

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. HALL: A bill (H. R. 9436) granting an increase of pension to Robert H. Metcalf—to the Committee on Invalid Pensions.

By Mr. HARRIS: A bill (H. R. 9437) to grant an honorable discharge to Dewitt C. Nash—to the Committee on Military Affairs.

Also, a bill (H. R. 9438) granting a pension to Joseph Harris—to the Committee on Invalid Pensions.

By Mr. KULP: A bill (H. R. 9439) to reimburse M. A. Williams—to the Committee on War Claims.

By Mr. LEWIS: A bill (H. R. 9440) granting increase of pension to Cyrus Allen—to the Committee on Invalid Pensions.

By Mr. RICHARDSON: A bill (H. R. 9441) for the relief of estate of Alice Hardaway, deceased, late of Benton County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 9442) for the relief of the estate of Susan L. Hardaway, deceased, late of Benton County, Miss.—to the Committee on War Claims.

By Mr. SOUTHARD: A bill (H. R. 9443) for the relief of Frank Wenzel—to the Committee on 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. JOHNSON of California: Petition of citizens of Sacramento, Cal.; also of Grass Valley, Cal., praying that religious publications be given every advantage of the act of Congress of July 16, 1894, in transmission through the mails—to the Committee on the Post-Office and Post-Roads.

Also, petition of R. M. and A. C. Folger, of Bridgeport, Cal., for favorable action on House bill No. 4566, to amend the postal laws relating to second-class matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Stockton, Cal., favoring the passage of House bill No. 2626, for the protection of agricultural staples by an export bounty—to the Committee on Ways and Means.

By Mr. LEWIS: Petition of Cyrus Adams, signed by J. J. Ferry and other citizens of Kentucky, for a pension—to the Committee on Invalid Pensions.

By Mr. McCLEARY of Minnesota: Resolutions of the Mankato (Minn.) Board of Trade, opposing House bill No. 8536 and Senate bill No. 2967, proposing amendments to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. PUGH: Papers to accompany House bill No. 2454, for the relief of Allen Maze—to the Committee on Military Affairs.

SENATE.

WEDNESDAY, June 10, 1896.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. FAULKNER, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 2783) to establish a life-saving station on the coast of New Hampshire or Massachusetts between the Hampton and the Merrimac rivers;

A bill (S. 2412) to make the city of Santa Barbara, county of Santa Barbara, State of California, a subport of entry;

A bill (S. 2490) to authorize the Secretary of War to improve and maintain the public roads within the limits of the national park at Gettysburg, Pa.;

A bill (S. 2859) changing the time for holding circuit court of the United States at Hartford, in the district of Connecticut, and

A bill (S. 2978) to provide an American register for the steamer *Menemsha*.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 2928) to extend the routes of the Eckington and Soldiers' Home Railway Company and of the Belt Railway Company of the District of Columbia, and for other purposes.

The message further announced that the House had agreed to the amendment of the Senate numbered 1 to the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for the expenses of the House of Representatives, and for other purposes, for the fiscal year 1896, and disagreed to the amendment of the Senate numbered 2 to the bill.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of

the two Houses on certain amendments of the Senate to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes; recedes from its disagreement to the amendment of the Senate numbered 16, and agrees to the same; further insists upon its disagreement to the amendments numbered 2, 3, 4, 6, 7, 8, 13, 15, and 17 to the bill; asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CANNON, Mr. HAINER of Nebraska, and Mr. SAYERS managers at the conference on the part of the House.

The message further announced that the House had passed a bill (H. R. 9253) to amend an act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea"; in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution authorizing the Secretary of the Interior to resume work upon and to issue patents to the Union Pacific Railroad Company without delay to all lands which have been sold by said company to bona fide purchasers, etc.; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 2) disposing of two condemned cannon;

A bill (H. R. 2947) increasing the pension of Daniel D. Jennings, late of Company C, Sixty-fifth Ohio Volunteers;

A bill (H. R. 6249) 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, 1897, and for other purposes;

A bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes; and

A bill (H. R. 8383) to establish a site for the erection of a penitentiary on the military reservation at Fort Leavenworth, Kans., and for other purposes.

Mr. VEST. A bill has been sent from the other House in regard to maritime regulations. It is very important. A similar bill was unanimously reported by the Commerce Committee of the Senate and is now upon the Calendar. It will not take a moment, I think, to pass this House bill.

Mr. HALE. I call for the regular order. I ask the Senator to wait until the morning business is through.

The VICE-PRESIDENT. The regular order is called for. Petitions and memorials are in order.

PETITION.

Mr. TELLER presented a petition of sundry citizens of Gunnison, Colo., praying for the enactment of legislation to amend the postal laws relating to second-class mail matter, and also to reduce letter postage to 1 cent per half ounce; which was referred to the Committee on Post-Offices and Post-Roads.

REPORTS OF COMMITTEES.

Mr. HALE, from the Committee on Naval Affairs, to whom was referred the bill (S. 3257) donating condemned cannon and cannon balls to the Idaho Soldiers' Home, Boise City, Idaho, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 7777) to authorize the Secretary of the Navy to furnish condemned cannon to Fort Thomas, Ky., reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 3234) donating condemned cannon and cannon balls to the Ohio Soldiers and Sailors' Home, Erie County, Ohio, reported it without amendment.

Mr. BERRY, from the Committee on Private Land Claims, to whom was referred the bill (S. 1624) to quiet title and possession with respect to certain unconfirmed and located private land claims in the State of Louisiana, reported it with amendments, and submitted a report thereon.

CIVIL SERVICE AND RETRENCHMENT COMMITTEE HEARINGS.

Mr. GALLINGER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. PRITCHARD April 13, 1896, reported it without amendment, as follows:

Resolved, That the Committee on Civil Service and Retrenchment be authorized to employ a stenographer to report hearings before it, the expense thereof to be paid out of the contingent fund of the Senate, and to have the notes of such hearings printed for the use of the committee.

Mr. GALLINGER. I ask that the resolution be now considered. The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. GALLINGER. I will state that the Committee on Civil Service and Retrenchment has acted under the resolution and the

expenditure has already been made. The amount involved is very trifling.

Mr. VEST. I should like to know from the Senator from Maine why he called for the regular order upon another bill and now does not demand it.

Mr. HALE. I intend to call for the regular order on everything, and I have asked the Chair to enforce the regular order.

The VICE-PRESIDENT. When Senators request unanimous consent for the consideration of a bill or resolution the Chair submits the request to the Senate. The Chair recognized the Senator from Missouri, but objection was made. The question is on agreeing to the resolution reported by the Senator from New Hampshire. The resolution was agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON 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. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 32, 61, 124, and 161. That the House recede from its disagreement to the amendments of the Senate numbered 122, 146, and 147, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: "In lieu of the matter inserted by said amendment insert the following: 'To enable the Government to take official part in the international exhibition to be held at Brussels, Belgium, during the year 1897, \$5,000: *Provided*, That no expenditure exceeding this appropriation shall be made or liability incurred, and no person shall be paid salary or compensation therefrom;'" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: "In lieu of the sum proposed, insert '\$30'; and on page 67 of the bill, in line 14, strike out the word 'six' and insert in lieu thereof the word 'five'; and the Senate agree to the same.

The committee of conference have been unable to agree upon the amendments of the Senate numbered 2, 3, 4, 6, 7, 8, 13, 15, and 17.

W. B. ALLISON,
EUGENE HALE,
A. P. GORMAN,

Managers on the part of the Senate.

J. G. CANNON,
JOSEPH D. SAYERS,
Managers on the part of the House.

The report was concurred in.

Mr. ALLISON. I move that the Senate still further insist upon its amendments numbered 2, 3, 4, 6, 7, 8, 13, 15, and 17, and agree to the conference asked by the House of Representatives.

The motion was agreed to.

Mr. ALLISON. In this connection I desire to state that these amendments relate wholly to public buildings. The House having receded by a vote of that body upon one of the amendments, I take it for granted that we shall have no trouble in dealing with the remainder.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. ALLISON, Mr. HALE, and Mr. GORMAN were appointed.

DEFICIENCIES IN APPROPRIATIONS.

Mr. HALE. I ask that the action of the House of Representatives on the special deficiency appropriation bill be laid before the Senate.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives, disagreeing to amendment of the Senate numbered 2 to the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for the expenses of the House of Representatives, and for other purposes, for the fiscal year 1896.

Mr. HALE. I move that the Senate insist upon its amendment, and request a conference upon the disagreeing votes of the two Houses.

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. HALE, Mr. ALLISON, and Mr. COCKRELL were appointed.

PREVENTION OF COLLISIONS AT SEA.

The bill (H. R. 9253) to amend an act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea," was read twice by its title.

Mr. VEST. I ask the Senate to proceed to the consideration of the bill.

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

Mr. VEST. It will be remembered that in 1893 a conference was held between the maritime nations of the world in this city in regard to forming a consistent code of maritime signals. The President of the United States submitted the report of that conference to Congress. While it was pending here, to the surprise of everyone who had any cognizance of the facts, Great Britain objected to the fifteenth article of that report. The result was that

the President asked that the report be returned to him and that he be authorized to ask for another maritime conference. That conference was held in this city last week, and the commissioners on the part of Great Britain agreed to the code as it is now presented in this bill to the Senate and as it has passed the House. This code was agreed upon unanimously by all the authorities of the maritime powers, and it has been reported unanimously from the committees of both Houses.

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

UNION PACIFIC RAILROAD LANDS.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was read:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of the Interior be, and he is hereby, authorized and directed to resume work upon and to issue patents to the Union Pacific Railroad Company without delay to all lands which have been sold by said company to bona fide purchasers: *Provided*, That nothing herein contained shall be construed as waiving any right that the United States may have to declare a forfeiture as to the lands which have not been so sold by said company: *Provided*, That the words "bona fide purchasers" herein contained shall not be held to include all holders of bonds secured by mortgage on such land grants.

Mr. WARREN. The resolution just read contains the same subject-matter as a Senate concurrent resolution which was passed here and sent to the other House. It seems that that resolution was lost, and therefore it appears before us as a House concurrent resolution. I ask for the adoption of the resolution.

The resolution was agreed to.

CHICKAMAUGA AND CHATTANOOGA NATIONAL PARK.

Mr. HALE, from the Committee on Printing, to whom was referred the following concurrent resolution submitted yesterday by Mr. PALMER, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 60,000 extra copies of the report of the Joint Committee on the Dedication of the Chickamauga and Chattanooga National Park; 18,000 copies shall be for the use of the House of Representatives, 6,000 copies for the Senate, 1,000 copies for the National Park Commission to supply the twenty-eight State commissions, and 500 copies for the Secretary of War to supply the governors of the States, and 100 copies for each speaker at the dedication.

BERLIN SILVER COMMISSION OF 1894.

Mr. HALE, from the Committee on Printing, to whom was referred the following concurrent resolution submitted yesterday by Mr. JONES of Arkansas, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That there be printed 5,000 copies of Senate Miscellaneous Document No. 274, Fifty-third Congress, second session, Proceedings of the Berlin Silver Commission of 1894, with index; 3,000 to be for the use of the House of Representatives and 2,000 for the use of the Senate.

UNIFORM SYSTEM OF BANKRUPTCY.

Mr. HALE, from the Committee on Printing, to whom was referred the following resolution submitted by Mr. MITCHELL of Oregon on the 8th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That 5,000 additional copies each of bill S. 742 and amendment thereto, reported from the Senate Committee on the Judiciary, be printed for the use of the Senate.

MESSENGER AT MALTBY BUILDING.

Mr. GALLINGER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution submitted by Mr. PEPPER on the 18th ultimo, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the janitor now employed at the Maltby Building shall hereafter be designated as assistant messenger on the Maltby roll, and the Secretary of the Senate, from and after the 1st day of July, 1896, until otherwise ordered, shall pay said messenger on said roll at the rate of \$1,200 per annum.

BILLS INTRODUCED.

Mr. BURROWS introduced a bill (S. 3292) authorizing the appointment of four additional superintendents of the Railway Mail Service; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. STEWART introduced a bill (S. 3293) granting a pension to Annie Fowler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CANNON (for Mr. PRITCHARD) introduced a bill (S. 3294) to amend the military record of Stephen Rice; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McBRIDE introduced a bill (S. 3295) removing the charge of desertion from the name of Absalom J. Hembree, who served as a private in Troop H, Third Regiment United States Cavalry; which was read twice by its title, and referred to the Committee on Military Affairs.

GOVERNMENT PRINTING OFFICE EMPLOYEES.

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

Resolved, That the Public Printer be, and he is hereby, directed to communicate to the Senate the names of all persons who were employed in the Government Printing Office in the fiscal years (each year separately) 1890, 1891, 1892, 1893, and 1894 who failed to receive their annual leaves of absence during those fiscal years, and the amount due each person for each fiscal year separately on account of such failure.

THE LEWIS RANGE AND POSITION FINDER.

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

Resolved by the Senate of the United States, That the Secretary of War be directed to furnish to the United States Senate, in addition to the copy of the record of the action of the Range Finder Board and the Board of Ordnance and Fortification in relation to the Lewis range and position finder, which was transmitted to the Senate in response to a resolution of the Senate dated May 18, 1896, a copy of the record of the action taken by the Commanding General of the Army and the Secretary of War in the matter.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolutions:

A bill (S. 768) for the relief of James A. Moore;

A bill (S. 3170) to authorize the Butler and Pittsburg Railroad Company to construct and maintain a bridge across the Allegheny River;

A joint resolution (S. R. 27) granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann; and

A joint resolution (S. R. 161) authorizing the Secretary of the Treasury to place a bronze tablet or inscription on the Government building now being erected in Detroit, Mich.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses of certain amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes; insists upon its amendment to the amendment of the Senate numbered 99; further insists upon its disagreement to the amendments of the Senate numbered 100, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, and 195 to the bill; asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GROUT, Mr. PITNEY, and Mr. DOCKERY managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 3771) for the relief of Stratton H. Bencotter; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HULL, Mr. FENTON, and Mr. MCCLELLAN managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 9253) to amend an act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea"; and which was thereupon signed by the Vice-President.

ORDER OF BUSINESS.

Mr. HILL. If there is no further morning business, I move that the Senate proceed to the consideration of the bill (S. 2984) in relation to contempts of court. The bill was under consideration last evening, and I gave way for the consideration of other matters.

