Macon—to the Committee on Rivers and Harbors.

Also, resolution of the Board of Trade of New Orleans, La., in favor of maintaining rice schedule in the pending Wilson tariff bill as the same passed the House of Representatives—to the Committee on Ways and Means.

By Mr. SCRANTON: Petition of J. W. Howarth, M. A. Goodwin, and others, of Scranton, Pa., against taxing incomes of fraternal beneficiary societies—to the Committee on Ways and Means.

By Mr. TERRY: Memorial of a meeting of colored people of Little Rock, Ark., approving the appropriation for the Cotton States and Industrial Exposition at Atlanta, Ga.—to the Committee on Appropriations.

## SENATE.

THURSDAY, August 9, 1894.

Prayer by Rev. J. H. McCARTY, D. D., of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings; when, on motion of Mr. TURPIE, and by unanimous consent, the further reading was dispensed with.

## PETITIONS AND MEMORIALS.

Mr. PATTON presented the memorial of J. H. Van Coeverd and 47 other citizens of Detroit, Mich., remonstrating against the support of the Government in maintaining the present system of sectarian Indian education, etc.; which was referred to the Committee on Indian Affairs.

Mr. MARTIN presented a petition of sundry citizens of Miami, Ind. T., praying for the passage of Senate bill No. 2267, to incorporate the town of Miami, in the Indian Territory; which was referred to the Committee on Indian Affairs.

He also presented the memorial of H. Brown, W. F. Peters, Frank Smith, and sundry other citizens of Kansas City, Kans., remonstrating against the support of the Government in maintaining the present system of sectarian Indian education; which was referred to the Committee on Indian Affairs.

Mr. BLANCHARD presented a petition of the General Assembly of the State of Louisiana, praying that an adequate appropriation be made for the improvement of the Boeuf and Macon Rivers, in that State; which was referred to the Committee on Commerce.

Mr. BATE presented a memorial of the Chamber of Commerce, of Nashville, Tenn., remonstrating against the rejection by the conferees on the river and harbor appropriation bill of the additional appropriation for the improvement of the Cumberland River below Nashville, Tenn.; and also against the rejection of that portion of the Senate amendment which appropriates \$15,000 for a dam near the mouth of the Harpeth River, in the State of Tennessee; which was referred to the Committee on Commerce.

Mr. LODGE presented the memorial of A. Z. Conrad and 130

other citizens of Worcester, Mass., remonstrating against the support of the Government in maintaining the present system of sectarian Indian education, etc.; which was referred to the Committee on Indian Affairs.

## REPORTS OF COMMITTEES.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 2143) for the relief of Rufus Betz, reported it with amendments, and submitted a report thereon.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (S. 2255) for the relief of Capt. William Fletcher, United States Army, reported it with an amendment, and submitted a report thereon.

Mr. MITCHELL of Wisconsin, from the Committee on Military Affairs, to whom was referred the bill (S. 1451) for the relief of George B. Cosby, reported adversely thereon, and the bill was postponed indefinitely.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (S. 1578) authorizing the Secretary of War to recognize Frank D. Baldwin as lieutenant-colonel of the Nineteenth Michigan Infantry Volunteers from the 15th day of May, 1865, reported adversely thereon, and the bill was postponed indefinitely.

Mr. PALMER, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3005) for the relief of George Isenstein, reported it without amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (S. 361) for the relief of C. M. Shaffer, reported it with amendments, and submitted a report thereon.

## MARIA HALL.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (S. 253) granting a pension to Maria Hall, widow of Joseph E. Doak, deceased, to report it favorably without amendment. As the bill has been mislaid for several months and proposes to pension a woman 90 years of age, I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Maria Hall, widow of Joseph E. Doak, deceased, late a private in Capt. Renshaw's company of Tennessee militia from December 6, 1812, to April 20, 1813, and from September 26, 1813, to December 10, 1813.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## GUARANTEE COMPANIES.

Mr. PALMER. If in order, I move to reconsider the vote by which the Senate yesterday passed the bill (H. R. 4954) relative to recognizances, stipulations, bonds, and undertakings, and to allow certain corporations to be accepted as surety thereon.

Mr. HILL. I suppose that motion would more properly be made when we reach the Calendar.

The VICE-PRESIDENT. The motion of the Senator from Illinois can be entered at this time.

Mr. PALMER. Very well. I enter the motion.  
The VICE-PRESIDENT. The motion is entered, and will be considered hereafter.

## BILLS INTRODUCED.

Mr. BLANCHARD (by request) introduced a bill (S. 2294) for the relief of Caroline V. English, widow of the late Lieut. Col. Thomas C. English, Second United States Infantry; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2295) authorizing the Secretary of the Interior to correct errors where double allotments of land have erroneously been made to an Indian, to correct errors in patents, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. DOLPH introduced a bill (S. 2296) granting increase of pension to Caroline V. English; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 2297) to provide for the restatement, readjustment, settlement, and payment of dues to army officers in certain cases; which was read twice by its title, and referred to the Committee on Military Affairs.

## LOUIS PELHAM.

Mr. TURPIE. I ask unanimous consent for the present consideration of the bill (H. R. 1589) for the relief of Louis Pelham.

The Secretary read the bill.  
Mr. PALMER. I dislike to object to the bill, but I shall be obliged to the Senator from Indiana if he will explain it.