Mr. VEST. I rise to a parliamentary inquiry. To give the exact date, two days ago when 2 o'clock arrived the Senate suspended the further consideration of House bill 4580, a bill of considerable importance to the revenue. I inquire whether that bill would not now be the regular order of business?

The VICE-PRESIDENT. The Chair will state to the Senator from Missouri that the bill indicated by him went to the Calendar at the expiration of the morning hour.

Mr. VEST. I supposed that under the rule it would come up as unfinished business the next day in the morning hour.

The VICE-PRESIDENT. No; there is no unfinished business of the morning hour.

Mr. VEST. Will the Senator from New York have any objection to disposing of that bill now? It will take only a few moments. It is a House bill, and it is very evident that unless disposed of to-day it can not become a law at the present session.

Mr. HILL. I prefer to go on with the contempts bill. I have yielded to nearly everyone, and I prefer to get this bill through. It strikes me that I should not yield now.

Mr. VEST. I shall ask the Senate to consider House bill 4580 as soon as the contempts of court bill is disposed of.

Mr. MITCHELL of Oregon. May I ask the Senator from New York a question? The Senator succeeded in getting his bill up

yesterday and it led to a good deal of discussion. Has the Senator any hope at all of being able to dispose of it in a reasonable time to-day?

Mr. HILL. I have no doubt about it, if the friends of the bill will not embarrass it.

Mr. MITCHELL of Oregon. If there is not a reasonable hope that it can be disposed of in the next hour, it seems to me the Senator ought not to insist on bringing it up. There are other matters here that ought to be considered. I am very desirous, if the Senator will allow me—

Mr. HILL. Mr. President—

Mr. MITCHELL of Oregon. I ask unanimous consent to make a statement.

Mr. HILL. I yielded for an hour and a half yesterday for Senators to have local bills passed and bills which they were anxious to have disposed of. It seems to me the courtesy is exhausted. I decline to yield any further.

Mr. MITCHELL of Oregon. I simply ask the Senator from New York, who is always very courteous, and the Senate, to allow me to make a statement not exceeding a minute.

Mr. HILL. Such a statement I of course can not object to.

The VICE-PRESIDENT. The Chair hears no objection. The Senator from Oregon will proceed.

Mr. MITCHELL of Oregon. There is a joint resolution here from the House of Representatives, passed two or three days since, looking to the reorganization of the Northern Pacific Railroad Company, and it is a measure that ought to receive the attention of the Senate. It is not by any means a bill exclusively in the interest of the railroad company, but it is more largely in the interest of the people of this country and of the Government in the proper conduct of the road. It is a road which crosses one-half the continent, and the company was incorporated by a national charter. This is a proposition to keep it under national control, which will not be done unless the joint resolution is passed. The road is about to be sold; judgment has been entered; a sale will be made on the 25th of July; a reorganization of the company will take place, and the control of the road will pass under State organization. The company has already been organized, I understand, under the laws of the State of Wisconsin, and if it is incorporated under the State law the control of this great road, in a great measure at least, if not entirely, will pass away from the National Government. It is of the utmost importance that action be had on the joint resolution.

This proposed legislation has been reported unanimously by the Judiciary Committee of the Senate, a somewhat different measure, I admit, from that passed by the House. It places restrictions upon this company of the most important character, and restrictions that do not now attach to the Northern Pacific Railroad Company. For instance, it compels the new company to sell all its lands outside of a mile distant from each side of the road for \$2.50 an acre. That restriction does not now attach to the Northern Pacific Railroad Company. Therefore this is a measure in the interest of the people along the line of the road; it is a measure in the interest of the Government; and in view of the fact that the House of Representatives has passed this joint resolution, in view of the further fact that the Judiciary Committee of the Senate has reported unanimously in favor of action, it does seem to me that we ought to take it up and dispose of it and thus maintain and hold control over this great corporation in the interest of the people, shippers, landowners, and others along the line of the road.

Mr. HILL. Now I ask the Senate to take up the bill indicated by me.

The VICE-PRESIDENT. The question is on the motion of the Senator from New York to proceed to the consideration of the bill (S. 2984) in relation to contempts of courts.

The motion was agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. TELLER 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. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 92 and 93.

That the House recede from its disagreement to the amendments of the Senate numbered 94 and 95, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$150,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$20"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: Restore the word "further" stricken out by said amendment; and on page 16 of the bill, in line 9, strike out the word "six" and insert in lieu thereof the word "five"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$50,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the

Senate numbered 97, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "30 cents"; and the Senate agree to the same.

The committee of conference have been unable to agree upon the amendment of the House to the amendment of the Senate numbered 99, and upon the amendments of the Senate numbered 100, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, and 195.

H. M. TELLER,
W. B. ALLISON,
F. M. COCKRELL,

Managers on the part of the Senate.

WILLIAM W. GROUT,
MAHLON PITNEY,
A. M. DOCKERY.

Managers on the part of the House.

Mr. TELLER. I am asked by Senators near me to make a statement in regard to the report. The principal matter that has been agreed to is with reference to street lighting—the question of gas. There was considerable controversy over that, and we finally amended the bill so as to pay \$20 a street lamp and to burn 5 feet instead of 6. The most of the other amendments are items connected with that provision. For instance, the increase is the increase for the gaslight. Then the other contention was in reference to electric lighting, which the House had put at 28 cents a light. The Senate had put it at 38 cents, and the conferees have agreed upon 30 cents. The matters still in controversy are the subject of charities and the question of electric lighting by means of poles, etc. Those amendments are not disposed of.

The report was concurred in.

Mr. TELLER. I move that the Senate agree to the further conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate at the further conference; and Mr. TELLER, Mr. ALLISON, and Mr. COCKRELL were appointed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolutions:

A bill (S. 1767) to provide for supports of entry and delivery;

A bill (S. 3306) to grant a right of way through the new Fort Bliss Military Reservation to the El Paso and Northeastern Railroad Company; and

A joint resolution (S. R. 138) for the relief of James P. Veach.

ENROLLED BILLS SIGNED.

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

A bill (S. 2859) changing the time for holding circuit court of the United States at Hartford, in the district of Connecticut;

A bill (H. R. 2928) to extend the routes of the Eckington and Soldiers' Home Railway Company and the Belt Railway Company, and for other purposes; and

A bill (S. 2978) to provide an American register for the steamer *Menemsha*.

CONTEMPTS OF COURT.

Mr. HILL. Now, Mr. President, I ask that Senate bill 2984 be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2984) in relation to contempts of court.

Mr. WARREN. I ask the Senator from New York if he will yield to me to make a request? I desire to call up the animal-industry bill, and I ask the Senator if he will not submit to an interruption now? I think it will only take the time to read it.

I will say further that I think I must have misunderstood the Senator from New York, because I thought I had an understanding with him that at whatever time a lull occurred between the speeches on the contempts bill he would send me word and allow me to ask the Senate to take up the bill which I have referred to. Last night a number of bills were taken up, and I waited in vain for word from the Senator.

Mr. HILL. If the Senator had asked me last evening when there was a lull, I would have been very glad to have obliged him, but I did not see him in the Chamber. I must now ask the Senate to proceed with the consideration of the contempts bill. After this bill is disposed of I will aid the Senator all I can in the passage of his bill. I do not believe there will be any difficulty about it.

Mr. WARREN. I desire some understanding, because I certainly understood the Senator to say that upon the first interruption he would send me word. I did not leave the Chamber.

Mr. HILL. I submitted to half a dozen interruptions; half a dozen bills were passed. If the Senator from Wyoming had asked me to yield I would have been very glad to oblige him. But this morning it seems to me it is my duty to press the pending bill to passage. I will aid the Senator when this bill is disposed of. There is really but one disputed question involved in the bill, and that is the amendment pending.

Mr. WARREN. I wish to understand the Senator, because I expected some word from him. I did not expect I would have to

interrupt him every two or three minutes on the floor, but I supposed that I had some understanding with him whereby I would be notified of the time when he would submit to an interruption.

Mr. PEPPER. Mr. President, before the bill is put to a vote I wish to express my sincere gratification at the introduction of this bill and its report by the Committee on the Judiciary. It is one of that class of cases that the country has been exercised a good deal about during the last year or two, having its origin in the famous strike in Chicago in 1894. I took occasion at that time to express my own views concerning some of the features of that affair, and was criticised severely for it. I am glad that out of what occurred at that time and a short time afterwards in the courts with respect to certain proceedings connected with it the pending bill has been brought forth. By way of showing the interest which I have taken in the matter personally I wish to call attention to the fact that on December 3, 1895, the first bill day of the present session, I introduced a bill, S. 237, entitled "A bill to protect the rights of parties defendant in certain injunction cases." It has but one section, and I will read it:

Be it enacted, etc., That in any case where a writ of injunction issues from a court of the United States, or a judge thereof, to enjoin the commission of an act which is, at common law or by statute, a criminal offense, and where, afterwards, in such case, it is charged that the party or parties defendant has or have committed, or have attempted to commit, or have aided and abetted or encouraged or instigated other persons, or has or have conspired with other persons to commit such act or offense, and where the said party or parties defendant is or are brought before said court or judge to answer the charge in proceedings for contempt, and where the charge is denied by the defendant or defendants, on request, a jury shall be called to determine the fact.

Out of this bill and others of the same character has grown the one that is now before the Senate, and it is very gratifying to all persons who are anxious for this class of legislation to know that so many distinguished lawyers of this body have agreed upon the bill now pending, with the addition that was agreed upon yesterday.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Nebraska [Mr. ALLEN].

Mr. BUTLER. May I inquire if the amendment offered by myself, that went over without prejudice, was not to come up first? There was a distinct understanding in regard to it. Out of courtesy to the Senator from Nebraska [Mr. ALLEN] I withdrew my amendment temporarily.

The VICE-PRESIDENT. The Chair understood the Senator from North Carolina to agree that his amendment should be postponed until the substitute was considered.

Mr. BUTLER. What I meant was that it should be postponed until the Senator from Nebraska had finished his speech; and inasmuch as he had an amendment and I wished to hear what he had to say, I requested, or at least I intended to request, that my amendment should go over without prejudice until after he had finished.

The VICE-PRESIDENT. The Chair will submit to the Senate the amendment proposed by the Senator from North Carolina. The amendment will be read.

The SECRETARY. In section 4, line 18, strike out the words "in its discretion"; and in line 19, strike out the word "may" and insert "shall"; so as to read:

But such trial shall be by the court, or, upon application of the accused, a trial by jury shall be had as in any criminal case.

Mr. BUTLER. Mr. President, I think there can be no objection, seriously made, to the amendment. But if I may be pardoned in this connection, the fact that one of the most important committees of this body in reporting the bill failed to provide for a trial by jury in such cases is, to say the least, very significant. Yes, very significant, when we notice that this bill was reported unanimously and that there is no minority report.

There is nothing to-day that should attract the attention of the American people, barring the financial question, more than the authority which the courts of this country have assumed and built up and hedged around them. I will not call it usurpation of authority, but any man who will take the time and the trouble to read the debates that took place at the time of the adoption of our Constitution, any man who will take the time and the trouble to read the opinions of the most distinguished American citizens, including Thomas Jefferson, including Mr. Madison, and Mason of Virginia, who was a member of that convention, including many of the distinguished men living at that time and who have lived since, will see that not a single one of that class of American citizens who took part in framing and shaping the Constitution according to the majority will of our people at that time had the least idea that the courts of this country should ever have or exercise the authority and power that they have, or rather which they exercise to-day. He will see that they did not suppose that the Constitution gave to a court any such power and authority as it is now exercising and has been for nearly a century. Indeed, it was Thomas Jefferson who called attention to the fact that the Supreme Court and the other United States courts that were then established and have since been established under a clause in the Constitution had gone further than it was

intended they should go or than the strict letter of the Constitution allowed them to go in exercising their authority upon laws passed by Congress and other legislative matters which they have made step by step subject to the Federal judiciary. Indeed, Mr. Jefferson was so impressed with the importance of this matter and the danger which he saw looming up in the future that he conceived it to be his duty not only to call the attention of the country to this fact, but to brand, as he did, the Supreme Court of the United States at that time as the sappers and miners of the Constitution. He called attention to the fact, in public papers that are familiar to us all or should be, that this court, which was intended simply to hear causes between parties, had taken upon itself authority to overrule the legislative branch of the Government.

Mr. President, in order that the attention of Senators and the country may again be called to the exact words of Mr. Jefferson, in which he expressed his opinion of the aggressions of the Federal judiciary and warned the people of this danger in the Constitution, I will read some extracts from his writings.

In a letter to Mr. M. M. Coray, under date of October 21, 1823, Mr. Jefferson said:

At the establishment of our Constitution the judiciary bodies were supposed to be the most helpless and harmless members of the Government. Experience, however, soon showed in what way they were to become the most dangerous; that the insufficiency of the means provided for their removal gave them a free hold and irresponsibility in office; that their decisions, seeming to concern individual suitors, only passed silent and unheeded by the public at large; that these decisions, nevertheless, become law by precedent, sapping by little and little the foundations of the Constitution and working its change by construction before any has perceived that that invisible and helpless worm had been visibly employed in consuming its substance.

In a letter to Judge Roane, under date of September 6, 1819, Mr. Jefferson said:

The nation declared its will by dismissing functionaries of one principle and electing those of another in the two branches, executive and legislative, submitted to their election. Over the judiciary department the Constitution had deprived them of their control. That, therefore, has continued the reprobated system, and although new matter has occasionally been incorporated into the old, yet the leaven of the old mass seems to assimilate to itself the new, and after twenty years' confirmation of the federated system by the voice of the nation, declared through the medium of elections, we find the judiciary on every occasion still driving us into consolidation. * * * For, intending to establish three departments, coordinate and independent, that they might check and balance one another, it has given, according to this opinion, to one of them alone the right to prescribe rules for the government of the others, and to that one, too, which is unelected by and independent of the nation. For experience has already shown that the impeachment it has provided is not even a scarecrow; that such opinions as the one you combat, sent cautiously out, as you observe, also by detachment, not belonging to the case often, but sought for out of it, as if to rally the public opinion beforehand to their view, and to indicate the line they are to walk in, have been so quietly passed over as never to have excited an animadversion even in a speech of any one of the body intrusted with impeachment. The Constitution on this hypothesis is a mere thing of wax in the hands of the judiciary, which they may twist and shape into any form they please. It should be remembered as an axiom of eternal truth in politics, that whatever power in any government is independent is absolute also—in theory only at first, while the spirit of the people is up, but in practice as fast as that relaxes. Independence can be trusted nowhere but with the people in mass. They are inherently independent of all but moral law. My construction of the Constitution is very different from that you quote. It is that each department is truly independent of the others, and has an equal right to decide for itself. What is the meaning of the Constitution in the cases submitted to its action, and especially where it is to act ultimately and without appeal? * * * These are examples of my position: that each of the three departments has equally the right to decide for itself what is its duty under the Constitution, without any regard to what the others may have decided for themselves under a similar question.

In a letter to Thomas Ritchie, under date of December 25, 1820, Mr. Jefferson said:

But it is not from this branch of Government we have most to fear. Taxes and short elections will keep them right.

The judiciary of the United States is the subtle corps of sappers and miners constantly working underground to undermine the foundations of our constitutional fabric. They are construing our Constitution from a coordination of a general and special government to a general and supreme one alone. This will lay all things at their feet, and they are too well versed in English law to forget the maxim, "Boni iudicis est ampliari jurisdictionem." We shall see if they are bold enough to take the daring stride these five lawyers (judges) have lately taken. Having found from experience that impeachment is in practicable thing, a mere scarecrow, they consider themselves secure for life; they skulk for responsibility to public opinion, the only remaining hold upon them, under a practice first introduced into England by Lord Mansfield. An opinion is huddled up in conclave (perhaps by a majority of one), delivered as if unanimous, and with the silent acquiescence of lazy or timid associates by a crafty chief judge (Marshall), who sophisticates the law to his mind by the turn of his own reasoning. A judiciary law was once reported by the Attorney-General to Congress requiring each judge to deliver his opinion seriatim and openly, and then to give it in writing to the clerk to be entered on the record. A judiciary independent of a king or executive alone is a good thing, but independence of the will of the nation is a solecism, at least in a republican government.

In a letter to Archibald Thweat, under date of January 19, 1821, Mr. Jefferson further said:

I am sensible of the inroads daily making by the Federal into the jurisdiction of its coordinate associates, the State governments. The legislative and executive branches may some time err, but elections and dependents will bring them to rights. The judiciary branch is the instrument which, working like gravity, without intermission, is to press us at last into one consolidated mass. Against this I know no one who, equally with Judge Roane himself, possesses the power and the courage to make resistance, and to him I look and have long looked as our strongest bulwark. If Congress fails to shield the States from dangers so palpable and so imminent, the States must shield themselves, and meet the invader foot to foot.

In a letter to Mr. C. Hammond, under date of August 18, 1821, Mr. Jefferson declared:

It has long, however, been my opinion, and I have never shrunk from its expression, that the germ of dissolution of our Federal Government is in the constitution of the Federal judiciary, an irresponsible body, working like gravity by night and by day, gaining a little to-day and a little to-morrow, and advancing its noiseless steps like a thief over the field of jurisdiction, until all shall be usurped from the States and the Government of all be consolidated into one. To this I am opposed, because when all governments, domestic and foreign, in little as in great things, shall be drawn to Washington as the center of all power, it will render powerless the check provided of one government on another, and will become as venal and oppressive as the Government from which we separated. It will be as in Europe, where every man must either be pike or gudgeon, hammer or anvil. Our functionaries and theirs are wares from the same workshop, made of the same material, and by the same hand. If the States look with apathy on this silent descent of their Government into the gulf which is to swallow all, we have only to weep over the human character formed uncontrollable, but by a rod of iron, and the blasphemers of man as incapable of self-government become his true historians.

In a letter to Colonel Nicholas, under date of December 11, 1821, Mr. Jefferson said:

I fear, dear sir, we are now in such another crisis, with this difference only, that the judiciary branch is alone and single handed in the present assaults on the Constitution. But its assaults are more sure and deadly as from an agent seemingly passive and unassuming. May you and your contemporaries meet them with the same determination and effect that your father and his did the alien and sedition laws, and preserve inviolate a Constitution which, cherished in all its chastity and purity, will prove in the end a blessing to all the nations of the earth.

In a letter to William T. Barry, under date of July 2, 1822, Mr. Jefferson said:

We already see the power installed for life, responsible to no authority, advancing with a noiseless and steady pace to the great object of consolidation. The foundations are already deeply laid by their decisions for the annihilation of constitutional States' rights, and the removal of every check, every counterpoise, to the engulfing power of which themselves are to make a sovereign part. If ever this vast country is brought under a single government, it will be one of the most extensive corruptions, indifferent and incapable of a wholesome care over so wide a spread of surface. This will not be borne, and you will have to choose between reformation and revolution. If I know the spirit of this country, the one or the other is inevitable. Before the canker is become inveterate, before its venom has reached so much of the body politic as to get beyond control, remedy should be applied. Let the future appointment of judges be for four or six years, and renewable by the President and Senate. This will bring their conduct at regular periods under revision and probation, and may keep them in equipoise between the General and special Government. We have erred in this point by copying England, where certainly it is a good thing to have the judges independent of the King. But we have omitted to copy their caution, also, which makes a judge removable on the address of both legislative houses. That there should be public functionaries independent of the nation, whatever be their merit, is a solecism in a republic of the first order of absurdity and inconsistency.

In a letter to Judge Johnson, under date of March 4, 1823, Mr. Jefferson said:

I can not lay down my pen without recurring to one of the subjects of my former letter, for in truth there is no danger I apprehend so much as the consolidation of our Government by the noiseless and therefore unalarming instrumentality of the Supreme Court. * * * For in truth there is at this time more hostility to the Federal judiciary than any other organ of the Government.

In a letter to Edward Livingston, under date of March 25, 1825, Mr. Jefferson wrote:

Time and changes in the condition and constitution of society may require occasional and corresponding modifications. One single object, if your provision attains it, will entitle you to the endless gratitude of society, that of restraining judges from usurping legislation. And with no body of men is this restraint more wanting than with the judges of what is commonly called our General Government, but what I call our foreign department. They are practicing on the Constitution by inferences, analogies, and sophisms as they would an ordinary law. They do not seem aware that it is not even a Constitution formed by a single authority, and subject to a single superintendence and control, but that it is a compact of many independent powers every single one of which claims an equal right to understand it and to require its observance. However strong the cord of compact may be, there is a point of tension at which it will break. A few such doctrinal decisions as barefaced as that of the Cohens happening to bear immediately on two or three of the large States may induce them to join in arresting the march of Government and in arousing the co-States to pay some attention to what is passing to bring back the compact to its original principles or to modify it legitimately by the expressed consent of the parties themselves, and not by the usurpation of their created agents. They imagine they can lead us into a consolidate Government, while their road leads directly to dissolution. This member of the Government was at first considered as the most harmless and helpless of all its organs, but it has proved that the power of declaring what the law is ad libitum by sapping and mining slyly and without alarm the foundations of the Constitution can do what open force would not dare to attempt.

These opinions and warnings of Jefferson are very pertinent at this time. The pity is that all have not paid heed to them for the past half a century. Now, let us see what another great expounder of the Constitution has said. In a speech at Fort Hill, July 26, 1831, Mr. Calhoun said:

No one has been so hardy as to assert that Congress or the President ought to have the right or to deny that if vested finally and exclusively in either, the consequences which I have stated would not necessarily follow; but its advocates have been reconciled to the doctrine on the supposition that there is one department of the General Government which, from its peculiar organization, affords an independent tribunal through which the Government may exercise the high authority which is the subject of consideration with perfect safety to all. I yield, I trust, to few in my attachment to the judiciary department. I am fully sensible of its importance and would maintain it to the fullest extent in its constitutional powers and independence, but it is impossible for me to believe that it was ever intended by the Constitution that it should exercise the power in question, or that it is competent to do so, and if it were it would be a safe depository of the power. Its powers are judicial, and not political, and are expressly confined by the

Constitution to all cases in law and equity arising under this Constitution, the laws of the United States, and the treaties made or which shall be made under its authority, and which I have high authority in asserting excludes political questions and comprehends those only where there are parties amenable to the process of the court.

Next I will put on the witness stand no less a person than Andrew Jackson. Let us hear his view of the province and powers of the Federal judiciary while he was President.

In his veto of the bill extending the old United States Bank, President Jackson said:

The Supreme Court ought not to control the coordinate authorities of this Government. The Congress, the Executive, and the court must each for itself be guided by its own opinion of the Constitution. Each public officer who takes an oath to support the Constitution swears that he will support it as he understands it, and not as it is understood by others. It is as much the duty of the House of Representatives, of the Senate, and of the President, to decide upon the constitutionality of any bill or resolution which may be presented to them for passage or approval as it is of the supreme judges, when it may be brought before them for judicial decision. The opinion of the judges has no more authority over Congress than the opinion of Congress has over the judges; and on that point the President is independent of both. The authority of the Supreme Court must not, therefore, be permitted to control the Congress or the Executive, when acting in their respective capacities, but to have only such influence as the force of their reasoning may deserve.

Mr. President, I could quote on the same line from Benton and dozens of others of the greatest minds that this country has produced, and all to the same effect. I might also quote the resolution introduced in the House by Mr. Draper of Virginia, on February 1, 1831, and the debate on the same, looking to correcting then some of the very evils that we are now considering; but time will not now permit.

Mr. President, in this connection, while we claim that our Government is more representative than that of England, I wish to call attention to the fact that in England to-day their courts can not overrule an act of Parliament. Though a monarchy, though not a representative government in the sense that ours is supposed to be, the courts there have not the authority and do not dare to overrule an act of Parliament. The Parliament is the supreme authority to decide whether or not any act is constitutional or unconstitutional. If an act passed by Parliament is deemed unconstitutional it must be so deemed by a subsequent act of the same body. How is it here? Between the House of Representatives and the Senate, this body consisting of two men from each State in the Union, many of them the peers of any man on the Supreme Court bench, the House of Representatives representing the people from every Congressional district of the Union, there sits another small body of nine men, and that body to-day is the supreme legislative body of America.

Why do I say that? The power to overrule acts of Congress and to make laws by construction is the power to legislate. Yes; the court to-day has the supreme legislative power on cases that come before it. We had a recent example in the case of the income tax. This body and the House, both of which have within their membership as able constitutional lawyers as sit on the Supreme Court bench, passed upon that measure. They passed the income tax because they thought it was constitutional. They, who had taken oaths to support the Constitution, which oaths are as binding upon them as are those of the members of the Supreme Court or the judges of other Federal courts, decided deliberately, after due discussion and consideration, that the income tax was not only proper, was not only justifiable, was not only necessary in order to equalize taxation between the different classes of our people to make the burdens of taxation bear upon all the different classes as nearly evenly as possible, but that it was constitutional, for that is what this body decides every time it passes an act. This body decides whenever it passes an act that it is constitutional just as solemnly and deliberately as the Supreme Court can.

Yet this court, this third legislative house, elected by nobody, representing nobody, under obligations to nobody, accountable to nobody, consisting of nine men with no constituency, arrogates to itself the authority and power to decide that Congress did not know what it was doing. It decided virtually that it was bad legislation, as well as unconstitutional. It took the liberty of lecturing Congress, expressing its opinion as to the wisdom, as to the expediency, and as to the general policy of legislation of that kind.

To-day there is no way to make wealth bear its equal share of taxation under our present methods of levying taxes, due to the decision of the Supreme Court. What is our method of levying taxes to-day? Chiefly by a tariff, supplemented by internal taxes and other very small ways of raising revenue. What is a tariff? Does the tariff equalize the burdens of taxation between the rich and the poor, the high and the low? No. The tariff is, I might say, a poll tax.

In every State in this Union, so far as I know, we have two methods of raising taxes by which the burdens of taxation are equalized between property and the individual. In my State we have first the poll tax. That tax is uniform. It is the same upon the millionaire as upon the pauper. It is a uniform tax, as I say, a tax per head. What do we have in addition? Would it be fair to the people of North Carolina to levy all the taxes for the State

government by a uniform tax upon the head of each citizen? It would be manifestly unjust. Then what do we do to equalize taxation? We provide for a property tax, and we were so careful in my State that the parity, to use the modern gold-bug phrase, should be maintained between the tax on property and the poll tax that we provided that the tax on \$300 of property should always be the same as the poll tax. In my State we provide not only taxation per head, but then we go to a man's assets, to each man's property, and charge him such a per cent on that property for the protection which he receives from the Government. If he is a millionaire he pays in proportion to the amount of property that is protected by the State government. Is that just? Is that fair? Everybody in my State says it is, and nobody dares to say to the contrary.

If that is just in North Carolina, then why is not the same method of taxation just and proper and right and necessary in raising taxes to support the General Government? Here we have a General Government more expensive than all the State governments put together, and in raising taxes to support the General Government we raise them chiefly by a poll tax. I say poll tax, because under a tariff the poor man with ten children pays as a rule as much taxes as the rich man with one.

I think we will always have a tariff in this country. I am not in favor of wiping it out. I am not a freetrader. I would, however, have the tariff schedules changed. I would have a tariff levied so that it did not discriminate against all the rest of the country for the benefit of one section of the country. I would have a tariff for revenue with the protection coming from it—for protection for somebody always accompanies any tariff—fairly distributed. There are cases where we need protection for certain industries, and I would favor it in such cases. I would have the protection resulting from it fairly and evenly distributed between the various sections of the country and the various industries in each section. But levy a tariff however you may, it is practically a poll tax. How are we to have property owned by men of large wealth, and men of even moderate wealth, bear an equal share of the burdens of government and pay a certain per cent for the protection their property receives from the National Government?

This Congress, in its wisdom, decided that the income tax was one of the fairest, most equitable, and most just methods for doing it, and after this body and the other House so decided, after the great American people had passed upon it, after the will of the people was expressed on that question, the Supreme Court, the third legislative house, representing nobody, responsible to nobody, legislates on the question, and decides how taxation shall be regulated in this country. It decides that we shall not tax property and make it pay its fair share of the burdens of government. It does it in the face of a former decision of the same court, which decided that such a tax was constitutional. The court says it decided it unconstitutional on account of the clause in the Constitution with reference to direct taxes. The copy of the Constitution on my desk puts that part of the Constitution in brackets, and calls attention in a foot-note to the fact that that clause of the Constitution became obsolete after the passage of the fourteenth amendment; and so the American people thought and still believe. But yet this court revives that clause of the Constitution, which was intended simply to apply to the peculiar conditions of slavery, for the purpose of putting all the burdens of taxation on the poor, and leaving those with big means to go scot free—that is, to make the poor man not only pay taxes for his own slight protection, but also for the larger protection for the rich. Every man in this body knows that that clause of the Constitution relating to direct taxes was put in there as a compromise between the slaveholder and the nonslaveholding interest when the Constitution was adopted. That clause of the Constitution has been said to be by numbers of leading jurists absolutely obsolete—to have been superseded—and yet we have such an enterprising third legislative house, which has hedged about it so much authority, and allowed to grow up by traditions and customs, that it revives, as it were, a dead paragraph of the Constitution and takes it as a weapon to strike down this method of taxing property equitably and justly.

Now, we must suffer this outrage or we must amend the Constitution, which is a very slow and difficult process. On the 27th of last December I introduced the following:

Joint resolution to amend the Constitution of the United States relating to direct taxes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following proposed amendment to the Constitution of the United States shall be submitted to the legislatures of the several States for ratification or rejection, to wit:

“ARTICLE XVI

“The provisions of the Constitution of the United States relating to direct taxes, and the apportionment thereof among the several States in proportion to the census enumeration, shall not apply to income taxes; but the Congress shall have power to lay and collect taxes on all incomes regardless of the source from which the income is derived or acquired: Provided, however, That all income taxes which the Congress may lay and collect shall be uniform throughout the United States.”

Mr. President, this amendment must be acted upon by Congress and submitted to the several States and secure a three-fourths ratification from them before the outrageous decision of the court can be corrected, or we must hold a constitutional convention. Hence the court has practically defeated the will of the people, and at the same time committed a great wrong.

But let us return to the income-tax law that was passed by Congress. It was, I admit, only a cowardly makeshift for an income-tax law. It was not a graduated income-tax law, as it should have been, nor did it extend to all the classes of incomes that should be taxed. But it was a step in the right direction. How any fair-minded, honest jurist could object to it, much less declare it unconstitutional, is beyond my comprehension.

The income tax did not attempt to tax property that did not yield a revenue. It did not attempt to tax property like some we have in our State, which makes a man land poor. We have men owning 10,000 acres of land in my State who would be richer if they did not have it. They could scarcely give it away if they tried. They are not making enough from it to pay taxes on it. So the income tax did not propose to tax property that did not yield a revenue. But it related to property that yielded a good revenue and only took a small percentage of the profits that came from such handsome dividend-yielding property, and in this connection I may say it was property that has largely been accumulated from special privileges granted by these very bodies, property and incomes due to discrimination of law against the rest of the country in favor of those who are able to pay such a tax, and those who would only be called upon to pay it for the simple reason that they have property that yields them a magnificent and princely income. Yet this third legislative house, representing nobody, responsible to nobody, with no constituency, arrogated to itself the supreme power to nullify the action of the people's representatives, to nullify the Constitution, for that is what it did, in order to protect those who have princely incomes.

Mr. President, we have an example like this before us; we have before us thousands of examples almost as significant through the last hundred years; we have the example of the case that this bill grew out of, where an American citizen, Mr. Debs, was arrested, tried by the court, and imprisoned without even a hearing before twelve of his peers. Yes, the man was tried by a judge simply, and put in prison without law and in defiance of the constitutional rights of an American citizen. With that example of the Constitution practically overridden in depriving a man of the right to trial by jury, here comes a bill from one of the most important committees of this body, proposing to legalize it. I can not believe but that it was an oversight on the part of the committee. I can not believe but that the committee simply did not notice that it had failed to provide for trial by jury. I can not believe that that committee, in view of the hundred years of dangerous history with Federal courts, could deliberately have brought here a bill to give that court more power, to give to the branches of the Federal judiciary more power, even to the monstrous extent of giving to them the power to imprison an American citizen without a hearing before a jury.

How much further do we have to go until we get back to the period of despotism where the king issues his order and has Mr. A thrown into a dungeon after a farce of a trial before a judge, who is one of his (the king's) puppets? Does not the history of despotisms in the Old World teem with such tyranny, and was not this Government established in defiance of such methods in the Old World, and to give to every man a haven of refuge, as it were, who sought freedom in religious opinions, freedom in political opinions, who sought a place where the free and brave could have such powers and such liberties as the God of heaven intended every upright citizen to have who would obey the decent laws of society? This Government was formed as an asylum, as it were, as a last gathering place, as it were, for men whose souls rebelled against such tyranny and such injustice.

But here is this Government, only a little over a hundred years old, dropping down into the grooves of despotism, putting the liberty of every American citizen at the mercy of a man who is not even elected by the people and who does not have to account to the people for his action. It is monstrous. It brings up the last warning which Thomas Jefferson gave to us that if we hope to preserve our liberties and hope to prevent the courts from arrogating to themselves the power to make this country a despotism, it would be necessary for us to hold a constitutional convention at least every twenty years. He said it was not safe or right or prudent to allow one generation to make a constitution that should stand ironclad for the next, with all the usurpation of power that might grow up under it to pervert it and twist it; that it would be better and safer for the people in their supreme legislative assembly—a constitutional convention—to come together to correct their landmarks, to strike down the hydra-headed monster, despotism, wherever he stuck up his head in the Constitution, and to make the Constitution just; to add to it, if need be, such provisions as were necessary to meet the progress of events; to add to

it, if necessary, such amendments and such provisions as were essential to meet new conditions and the developments of society.

George Mason, who seems to have been, next to Thomas Jefferson, one of the clearest-headed men among the founders of the Constitution, wrote a paper warning the people of Virginia not to adopt the Constitution as it stood.

I will now quote from that great statesman, the author of the Virginia bill of rights, from which Mr. Jefferson drew inspiration for the Declaration of Independence. Mr. Mason was a member of the constitutional convention which framed our National Constitution, and refused to give it his support when adopted by the convention. He opposed its ratification by the State of Virginia with great power and intelligence, and in spite of Washington, Randolph, and others came very near carrying his point. During this contest he gave out his reasons in detail against the adoption by the State of Virginia of the Constitution. They were designated at that time as Mason's objections to the Constitution. I will say further that the first ten amendments to the Constitution are largely based upon Mr. Mason's objections. The fourth objection of Mr. Mason to the ratification of the Constitution relates to the judiciary branch of the Government, and is as follows:

The judiciary of the United States is so constructed and extended as to absorb and destroy the judiciaries of the several States, thereby rendering laws as tedious, intricate, and expansive, and justice as unattainable by a great part of the community as in England, and enabling the rich to oppress and ruin the poor.

Thus we see that Mr. Mason took the position that the Constitution as it stood did not guarantee the rights of the people sufficiently against the encroachments of the Federal judiciary. He warned the people that the Constitution as it stood, he feared, did not sufficiently provide against what might grow into court usurpation, and out of his objections to the Constitution largely grew the first ten amendments, advocated by Jefferson and Mason.

With wonderful foresight he also saw how the Federal judiciary would overshadow and encroach on, if not destroy, the authority of the State courts. And to-day we see this dangerous work in progress. Under the clause of the Constitution relating to interstate commerce the Federal courts have managed to strip the State courts of the power to determine causes between a great railroad corporation and a citizen of said State, or even the State itself. Mr. President, I believe that the States still have a remedy in this matter in spite of the Federal judges. If a railroad is not willing to submit actions to a State court where they operate and receive the protection and favor of the State legislature, then the State can withhold its favor and not allow such corporations to operate in the State. But, Mr. President, if a State should attempt to exercise this last right left it in such matters we do not know but that the Supreme Court would try to have the State arrested for contempt and ousted from the Union without a trial by jury.

I think, Mr. President, that Congress should by legislative enactment, if possible, define and limit the powers of the Supreme and other Federal courts to simply the powers that Jefferson and the other expounders of the Constitution say that they have under that instrument. But, Mr. President, we are to-day in this deplorable plight. Some of the ablest jurists we have tell us that by legislative enactment we can strip the court of some of the powers it has assumed and taken to itself. But suppose this body were to-day to pass a bill limiting the powers of the Supreme Court and pointing out the facts that it has assumed powers not granted to it by the Constitution; suppose Congress should pass such a measure, and suppose the President should sign it, and be merciful enough not to use his veto power, another relic of monarchy, what would happen? Your third legislative house would sit quietly over there, and when you had passed your law, it, with nine men, representing nobody, responsible to nobody, would coolly decide that your act was unconstitutional, because it limited its powers.

There you are bottled, the American Congress bottled, with the Supreme Court holding down the stopper. What can you do? I see but one thing that we can do to correct the evils that now exist by law or by interpretations of courts, and I believe we will have to meet it soon. What is it? I believe it will be necessary to call a constitutional convention through the State legislatures to protect the people of this country against the aggressions of the courts. That is the only way it is possible if the court sees fit to disapprove of what you do. But that is in the future. While we may have to do that, and I think the quicker the better, yet certainly we do not wish to pass any law giving the courts more power than they have. We need a convention to strip and bring them down to where the Constitution and Thomas Jefferson said they should stand. But until we can do that certainly the representatives of the people can never, between their consciences and their God, in duty to their oaths to the Constitution and their pledges to the people, vote for any measure which deliberately increases the powers which the courts already have.

Therefore, we must pass this amendment which I have offered, which guarantees to every American citizen a trial by jury.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from North Carolina [Mr. BUTLER].

Mr. HILL. I desire to suggest to the Senator from North Carolina that he withdraw his amendment for the present and allow a vote to be had on the amendment submitted by the Senator from Utah [Mr. CANNON], which presents precisely the general question involved.

Mr. BUTLER. What is the amendment submitted by the Senator from Utah?

The VICE-PRESIDENT. The amendment of the Senator from Utah will be stated.

The SECRETARY. In line 18, section 4, it is proposed to strike out the words "in his discretion," and in line 19 to strike out the word "may" and insert the word "shall"; so as to read:

But such trial shall be by the court, or upon the application of accused a trial by jury shall be had as in any criminal case.

Mr. BUTLER. I accept the amendment as an amendment to mine.

The VICE-PRESIDENT. The amendment is accepted. The question recurs on agreeing to the amendment as modified.

Mr. MITCHELL of Oregon. As I understand the effect of this amendment, it is to take from the court the discretion as to a jury trial and to provide an appeal in all cases of indirect contempts. I do not understand the amendment goes to the extent of providing for a jury trial in cases of direct contempts.

Mr. HILL. Direct contempts are not interfered with in any way. The control of that matter will, of course, remain the same as it is now—absolutely at the discretion of the court. It is only as to contempts committed outside of the court, called indirect contempts. Direct contempts may still be punished by the judge the same as formerly.

Mr. MITCHELL of Oregon. The court will, in direct contempts, have exclusive power to try and fix the punishment?

Mr. HILL. The court will still have absolute power in such cases.

Mr. PLATT. Mr. President, I want to call attention not to this bill particularly, only incidentally, perhaps, but I want to call attention to the method of legislating in the closing hours of a session. Here is a bill confessedly of great importance. It is a bill which requires very careful consideration. I desire to preface what I have to say by the distinct declaration that I do not suggest the absence of a quorum of this body; but this bill is being considered, so far as it is considered, by perhaps 20 Senators at times, 15 Senators at times, and there have been times during the discussion this morning when there have not been 15 Senators in their seats; yet we are apparently acting upon a measure of probably as much importance as any matter which has been brought before the Senate and House of Representatives. The measure is regarded as important by its friends. It is of such importance that we had a dispatch here yesterday stating that 800,000 railroad employees of the country were watching with the most intense interest the proceedings of the Senate with relation to this bill.

Well, Mr. President, if 800,000 railroad employees in the country are watching the proceedings of the Senate with intense interest in relation to this bill, they are doing a great deal more than Senators are. Probably half, or nearly half, of the Senators have gone home, or gone to political conventions, or gone elsewhere. I suppose there may be a bare quorum of Senators in the city, but of those a good many are interested in appropriation bills, a good many are packing up their papers to go home, seats are empty, and yet the Senator from New York insists upon considering, under such circumstances and at such a time, a most important measure. Whatever the opinion of Senators may be with reference to the particular bill before us, it is certainly a most important measure; that is agreed to by all, and I want to appeal to the Senator from New York that he do not press for a vote at this time, under these circumstances, upon such a measure as this. It is manifest that the bill can not pass the House of Representatives at this session; it is manifest that if anybody chooses to ask for a vote of the Senate, which shall represent a quorum of the Senate, the bill can not pass this body. It is also manifest that no attention is being paid to this bill by over a half dozen Senators, nor has there been from the time it has been taken up.

I felt, Mr. President, that perhaps it was quite as well to call attention to the practice and method of legislating in the last hours of a session. I think if there are any bills which have been passed by Congress which are open to criticism, it will be found usually that they have passed in the last days or, perhaps, in the last night of the session, when Senators were tired, when members of the House of Representatives were tired, when many of them had gone, when no point of a quorum was being made, and there were not more than ten or fifteen Senators in their seats, and even they inattentive under the circumstances.

Now, I protest, Mr. President, against this kind of legislation

on important matters under such circumstances. If there were a great emergency, if it were absolutely necessary in order to the protection of the people that a measure should be passed, that would be one thing; but with another session of Congress to meet in December, and with no great pressing necessity that the Senate should act without consideration upon an important measure of this kind, I do protest against its being pressed to a vote here.

The power to punish for contempt has existed, Mr. President, from earliest times. I am not going to discuss this bill, or the propriety of it, or the wisdom of passing it, or question whether the provisions of it are such as they ought to be, if a bill is to be passed. I am not going to discuss it in a Senate of perhaps 20 people, most of whom are engaged in conversation among themselves so loud that it is almost impossible for me to hear myself talk. I am not going to discuss a measure of this importance under such circumstances.

As a member of the Judiciary Committee I did not agree to this report—I desire to say that—not because I am of opinion that the law relating to procedure in contempt cases should not receive the attention of the legislative branch, but because I think this bill is entirely crude, that it has not had bestowed upon it the care and the study which ought to be bestowed upon a bill which attempts to revolutionize the entire practice in equity proceedings in the country. If I had a Senate here that would listen, I should be glad to discuss the bill, but what I do this morning is simply to protest against the attempt to pass a bill of this importance, of this magnitude, under such circumstances.

Now, I will allude to only one thing in the bill as showing how much it needs be reconsidered. Admitting, of course, for the argument, and admitting, I think, fully, that there should be some bill relating to the regulation of proceedings in contempt cases passed, if this bill were to pass and become a law, and a juror or a witness—I will say witness—where a civil case is on trial in a circuit court or a criminal case is on trial in a district court, refused to obey the summons and was brought into court, he would be guilty of an indirect contempt, and if the court undertook to fine him for refusing to obey the summons and absenting himself as a witness on the trial of that case he could demand a jury trial. If the amendment should pass, and, whether he demanded a jury trial or not, if he were fined \$10 he could appeal that case to the Supreme Court of the United States. Well, Mr. President, the very statement that I have made, which can not be controverted and will not be controverted, is enough to show that this bill should not pass.

We have limited the jurisdiction of the Supreme Court of the United States, and there can not be an appeal in a capital case from the judgment of a circuit court or a district court to the Supreme Court of the United States. That has to be appealed or go by writ of error to the circuit court of appeals, and yet it is proposed here to give a witness who may disobey the summons of a court or the direction of the judge to appear in court, when the court undertakes to punish him as for contempt, the right of trial by jury and an appeal to the Supreme Court of the United States, when we have just listened to a half hour's denunciation of the Supreme Court of the United States by a Senator who desires to have a bill with that regulation in it passed.

Mr. President, have I not said enough to show that we ought not to act in this matter? There is probably no subject relating to the jurisprudence of this country which is any more intricate than the practice relating to contempts or the law of contempts. There has been practically no attempt at codification of the decisions relative to contempts of court. The trouble with this bill is that it sweeps all contempts, except those which are committed in the presence of the court or so near the court as to interfere with the administration of justice, into the catalogue of indirect contempts, and it makes no distinction between those alleged contempts, which have been the subject of discussion here, and contempts of a minor and lesser character. It might be admitted that the proceedings in the contempts which are complained of ought to be regulated. I do not think that a judge ought to have unlimited and unrestrained power to punish for contempts in such cases as have excited the attention of the country; but you can not have a court, Mr. President, without the power of the court to punish for contempt in certain cases which are not included within the definition in this bill of direct contempts, and a very large proportion of the equity practice of this country depends upon the power of the court to enforce its decrees.

Take the ordinary case of a court which requires a party to a proceeding to pay over money, to deposit money in court during the progress of the trial upon a pending petition. A person may have money in his hands who is utterly irresponsible. The court in an equity case issues an order that he shall pay that money into court pending the progress of the case. He says, "I will not do it." The court brings him in and attempts to fine him for contempt. He says, "I want a jury trial"; and he is entitled to a jury trial if it is an equity case. Then, when he has been convicted by the jury of being in contempt of court, he says, "I

propose to appeal this case to the Supreme Court of the United States." That will stay the execution, and he goes on and keeps the money.

Mr. CANNON. Will the Senator yield to me for a question?

Mr. PLATT. Yes.

Mr. CANNON. Would not the case cited by the Senator from Connecticut be a case of direct contempt?

Mr. PLATT. Not at all, under this bill; and that is the trouble about it. The bill is not understood. What I complain of is that there ought to be a different definition in this bill of direct, indirect, and constructive contempts.

Mr. CANNON. The Senator cited the case of an individual refusing in the presence of the court to obey an order of the court.

Mr. PLATT. Oh, no; not at all.

Mr. CANNON. I understood that to be the Senator's language.

Mr. PLATT. Oh, no. An order to pay money into court is not necessarily made when the person is in court.

Mr. CANNON. The Senator used the language, "If a person was brought before the court and refused to pay the money."

Mr. PLATT. No.

Mr. HILL. That would be an offense in court for which a person could be punished as a direct contempt.

Mr. PLATT. I may have been unfortunate in some of the language I have used; I think the RECORD, however, will show that I did not make use of that language. But this is the language of the bill:

That contempts of court are divided into two classes, direct and indirect, and shall be proceeded against only as hereinafter prescribed.

Now, these are direct contempts:

That contempts committed during the sitting of the court or of a judge at chambers, in its or his presence or so near thereto as to obstruct the administration of justice, are direct contempts. All others are indirect contempts.

Mr. MITCHELL of Oregon. Will the Senator allow me?

Mr. PLATT. Yes.

Mr. MITCHELL of Oregon. Take a case like this: Suppose a juror is summoned to be in court on a certain day to attend to jury duty and he fails to go. A writ is issued and he is brought in for contempt of court for failing to appear as a juror. That would be an indirect contempt, I take it, under this bill, and he would be entitled under the proposed amendment to trial by jury.

Mr. PLATT. Yes, and an appeal to the Supreme Court of the United States.

Mr. MITCHELL of Oregon. Also to an appeal to the Supreme Court of the United States. It seems to me that would be a dangerous obstruction of the administration of justice.

Mr. PLATT. The passage of this bill in its present form is not only a revolution in the equity practice of this country, but is practically abolishing the chancery practice of our courts. I am not complaining at all of the principle of the bill. I am not asserting that there should not be regulations of the practice in the matter of contempts. Our statutes on the subject acknowledge the right of Congress to regulate proceedings in contempt cases. I will read that section of the Revised Statutes:

SEC. 725. The said courts shall have power to impose and administer all necessary oaths, and to punish, by fine or imprisonment, at the discretion of the court, contempts of their authority: *Provided*, That such power to punish contempts shall not be construed to extend to any cases except the misbehavior of any person in their presence, or so near thereto as to obstruct the administration of justice, the misbehavior of any of the officers of said courts in their official transactions, and the disobedience or resistance by any such officer, or by any party, juror, witness, or other person, to any lawful writ, process, order, rule, decree, or command of the said courts.

This bill proposes to put into the list of indirect contempts "the misbehavior of any of the officers of said courts in their official transactions, and the disobedience or resistance by any such officer, or by any party, juror, witness, or other person, to any lawful writ, process, order, rule, decree, or command of the said courts." These are all swept into indirect contempts. I say, Mr. President, that we can not proceed with the equity jurisdiction of our courts without certainly the power to punish officers for misbehavior in their official transactions, and certainly jurors and witnesses for disobedience or resistance to the orders of the court, nor indeed without the power to enforce by fine and imprisonment the refusal to obey a large proportion of the orders which are made by equity courts.

The trouble about this thing is that a contention has arisen in this country over an extreme exercise of this authority, about which there is very intense feeling, and because of this Senators are ready to go and strike down the whole equity jurisprudence of the country.

I made a reference a moment ago to our having limited the jurisdiction of the Supreme Court of the United States. If I understand, and am correct in my recollection, to entitle a person to go to the Supreme Court on a money question the amount involved must be \$5,000, or it must be a case in which a constitutional question arises on a law of Congress, or where a question may be certified up from the court of appeals.

In criminal matters we have taken jurisdiction entirely away

from the Supreme Court of the United States, except in regard to criminal cases which come up from the Territories for offenses against United States laws. But a case can not come from a State or from a United States district or circuit court in a State to the Supreme Court of the United States even in a capital case. Those cases must go to the court of appeals. But that is not sufficient, apparently, for the purposes of this bill. An appeal from the judgment rendered in a contempt case does not by this bill go to the court of appeals, where a murder case must go, where all cases of money damage less than \$5,000 in value must go from the district or circuit court, but must be taken directly to the Supreme Court of the United States. Why? Apparently, if this bill is passed, the Supreme Court of the United States will not have a great deal to do except to attend to appeals in contempt cases; and, as I was saying a moment ago, a very large proportion of the business transacted—

Mr. HILL. Will the Senator allow me a moment?

The PRESIDING OFFICER (Mr. BLANCHARD in the chair). Does the Senator from Connecticut yield to the Senator from New York?

Mr. PLATT. Yes, sir.

Mr. HILL. The question which the Senator suggests as to whether an appeal in cases of conviction of indirect contempts should be taken to the circuit court of appeals direct, and not elsewhere, or should go directly to the Supreme Court of the United States was very carefully considered. Upon that question I conferred with a distinguished member of the circuit court who had had before him some contempt cases of an important character, and he gave it as his opinion to me that it was better that those cases should go directly to the Supreme Court, otherwise the various circuit courts of appeals throughout the United States would establish different decisions upon the question as to what constitutes a contempt, and that it was wiser to take such cases directly to the court of appeals. I do not care about giving the name of the gentleman; but he thought it would be better and wiser in such cases, as a rule, to have the appeal in the first instance go to the highest court, in order that that court might lay down the law as to what constitutes contempt. It was in pursuance, among others, of the suggestion made by this very able judge that we adopted that course. I also submitted it to other judges, who coincided in that opinion. For that reason the course was taken.

Mr. PLATT. Now, I venture to guess—of course I can not assert—that the judge of the court of appeals who advised that the appeal should be taken to the Supreme Court of the United States did not understand the scope of the bill. He did not understand that a witness or a juror who refused to obey the order of the court and was fined for contempt would be entitled under the bill to appeal to the Supreme Court of the United States. I venture to guess that the opinion which was rendered to the Senator from New York upon this subject by the judge of the circuit court or the circuit court of appeals was rendered without knowing what the bill was, and that no one will be more surprised than he when he learns that the Senator from New York has cited him as authority for supposing it was better to appeal a case where there was a ten-dollar fine for contempt to the Supreme Court of the United States than to the circuit court of appeals.

Mr. HILL. I desire to say to the Senator from Connecticut that the judge referred to will not be surprised about it. He had this bill and carefully examined it. I had several consultations with him in regard to it, and upon that very point he was emphatic.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CHAPPELL, one of its clerks, announced that the House had passed the bill (S. 1306) to authorize and encourage the holding of a transmississippi exposition at the city of Omaha, in the State of Nebraska, in the year 1898, and making an appropriation therefor, with an amendment 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. 180) to make the city of Erie, Pa., a port of immediate transportation;

A bill (H. R. 7338) for the relief of William H. Scofield, Jacob Brady, James Ketcham, Annie Booth, as administratrix of the goods, chattels, and credits of George W. Booth, deceased, Wilson P. Billar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Scofield;

A bill (H. R. 9123) to prevent forest fires on the public domain; and

A bill (H. R. 9345) to enable certain persons in the State of Mississippi to procure title to public lands.

TRANSMISSISSIPPI INTERNATIONAL EXPOSITION.

Mr. ALLEN. I ask the Chair to lay before the Senate the amendment of the House of Representatives to Senate bill 1306; and I desire to ask unanimous consent that the Senate concur in the amendment made by the House of Representatives.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1306) to authorize and encourage the holding of a transmississippi and international exposition at the city of Omaha, in the State of Nebraska, in the year 1898; which was, on page 5, line 17, after the word "dollars," to insert:

Provided, That no liability against the Government shall be incurred, and no expenditure of money under this act shall be made, until the officers of said exposition shall have furnished the Secretary of the Treasury proofs to his satisfaction that there has been obtained by said exposition corporation subscriptions of stock in good faith, contributions, donations, or appropriations from all sources for the purposes of said exposition a sum aggregating not less than \$250,000.

Mr. ALLEN. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

PORT OF ERIE, PA.

Mr. CAMERON. I ask the Senate to take up the bill (H. R. 180) to make the city of Erie, Pa., a port of immediate transportation.

The PRESIDING OFFICER. The Senator from Pennsylvania asks unanimous consent to consider at this time the bill which he has indicated.

Mr. HILL. Without prejudice to the pending bill, it is understood.

Mr. CAMERON. The bill will not lead to debate.

There being no objection, the bill was read twice and considered as in Committee of the Whole.

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

PAY OF LETTER CARRIERS.

Mr. MITCHELL of Oregon. I ask the Senator from New York to allow the pending bill to be laid aside temporarily for a few moments, to allow me to call up a small bill of only seven lines.

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Oregon?

Mr. HILL. The Senator from Connecticut has the floor.

Mr. MITCHELL of Oregon. I ask the Senator from Connecticut to yield to me. It is a small bill of only seven lines.

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Oregon?

Mr. PLATT. So far as I am concerned, I will yield. I feel, however, that I am rather under the direction of the Senator from New York.

Mr. MITCHELL of Oregon. I am much obliged to both the Senator from New York and the Senator from Connecticut. I ask the unanimous consent of the Senate to proceed to the consideration of the bill (S. 3058) to increase the pay of letter carriers.

Mr. MILLS. I think that is too large a bill to be considered now. I object to the consideration of the bill.

Mr. MITCHELL of Oregon. I hope the Senator from Texas will not object.

Mr. MILLS. It is a bill of too much importance to be pressed during the last hours of the session.

The PRESIDING OFFICER. The Senator from Texas objects.

Mr. MITCHELL of Oregon. I think the Senator from Texas will not insist on his objection.

Mr. MILLS. Yes, I will.

Mr. PETTIGREW. Mr. President—

The PRESIDING OFFICER. The Senator from Oregon has the floor. The Chair understands the Senator from Texas to object to the consideration of the bill.

Mr. MITCHELL of Oregon. If the Senator from Texas insists upon his objection, of course I can not proceed, but I appeal to the Senator not to object. This bill was reported from the committee of the Senate and a similar bill was reported also in the House.

Mr. MILLS. How much money will it take?

Mr. MITCHELL of Oregon. It will take considerable money, but that is not the most important question. The question is whether we should not do justice by these letter carriers, who are the hardest worked class of people in this country in the public service and get the least pay in proportion.

Mr. MILLS. What committee reported the bill?

Mr. MITCHELL of Oregon. The Committee on Post-Offices and Post-Roads. It was also reported in the House and is on the Calendar there. I hope the Senator from Texas will withdraw his objection.

Mr. HARRIS. To what extent are the salaries increased?

Mr. MITCHELL of Oregon. It advances them about \$100 each class; there are three classes. That is all. It is a very small increase.

Mr. MILLS. What will the lowest class get, \$800?

Mr. MITCHELL of Oregon. Six hundred dollars.

Mr. MILLS. And then up to \$1,000?

Mr. MITCHELL of Oregon. Six hundred dollars, \$800, and

\$1,000, and up to \$1,200. I hope the Senator from Texas will withdraw his objection.

Mr. MILLS. I object, Mr. President.

The PRESIDING OFFICER. The Senator from Texas objects to the present consideration of the bill.

BREEDING OF FOXES IN ALASKA.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of Senate bill 2555.

The PRESIDING OFFICER. Does the Senator from Connecticut, who is entitled to the floor, yield to the Senator from South Dakota?

Mr. PLATT. I have no objection.

Mr. HILL. What is the nature of the bill the Senator from South Dakota desires to have considered?

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

Mr. PLATT. I desire to state that I have no objection to yielding for the passage of bills that are important and do not lead to discussion. I feel, however, that I am somewhat under the direction of the Senator from New York, and that he is the one who should be asked to yield.

Mr. MITCHELL of Oregon. I object to the passage of any bill until we dispose of the pending bill.

The PRESIDING OFFICER. The Senator from Oregon interposes an objection.

Mr. PETTIGREW. I will say in regard to the bill I wish to call up that it simply gives authority to the Secretary of the Treasury to lease certain islands in Alaska for the raising of foxes. Some of our citizens several years ago occupied the islands and now have a large number of foxes upon them. They find that they are interfered with by poachers, who kill their property and carry it away. The islands named in the bill are not occupied. Then it provides that other islands may be leased for the same purpose, under the direction of the Secretary of the Treasury. No one lives upon the islands. It interferes with no rights and conveys no title. It seems to me there ought to be no objection to the passage of this measure. I hope the Senator from Oregon will withdraw his objection.

Mr. MITCHELL of Oregon. I withdraw it if the bill does not lead to debate.

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

There being no objection, the bill (S. 2555) to authorize the Secretary of the Treasury to issue leases of certain islands in Alaska for the breeding of foxes was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with amendments.

The first amendment was, in line 3, after the word "That," to insert "for the purpose of encouraging the propagation of the blue and silver fox"; so as to read:

That for the purpose of encouraging the propagation of the blue and silver fox the Secretary of the Treasury be, and he is hereby, authorized to issue leases to the islands of North Semidi, South Semidi, Ukumok, Long Island, Little Koniuski, Pearl Island, Carlsons Island, Little Naked Island, and Mar-mot Island, in Alaska, for a period not exceeding twenty years, for the purpose of breeding and domesticating blue and silver foxes; and he may issue leases of such other islands in Alaska for this purpose as may seem, in his opinion, to be in accordance with the public interest; all such leases to be held under such regulations as he may prescribe.

The amendment was agreed to.

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

Provided, That persons actually engaged in caring for and domesticating such foxes on any of said islands shall be accorded the preference right to lease the island or occupy the same under such rules and regulations as the Secretary of the Treasury may prescribe, and such lessee shall have the privilege of killing the foxes and disposing of their furs, subject to the rules and regulations aforesaid.

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.

PAY OF LETTER CARRIERS.

Mr. MILLS. I withdraw the objection I interposed to the bill called up by the Senator from Oregon. It seems that he has his heart set on its passage.

Mr. MITCHELL of Oregon. I am obliged to the Senator from Texas. Then I ask that the bill may be considered at this time.

The PRESIDING OFFICER. The Senator from Oregon asks unanimous consent for the present consideration of a bill, which will be stated.

Mr. HILL. Without prejudice to the pending bill?

Mr. MITCHELL of Oregon. Oh, certainly.

The Secretary read the bill (S. 3058) to increase the pay of letter carriers; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It provides

that after June 30, 1896, the pay of letter carriers in cities of more than 75,000 population for the first year of service shall be \$600; for the second year of service shall be \$800; for the third year of service shall be \$1,000; for the fourth year of service and thereafter shall be \$1,200. And after June 30, 1896, the pay of letter carriers in cities of a population of under 75,000 for the first year of service shall be \$600; for the second year of service, \$800; for the third year of service and thereafter, \$1,000.

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 261) for the relief of Arthur P. Selby;
A bill (S. 1011) for the relief of Capt. James Regan, United States Army;

A bill (S. 2943) to authorize the construction of a bridge across the Warrior River by the Mobile and Ohio Railroad Company;

A bill (S. 2944) to authorize the construction of a bridge across the Cahaba River, in Bibb County, Ala., by the Mobile and Ohio Railroad Company; and

A bill (S. 2945) to amend an act approved August 6, 1888, entitled "An act to authorize the construction of a bridge across the Alabama River."

The message also announced that the House had passed a bill (H. R. 1256) for the relief of Henry A. Webb; in which it requested the concurrence of the Senate.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced that the President had on the 9th instant approved and signed the following acts:

An act (S. 1189) granting a pension to Eliza Sandford; and
An act (S. 2022) to amend an act entitled "An act to provide for the protection of the salmon fisheries of Alaska."

The message also announced that the President of the United States had on this day approved and signed the following acts:

An act (S. 2859) changing the time for holding circuit court of the United States at Hartford, in the district of Connecticut;

An act (S. 2928) to extend the routes of the Eckington and Soldiers' Home Railway Company and of the Belt Railway Company of the District of Columbia, and for other purposes; and

An act (S. 2978) to provide an American register for the steamer *Menemsha*.

CONTEMPTS OF COURT.

Mr. HILL. Mr. President, I must insist that the debate shall proceed upon the contempts bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2984) in relation to contempts of court.

Mr. PLATT. Mr. President, I do not think there could have been any better illustration of the point I made against attempting to consider legislation of the importance of this measure relating to the proceedings in case of contempt than what has taken place in the Senate during the last ten minutes, I might say what is taking place now, where Senators are talking so loud around me that I can not be heard.

The PRESIDING OFFICER. The Senate will be in order. Senators will please suspend audible conversation.

Mr. PLATT. For the information of the Senate—for I do not think Senators know what has been done in the last few minutes by my yielding goodnaturedly to Senators who desired to pass bills—I will state that we have authorized the lease of some islands up in Alaska for the raising of foxes—blue foxes and silver foxes; we have passed a bill to make Erie a subport of entry, and we have increased the pay of letter carriers as far as the Senate is concerned, thereby taking about \$1,000,000 annually from the Treasury of the United States. Now, I venture to say that not ten persons in the Senate knew until I made that statement what had been done in the Senate during the last few minutes; and I think none of them scarcely know that up to that time we were discussing one of the most important questions that has come before Congress and one of the most important questions relating to the administration of our Government.

The PRESIDING OFFICER. The Senator from Connecticut will suspend until order is restored in the Chamber.

Mr. MITCHELL of Oregon (at 2 o'clock p. m.). What is the unfinished business?

The PRESIDING OFFICER. The pending bill. The Senator from Connecticut is recognized.

Mr. MITCHELL of Oregon. I understood that the immigration bill is the unfinished business.

The PRESIDING OFFICER. The Chair understands that the measure now under discussion is the unfinished business.

Mr. MITCHELL of Oregon. When, may I inquire, was the immigration bill displaced? It was certainly made the unfinished business some days ago.

The PRESIDING OFFICER. The Chair will cause the matter to be looked up.

Mr. HILL. The RECORD shows that with the assent of the Senator from New Hampshire [Mr. CHANDLER] that bill was displaced and this bill taken up.

Mr. MITCHELL of Oregon. If this bill was taken up after 2 o'clock, then it would have the effect of displacing the immigration bill.

The PRESIDING OFFICER. The Chair will have the RECORD read.

Mr. HILL. I trust that the Senator, after having been allowed to secure the passage of a million-dollar bill, will not now raise a technical question against the contempts bill.

Mr. MITCHELL of Oregon. Not at all.

The PRESIDING OFFICER. The Secretary will read from the RECORD.

The Secretary read as follows:

Mr. HILL. I move that the Senate proceed to the consideration of the bill (S. 2984) in relation to contempts of court.

The motion was agreed to.

Mr. HILL. Mr. President—
Mr. MITCHELL of Oregon. Will the Senator from New York yield to me a moment?

Mr. HILL. Yes, sir.—*Congressional Record*, June 9, page 6320.

Mr. HILL. I always have to yield to the Senator from Oregon.

Mr. HARRIS. At what hour was that motion made?

Mr. MITCHELL of Oregon. Was the motion made before or after 2 o'clock?

Mr. HARRIS. It was made after 2 o'clock, I understand.

The PRESIDING OFFICER. After 2 o'clock.

Mr. MITCHELL of Oregon. Then the effect would be to displace the immigration bill.

Mr. HARRIS. Unquestionably.

Mr. HILL. The immigration bill is not expected to be passed. The author of it has gone away.

Mr. CULLOM. The Calendar of to-day indicates that the immigration bill is the unfinished business. I know nothing more about it than that.

The PRESIDING OFFICER. The Senator from Connecticut will proceed.

Mr. PLATT. Mr. President, this new interruption of my remarks being over, I trust that I may be able to draw the attention of the few Senators who have thought it their duty to attend the session of the Senate to-day to the bill which was under discussion and to the point which I was making, that a bill of this character ought not to be pressed to a vote under such circumstances. If my recollection serves me through the interval which has elapsed since I was addressing the Senate on this subject, I had adverted to the fact that we had limited the Supreme Court of the United States in its jurisdiction necessarily and properly to cases involving \$5,000 value, and to those involving constitutional questions or the construction of some statute law of the United States, and that in criminal cases we had taken away from them entirely their jurisdiction to hear and review the decisions of the lower courts, even in capital cases. And yet here is a bill which proposes to allow an appeal from a district court or a circuit court anywhere in the United States upon a five-dollar judgment of that court inflicted as a punishment for contempt.

The Senator from New York interrupted me to say that he had the opinion of some judge of the circuit court or circuit court of appeals that that is where the appeal ought to go rather than to the circuit court of appeals. If that judge understood what this bill is, the very fact that he thought an appeal in a five-dollar punishment for contempt of a circuit court or district court of the United States should be taken to the Supreme Court of the United States is perhaps an argument why it should not be taken to the circuit court of appeals. I am surprised that in his zeal to pass this bill any Senator should stand here and attempt to defend the provisions of the bill so far as they relate to practice in our courts. The difficulty about it I was proceeding to state. There has been a tendency in courts of late to extend the power of punishing for contempts. It has been carried to a very great length, and some of the recent cases alluded to by the Senator from Nebraska [Mr. ALLEN] yesterday, and the Senator from Kansas [Mr. PEPPER] to-day, have so far excited the attention of the country that it has been felt that there should be some limitation upon the power of the circuit or district courts of the United States to inflict punishment in such cases, and in the zeal to accomplish that purpose they have, as it seems to me, utterly failed to understand the provisions of this bill.

Let us see if I am right or wrong about this matter. I have spoken of the fact that all offenses and disobedience of the orders of the court except those directly within the presence of the court or so near thereto as to interfere with the administration of justice have been swept into this description of indirect contempts. Section 4 of the bill provides that any case except the case of a direct contempt, that is, any misbehavior of the officers of the court outside of the court, any refusal of the officers of the court to

execute the process of the court, unless that refusal be made within the presence of the judge or in the immediate neighborhood of the chamber, a letter written from half a mile away by the sheriff to the judge saying, "I refuse your order to execute your process," is an indirect contempt; and a man is to have a regular accusation filed against him, is entitled to be confronted with his witnesses, his case tried orally, and if the amendment of the Senator from North Carolina prevails he is entitled to have a jury and then to appeal that case from the punishment which is inflicted upon him to the Supreme Court of the United States. Is it possible, Mr. President, that this is insisted upon? Let me see if it is not so. Section 5 provides—

That the testimony taken on the trial of any accusation of indirect contempt—

"Any accusation of indirect contempt." It does not make any difference whether it is before a jury or whether it is before a court, whatever testimony is taken upon the trial—

of any accusation of indirect contempt may be preserved by bill of exceptions, and any judgment of conviction therefor may be reviewed upon direct appeal to or by writ of error from the Supreme Court, and affirmed, reversed, or modified as justice may require. Upon allowance of an appeal or writ of error execution of the judgment shall be stayed upon the giving of such bond as may be required by the court or a judge thereof, or by any justice of the Supreme Court.

This, as it seems to me, is so plain, so palpable, that there can be no Senator found within the walls of this Chamber who as an independent proposition would vote for that provision. Put it in another form, introduce it as a separate bill, and say in case any officer or any district or circuit court in the United States shall refuse to execute the official orders of the judge of such court he shall, when accused of contempt, be entitled to be tried upon an accusation filed in the court, confronted with witnesses, and shall have the right to appeal from the judgment inflicting punishment upon him, even though it be no more than \$5, to the Supreme Court of the United States; and tell me whether any Senator within the sound of my voice would vote for such a proposition.

Now, what I have said in regard to this matter applies equally well to a great variety of cases in which, if it was not for the anxiety to regulate the contempt proceedings in these cases where it is supposed that the power has been extended beyond its legitimate and proper office, there is a whole line of cases which it would be admitted it is perfectly proper should be enforced by the process of contempt by the court, district or circuit, without any review; and indeed as to almost all of the instances in which a circuit or district court would use its power to punish for contempt as a method of enforcing its decrees and orders it will be admitted that that power ought to exist and that there was no occasion for any change of the law on the subject. Take, for instance, the order of a court to execute a deed. The case having been tried, the witnesses heard, the party given a full opportunity to make his defense, the court determines that he ought to execute a deed which he has agreed to execute, and orders him to execute it. Will it be claimed that there is any justice in applying the power to punish for contempt for a disobedience of that order? Mr. President, it would not for a moment excite the attention of Senators.

Mr. ALLEN. Will the Senator from Connecticut permit me to ask him a question at this point?

Mr. PLATT. Certainly.

Mr. ALLEN. Suppose the party should refuse or fail to execute a deed, is it not always within the power of the court to direct an officer to execute the deed in the delinquent's name, and does not that deed have the same force that it would have as if executed by the other party?

Mr. PLATT. I am unable to answer the question. The Senator from Nebraska is so much better a lawyer than I am that I will not undertake to question—

Mr. ALLEN. I hope the Senator will not consider that I am trying to establish my equality with him as a lawyer. But I submit to the Senator from Connecticut that it is the law that if a party is directed by decree of court to execute a deed, in case of specific performance or something of that kind, and he fails to do it, the court ordinarily provides in the same decree that on his failure to execute the deed within thirty or sixty days, as the case may be, the sheriff or marshal shall execute the deed in his name, and that deed is just as good as if the party himself executed it.

Mr. PLATT. In that case there would be no doubt, I imagine, about the power of the marshal or the officer to execute the deed. But I supposed that the question which the Senator asked me was in respect to a decree where that direction had not been inserted.

So with regard to all patent cases. I think a very large proportion of the patent practice in this country now depends for enforcement to prevent infringement of patents upon the power of the court to punish for contempt for disobedience of its decree. Here is an infringer of a patent, and the person owning the patent goes into court and asks for a trial. Possibly a preliminary injunction is granted; perhaps not. Perhaps the case is tried. It proceeds to a final decree. The court orders that the infringement cease,

and forbids the infringer further to sell or make the article made in violation of the patent. There is no method of enforcing that decree except by punishment for contempt; and yet, the case having been all tried, having been carried, possibly, to the circuit court of appeals, and judgment affirmed there, and remanded to the circuit court for execution, the person refusing still to obey the order of the court is brought in on contempt, and my friend the Senator from Kansas says he should have a jury trial.

It is proposed to try it all over again before a jury, and then he is to have the right of appeal to the Supreme Court of the United States. He can not get his patent suit there in any other way. It is not altogether improbable that, having taken away from the Supreme Court the jurisdiction in patent cases, a person whose case has been decided by the circuit court and the circuit court of appeals may refuse to execute the order of the circuit court for the mere purpose of getting his patent case into the Supreme Court of the United States when now it can not be taken there. I do not know what would come up on the hearing of such an appeal in the Supreme Court of the United States. I do not know whether it would be just the question whether he had refused to obey the order of the circuit court. I presume there would be something more than that. The question whether the decision of the circuit court in relation to the patent suit was right and just would come up. I think it would bring up the whole question.

I am not objecting to the principle which is contended for in the pending bill, but I am objecting to the crude character of the bill and to the fact that it makes no distinction between contempts which are merely the disobedience by a witness or a juror of the command of a court and the contempt which is the disobedience of orders such as were issued in the Ricks and Debs cases. The fault of this bill is that its definitions are not correct. Its division of contempts into different classes is not correct, and it needs more care, more attention, more thought, more study, before it should be passed by this body or by Congress.

I said that I was not going to argue the question involved in this bill before a Senate in which, while I insist again that I am not suggesting the absence of a quorum, there are not 15 Senators at this time. The question whether the power to punish for contempt is a necessary, inherent, integral part of our judicial system and of a court is a great question. I admit that you can regulate it. I deny that you can take it away. Notwithstanding the strictures of the Senator from North Carolina [Mr. BUTLER], I do not believe that the legislative branch can interfere with the judicial branch of the Government any more than it can with the executive branch of the Government.

Mr. BUTLER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from North Carolina?

Mr. PLATT. I do not.

The PRESIDING OFFICER. The Senator from Connecticut declines to yield.

Mr. BUTLER. Then I shall reply to that statement—

Mr. PLATT. The Senator from North Carolina is out of order at the present time.

That we may regulate proceedings in cases for contempt I do not deny; that if there has been any injustice, any tyranny, any interference with the rights of the citizen in the administration of the power of a court to punish for contempt, we ought to interfere, I do not deny. But we ought to be very careful in doing so that we do not go to the extent of taking away from the court one of its essential features, and without which there can no more be a court than there can be a court without a judge.

It is a great question, as I have said. It involves the powers of the different branches of the Government, of the wisdom of the division of those powers into three parts—executive, legislative, and judicial. It involves the greater question how far the people in the United States are to be made to submit to law and to what extent they are to be permitted to run wild and defy the law and defy the Government in all its branches, executive, legislative, and judicial. That question is too large to argue to a half dozen Senators, who are more interested about leasing the islands of Alaska for the raising of foxes than they are about this question; and I only rose for the purpose of protesting against the attempted passage of the bill in the last hours of the session without consideration of its provisions.

Mr. President, the power to punish for contempt is older than the Constitution. It is as old as courts. It is as old as the administration of justice. While there may have been some perversion of this power, such cases do not arise frequently. There is no reason to suppose that naturally any trouble of that kind will occur between now and next fall. In a hundred years and more of constitutional history we have had no serious question of this sort raised. The courts have got along pretty well, the administration of justice has progressed pretty well under the power to punish for contempt. Once in a while a man who is punished for contempt feels that he is oppressed. I have defended cases in which I felt at the time that there had been a very severe exercise

of the power of the court in the punishment inflicted for a disobedience of its orders. I know my clients felt outraged. But as time has gone on and I have looked at it again and referred to the cases as reported, I must confess that I think the courts were right. Cases may arise—I will not say such cases have not arisen—in which the power of the court has been arbitrarily exercised. I will not say that such cases have arisen. But it will be found that those cases in this country, with the love of freedom which exists here, are and will be of very infrequent occurrence; and I think it is as likely to be regulated by public sentiment without legislation as by legislation, and ten times more likely to be regulated by public sentiment without legislation than to be satisfactorily regulated by legislation such as is here proposed.

If the Senate were full I should be glad to argue the question. I have glanced at it just enough to indicate the importance of the subject, just enough to indicate how utterly improper it is to attempt to dispose of a question of this sort under the circumstances which now exist in the Senate of the United States.

Mr. MITCHELL of Oregon. Mr. President, I quite agree with the Senator from Connecticut [Mr. PLATT] that the question under discussion is a very important one. The wide range which the debate has taken indicates that very clearly. This is a Senate bill, moreover. Even if passed at this late hour in the session there can be no possible hope of its getting consideration elsewhere. It does seem to me in view of what has been said by the Senator from Connecticut, and of all the facts and circumstances surrounding the case, that it is but a waste of time to continue the discussion of this question to the obstruction of other measures of importance which have already passed the House of Representatives and which ought to be considered by the Senate.

I have not been disposed, as the Senator from New York in charge of the bill knows, to interfere with a reasonable effort on his part and on the part of the Senate to bring this bill to a vote. The Senator from New York in charge of the bill this morning was of the impression that a vote could be reached without any extended debate. The result has shown that he was mistaken, and even now, as it would seem, there is scarcely any possibility, much less probability, that a vote can be reached to-day if we were to continue the discussion from now until midnight.

Mr. HILL. Who is anxious to continue the discussion, I should like to know?

Mr. MITCHELL of Oregon. I shall not make a motion at this point to attempt to displace it, but I will and do make an appeal to the Senator from New York and to the Senate to permit this matter, unless a vote can be had without further debate—of course, if a vote can be had without further debate, all well and good—to be laid aside, and that I may be permitted to move to proceed to the consideration of the House joint resolution looking to the reorganization of the Northern Pacific Railroad Company.

There are, I am aware, on the part of certain Senators, some objections to the joint resolution of the House, and some objections, perhaps, to the joint resolution reported unanimously from the Committee on the Judiciary of the Senate, which has been on our docket here for some time, but I suggest that we permit the matter to come up. Let us counsel with each other, and if amendments are to be proposed to the House joint resolution—and there certainly will be, for I shall propose an amendment myself—let us discuss them and consider them and endeavor to come to some conclusion in regard to the matter.

As I intimated this morning in the few remarks I made, this is a matter not so much in the interest of the purchasers or the men who may become the purchasers of the property as it is in the interest of the people of the communities of the States through which the road runs.

I will state further, if I may be permitted to discuss it on this question, that neither the joint resolution that comes from the House, nor the joint resolution reported by the Judiciary Committee, now on the Calendar, grants any new rights whatever to these people. It grants no new franchises, no new property rights—

Mr. BERRY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Arkansas?

Mr. MITCHELL of Oregon. Not for the present. I will yield in a moment. Neither of the joint resolutions grants any new rights of any kind or character whatever or that are not possessed now by the Northern Pacific Railroad Company; while on the other hand—

Mr. HILL. Does the Senator from Oregon—

Mr. MITCHELL of Oregon. I do not yield now.

Mr. HILL. Does the Senator from Oregon think it fair to take up the time of this bill—

The PRESIDING OFFICER. The Chair asks Senators to address the Chair before interrupting another Senator. Does the Senator from Oregon yield to the Senator from New York?

Mr. MITCHELL of Oregon. Not now. I will yield in a moment.

I am not going to talk long, as I do not wish to take up the time of the Senate.

In addition to granting no new rights, various and sundry restrictions are proposed to be thrown around the purchasers of this property, every one of them in the interest of the Government and the people. I will state some of them. I referred to one this morning which compels the new company, if organized under an act of Congress, to sell, at not exceeding \$2.50 an acre, all lands outside of a certain limit—a mile distant from the road. Not only that, but the measure, both as sent here by the House and as reported in the Senate, proposes to prevent by legislation any possibility of a combination upon the part of this company or its stockholders and directors with any other company or its stockholders or directors, so as to make a combination with other roads—a matter of vital importance to the people of this country, and especially to the people of the States through which this great line of road runs.

Further, I say the measure is not one simply in the interest of some railroad men, some capitalists. They get the benefit, perhaps. They undoubtedly desire some such legislation. That is all well enough, but if we can hold on to this great property so that it will be under the control of Congress and not allow it to get away from us, to be organized under some State charter, where Congress will have no control, then it seems to me that it is our bounden duty to do it. This resolution, I may further state, provides that the new company shall be responsible for and shall pay all judgments obtained against the old Northern Pacific Company on covenants of warranty, for sales of lands, and for injuries to persons and property.

Now, I shall not take further time. I simply intend to make this appeal to the Senate to take up the joint resolution and discuss it. If there are objections to it, if there are further restrictions that ought to be thrown around it, we will consider them, and if they commend themselves to the good judgment of the Senate we will incorporate them. It is a matter of importance. It is here from the House. We can take it up and dispose of it, it seems to me, within the next few hours. Therefore I make this appeal. If we can get a vote upon the bill now before the Senate of which the Senator from New York has charge, of course I shall be glad, and shall not obtrude to prevent it; but after that I shall ask the Senate to proceed to the consideration of this House joint resolution.

Mr. SMITH. Mr. President, I feel it my duty, in fairness and justice, in view of what the Senator from Oregon [Mr. MITCHELL], who is interested in the joint resolution, has said, to state that in the closing hours of the session my consent can not be obtained for the passage of a measure that involves \$400,000,000 and 43,000,000 acres of land which this Government has granted to other companies. To allow them to reorganize without carrying out what some of us believe to be honest obligations, and to hurry the measure through the Senate as it was railroaded through the House day before yesterday, will not be done with my consent.

Mr. MITCHELL of Oregon. Will the Senator from New Jersey allow me?

Mr. SMITH. Certainly.

Mr. MITCHELL of Oregon. So far as I am concerned, I will vote for no joint resolution allowing a reorganization of the Northern Pacific Railroad Company that will of itself interfere with any existing rights or obligations. Whatever rights other parties or third parties have to-day in virtue of contracts or arrangements with the Northern Pacific Railroad Company I do not propose to interfere with. Those contracts stand good against the old company. I would not for one moment think of voting for any proposition that would interfere with any of them. We could not do it if we should desire to do so. The courts would hold that it was ultra vires. Let us get the matter up and discuss it and see what kind of a joint resolution we have here.

Mr. SMITH. My object in rising was to reply to the proposition of the Senator from Oregon, who seems rather to criticize the Senator from New York for consuming time with a bill which, he says, can not possibly pass at this session, and that it is useless to take up time in discussing it.

I will say to the Senator from Oregon that the joint resolution in which he is interested is of as great if not more importance to the people of this country and that it will require at least two or three days for the gentlemen who wish to talk on the subject to be heard. With that fact now known, and in the closing hours of the session, it does not seem to me reasonable or fair for him to ask anyone else to give way, on a measure which others believe is of great importance, to a matter which can not in my judgment be settled at this session.

This is a matter of great importance, one that should not be taken up even for discussion at so late a day in the session. I feel all kindness for the Senator from Oregon, and as he has the joint resolution in charge it is his right and duty to press it, perhaps. I hope he will see, however, that it is beyond question impossible

to engage now in discussion even of a character which would lead to a vote during the present session of Congress, and that the bill now under consideration will be proceeded with.

Mr. BACON. Mr. President, I simply desire to suggest to the distinguished Senator from Oregon [Mr. MITCHELL] that if the matter which he desires to bring to the attention of the Senate is of such commanding and urgent importance there is certainly no reason why the Senate and Congress has not ample time for its consideration. The very fact that gentlemen are willing to adjourn without it is somewhat of comment as to the estimate in which they hold its alleged importance.

I do not depreciate the importance of the measure, and I will say to the distinguished Senator from Oregon that I am ready to remain here, if it is desired, for the purpose of its consideration. I do not think, however, that the consideration of that or any other bill should displace the bill now before the Senate. I do not desire to discuss the pending bill, although I am very deeply impressed with its importance. I have been impressed with the importance of such a measure for many years, in the course of a not inactive practice of the law. I think the lodgment of the power in any one man to determine whether personal liberty shall be taken is something entirely inconsistent with the genius of this age and with the spirit of our institutions. Every other branch of government has been shorn of the power of despotism—the legislative and the executive; but it is a fact that the judicial authority has the same power for despotism and personal tyranny to-day in all practical effect that it had three hundred years ago; and it is time that this legislation should be had.

My experience is not like that of the distinguished Senator from Connecticut [Mr. PLATT]. I have seen instances of judicial tyranny where time has not brought me to the conclusion that the power was wisely exercised. On the contrary, the lapse of time has but deepened the conviction which I had that those exercises of power could be denominated as nothing else than personal tyranny.

Mr. President, it is not simply the fact that one man is clothed with this power which no man ought to have; it is not simply the fact that there never was a man good enough and wise enough to be endowed with the power that judges now have in this regard; but it is the fact that they are frequently called upon to decide these questions when they have personal feelings in the matter. Frequently there is such feeling between the judge and the man whom he punishes, and yet he is judge and jury and prosecutor in the case in which he has this personal feeling.

I do not desire, Mr. President, to add anything to what has been so well said by the distinguished Senator from New York [Mr. HILL] as to the importance of this matter; but whether this bill can become a law at this session or not, I trust it may receive the approval of the Senate before we adjourn.

Mr. HILL. Mr. President, I shall detain the Senate only a few moments in possibly closing this debate. I am not authorized to say, of course, that I shall close the debate, but I trust I may. I speak, not because I think it is necessary, but I think it is due to the distinguished Senator from Connecticut [Mr. PLATT], who occupied so much time, that I should at least refer to a few of his arguments. He said he did not intend to argue the bill, and then proceeded to make all the arguments which could possibly be urged against it. He entered his protest, and with that he said he should be content. We have heard his protest, no one else seems desirous of arguing against the bill, and I do not know why the bill should not be treated the same as all other bills and passed, if a majority of the Senate wishes to pass it.

The bill was reported six weeks ago from the Judiciary Committee. Time and time again I have tried to bring the bill forward. It was crowded out by several other bills; it was crowded out by the bond bill of my friend from North Carolina [Mr. BUTLER]; it was crowded out by the filled-cheese bill in behalf of the great agriculturist from Ohio [Mr. SHERMAN]; it was crowded out by other bills which were here, and I have submitted to it and have assisted in the passage of some of those measures, until now, having been good-natured until the end of the session, I am told that an important measure like this is proposed to be rushed through with empty seats.

Mr. President, some of the most important measures we have ever discussed in this Senate have been discussed in the presence of only a half dozen members. I heard the distinguished Senator from Connecticut discussing the Du Pont case and speaking with only a half dozen Senators in their seats, a great question involving the right of a Senator to a seat; and there are as many Senators listening to this argument and listening to the Senator as usually listen to arguments here.

This bill had its inception in a resolution introduced asking the Judiciary Committee to investigate this subject. I did not introduce that resolution. I was placed upon the subcommittee having it in charge. It was a duty imposed upon me, and I proceeded to discharge it, not in the interest of railroad employees, not in the interest of Mr. Debs, not in the interest of any particular class of

people, but simply in the interest of good legislation demanded by the public welfare.

Mr. President, six weeks ago this bill was placed upon our files. It was known that the Judiciary Committee favored it. There was no division in the Judiciary Committee except upon one point. On all the questions raised by the Senator from Connecticut there was substantially no division. The only point involved in the bill was whether it was wise in cases of indirect contempt that there should be a jury trial as a matter of right, or whether the jury trial should be a matter of discretion with the judge. That is all the point there was involved. Six members of the committee thought it wise to leave that matter with the court whether to give a jury trial or not, and five of them thought it was wiser to give the absolute trial by jury to the defendant. But upon the main features of the bill that some relief was demanded, that some legislation should be had upon this great subject of contempt of court, there was no division of sentiment. Therefore the point simply is this, and that is all the point involved in it, whether in cases of contempt which occur out of court, involving a disputed question of fact as to what a man did or did not do, when arraigned in court upon such a question can he ask that he be brought before a jury or must he be arbitrarily tried before a judge alone, who is judge, jury, prosecutor, and substantially executioner? That is the question involved.

In order to have the bill reported I voted with the majority which reported the bill. I see no objection to the amendment offered by the Senator from Utah [Mr. CANNON] by which the right of trial by jury is given absolutely to the defendant.

My friend from Connecticut criticises this bill. It is easy to criticise, and of course he can criticise the bill. I think it was General Grant who once said of a distinguished Senator who criticised one of his messages that of course he criticised the message, and he would criticise anything that he did not write himself. I recollect what was said by David Dudley Field when he was arguing in favor of the revised code in New York and various criticisms were made against the code. It was said that it did not mean this or it did not mean that; it was not perfect and there would be criticisms made of it. He said, in answer to these critics, "It is easy enough to criticise; take the Ten Commandments, and they are all subject to criticism. For instance, here is one of them: 'Thou shalt not bear false witness against thy neighbor.' That is defective; why should it refer to his neighbor? Why not include everybody?" That same criticism would apply here.

Mr. ALLISON. Mr. President—

Mr. HILL. I must give way to general appropriation bills, of course. I have given way to everything else here, and I might as well give way to appropriation bills, though I can not give the pending bill away.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask leave to submit a report from the committee of conference on the sundry civil appropriation bill, with the statement that the conferees are unable to agree.

The PRESIDING OFFICER. The report of the committee of conference will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have been unable to agree.

W. B. ALLISON,
EUGENE HALE,
Managers on the part of the Senate.
J. G. CANNON,
E. J. HAINER,
JOSEPH D. SAYERS,
Managers on the part of the House.

The PRESIDING OFFICER. The question is on concurring in the report.

Mr. DUBOIS. Mr. President, I ask the Senator from Iowa what is the condition now as to the proposed public buildings at the capitals of the new States?

Mr. ALLISON. The sundry civil bill is in precisely the condition it was when the last conference report was made, wherein there was a disagreement as to six or seven public buildings, including all the capital buildings and including three or four other public buildings. Since the last report was made the other House has receded from its disagreement to the public building at Savannah, Ga., and I hope it will follow that good example as to the remainder of the amendments now in dispute.

The PRESIDING OFFICER. The question is on concurring in the report of the committee of conference.

The report was concurred in.

Mr. ALLISON. I move that the Senate still further insist upon its amendments disagreed to by the House of Representatives.

The PRESIDING OFFICER. The question is on the motion of the Senator from Iowa, that the Senate still further insist upon its amendments disagreed to by the House of Representatives.

Mr. SHERMAN. Upon that question I wish to make a remark. It has always been, so far as I know, the custom in the Senate, and also in the House of Representatives as well, where there is a disagreement between the two Houses threatening to defeat the passage of an important appropriation bill—and it is the only true rule that can be applied to such a case—that the House proposing the amendment which is firmly resisted by the other House ought to recede from the amendment. No provision ought to be ingrafted in a law by Congress which has not been assented to by both Houses. Therefore, if there is a particular proposition, for instance, the erection of a public building at any place, the Senate proposing the amendment and the House saying firmly that they will not agree to it, the Senate ought to recede, and the amendment be stricken out. That is the established rule. The two Houses of Congress can only legislate upon the firm rule, adopted by the Houses, that no proposition whatever shall be forced upon the House by the Senate or upon the Senate by the House.

The only way of disposing of these disagreeing votes is for that House to recede which proposes a provision which is firmly resisted by the other. That seems to me the natural and proper course, and rather than have this bill defeated I shall move, if no member of the committee does it, that the Senate recede.

Mr. ALLISON. I hope the Senator will not make that motion, at least not until I have had an opportunity of making a brief statement.

Mr. SHERMAN. Very well.

Mr. ALLISON. Mr. President, the contention on the part of the conferees has been that these Senate amendments involve an enlargement of the limit of cost of these public buildings, and that is true respecting all of them, I believe, but one. The Senate conferees have insisted, inasmuch as the public buildings had been authorized by both Houses, and inasmuch as in nearly all of them progress has been made respecting their construction, and the necessity arising for enlarged appropriation either now or in the future, that this is not legislation within the proper sense of the term, and that we have the right to propose to the other House arrangements respecting public buildings in the course of construction.

In addition to that, however, Mr. President, I believe at each report of the conferees, certainly upon the last two or three reports, the House of Representatives has receded upon public buildings. We had a disagreement yesterday as to these public buildings, and the House receded as to one of the important public buildings without taking a decisive vote upon the others.

Whilst I agree to the general statement made by the Senator from Ohio that the House proposing new legislation must in the end, perhaps, yield to the other House, if that House insists, I take it for granted that the House of Representatives, having now on three different occasions itself, by a vote of the House, violated the principle upon which they claim that these amendments should not be made, will, if another opportunity be given, recede from its disagreement to the amendments of the Senate. Therefore I hope the Senator from Ohio will not make a motion to recede as the conference stands at this moment. The other House having receded from the principle which it has urged as against the Senate amendments on three different occasions, and notably last evening upon a yea-and-nay vote, I think it will likely recede upon the remainder of the public buildings.

Mr. DUBOIS. Mr. President, so far as the public buildings in the capital towns of the new States are concerned, they were granted by the last Congress. There is no reason now why this Congress should not continue the appropriation for them. As the Senator from Iowa has said, the other House has yielded on similar matters not in the new States, but on public buildings; and those of us who have been pressing for the buildings at these capital towns feel as though we ought to have them given us. We feel it so strongly that I can assure the Senator from Ohio that while in my judgment we would beat him upon a viva voce vote, if we did not I should feel it my duty to call for a yea-and-nay vote.

Mr. NELSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. DUBOIS. The Senator will excuse me a moment.

I am satisfied that there are enough Senators here to second a motion for a roll call and to gain it. I believe that a majority of the House of Representatives feel that we are right in this matter, and that they are being held up by one or two individuals over there. I am satisfied the House will yield if the Senate will stand firm, and they ought to.

Mr. NELSON. Mr. President, I am very sorry to have the Senator from Idaho threaten us with calling a yea-and-nay vote. It has been whispered around this Chamber for the last two or three days that unless we agree to these public-building matters we shall have to stay here until July next.

Let us look at this question calmly. As I understand it, a year ago, or during the last Congress, an appropriation was made for

these public buildings, fixing a limit. Some of them have been commenced and some have not been commenced. These new propositions in the sundry civil bill are simply to enlarge the limit of cost of those buildings: There is no hurry about those buildings; they will keep; and their construction can go on under appropriations already made. At the next session of Congress bills enlarging the appropriations can be passed.

Moreover, there is this about it: Certain Senators in the matter of public buildings are favored, they get their items ingrafted on appropriation bills, and we who are not favored in that same way get nothing at all. Then we are told if we do not go in with this favored class we shall have to sit here until these gentlemen are willing to adjourn.

Mr. CLARK. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Minnesota yield?

Mr. NELSON. I will yield by and by.

The PRESIDING OFFICER. The Senator from Minnesota declines to yield.

Mr. NELSON. A little while ago we had a bill called the filled-cheese bill, which was asked for by the farmers and dairymen of the country. How was that met? A barrel of beer was rolled in upon us [laughter], and some of these gentlemen, who are now so anxious to keep us here simply for the enlargement of two or three public buildings, it seems to me, have time and again resorted to what would be called outside of this Chamber—it might not be polite to say it here—a species of bulldozing. I am willing to go a great way to accommodate Senators, but when they get up here and tell us that unless we do so and so a quorum will be called, which means, under present conditions, that we can not adjourn until at their own will, I think that is carrying this matter too far.

I am aware that I am breaking the rules of the courtesy of the Senate; I have sought to avoid it; but I presume I have broken over the traces; and, if I have, I pray, Mr. President, that you will forgive me. [Laughter.]

Mr. SHERMAN. Mr. President, I think favorably of the policy, and I believe it is right to erect necessary public buildings in the new States and Territories. The people in the Territories and new States are not generally able to erect public buildings with their means, and therefore I always take pleasure in voting and in insisting, to a reasonable extent, upon amendments which have been proposed for the erection of public buildings; but the rule I have already mentioned is a vital one, without which the two Houses can not exist.

In the British Parliament, the House of Commons will not allow the House of Lords to propose amendments upon the question of appropriating money. That is the right of the Commons, the representatives of the people there, and the House of Lords have never been allowed in any case to say whether or not an appropriation should be made for any purpose whatever. Whatever appropriations may be proposed by the House of Commons go to the House of Lords, and are accepted as a matter of course; but here such is not the case. We have equal power with the House of Representatives; we have the power to propose amendments to their bills; we have the power to originate appropriation bills, for they are not in any constitutional sense bills for raising revenue. They are simply bills appropriating money supposed to be in the Treasury.

I remember one striking case where the two Houses were at outs with each other and there was a condition somewhat similar to that which now exists, only at that time public feeling was much more heated than it is now. In 1860 the House of Representatives undertook to reduce as much as possible the appropriations for the support of the Government. Then the war, with the difficulties that came after, was foreseen and everybody was very anxious to prevent any large appropriations of public money, the House of Representatives especially taking the lead. During that session when an appropriation bill came to the Senate the Senate attached an appropriation for the expenditure of half a million dollars for a public building at New Orleans and half a million dollars for a public building at Charleston.

When the bill was returned to the other House with the amendment the House struck out the amendment and insisted upon its action. When a gentleman who I might say is known to you all, by reputation at least, who was then a Senator from Georgia and was a very positive man, met the committee of conference and said to them distinctly that unless the appropriation was made for these two public buildings in the South the appropriation bill could not pass at all, that was promptly resented by the House of Representatives, and upon the meeting of the conferees again the Senate of its own accord receded and took the position, upon the ground that I have stated, that it had no right to force the House to agree to that to which the House was opposed. That was put upon broad national grounds. That is this case. Whenever the Senate of the United States undertakes to force upon the House of Representatives an appropriation it goes beyond the limits of its power. It may insist; it may hold on and continue

debating until probably the House will be wearied; but after all, if the House of Representatives says "no" definitely, the appropriation ought not to be made; and it is equally true that if the House should insist upon an appropriation to which the Senate is opposed, and the Senate says, "We will not agree to that; we are opposed to it; it is wrong," or, "It should not be appropriated at this time," as a matter of course the House would have to recede.

It is only by the adoption by the two Houses of such a rule that we can get along at all with our appropriations. We may insist and insist, but when the time comes when we must choose between the passage or the defeat of an appropriation bill, then, as a matter of course, the House proposing the disputed proposition must withdraw it.

I shall not make any motion at present, in the hope that an agreement may be arrived at by the conferees.

Mr. ALLISON. I move that the Senate still further insist upon its amendments.

The VICE-PRESIDENT. The question is on the motion of the Senator from Iowa.

The motion was agreed to.

ENLISTED MEN IN THE NAVY.

Mr. HALE. A Senate joint resolution has just come from the House of Representatives with an amendment. I ask the Chair to lay before the Senate the action of the House of Representatives.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the joint resolution (S. R. 149) extending the benefits of sections 1426 and 1573 of the Revised Statutes to all enlisted persons in the Navy; which was, in line 9, after the word "Navy," to insert:

And all accounts of paymasters who have made payments to enlisted men, not of the classes named in sections 1426 and 1573 of the Revised Statutes as if they had been included in the provisions of said sections, shall be allowed and passed by the accounting officers of the Treasury as if they had been included in said sections.

Mr. HALE. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

CONTEMPTS OF COURT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2984) in relation to contempts of court.

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

Mr. HILL. I believe I had the floor, Mr. President, when I was interrupted by a conference report, and I do not yield to anything else at present.

The VICE-PRESIDENT. The present occupant of the chair was out of the Chamber at the time the Senator from New York yielded the floor.

Mr. PETTIGREW. I ask the Senator from New York, then, to let me make the motion.

Mr. HILL. I will do so later if the Senator please, but not now.

I was simply going to say that I have discussed this question all I care to. The bill is a safe one, it has been carefully prepared, and notwithstanding the criticisms of the Senator from Connecticut, it is not a radical departure such as has been stated; but it leaves contempts, so far as a large portion of them are concerned, precisely where they were before. The bill has been considered as much as a bill of this character is likely to be considered, and the Senate is just as competent to vote upon this question now as at any other time.

I resent the suggestion that I am endeavoring to crowd the Senate. The Senate understands this question. It has heard the distinguished Senator from Connecticut, who has ably given his objections to the bill, and I have replied as well as I could during the brief period I have had. I hope we shall now proceed to vote upon the bill.

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

Mr. HILL. I hope not under the circumstances. I have been crowded out, and it seems to me I should not be asked to yield again.

Mr. PUGH (to Mr. HILL). Call for the yeas and nays.

Mr. HILL. I do not want to call for the yeas and nays, but I hope the Senator will withdraw the proposition. Later on he can renew it.

Mr. PETTIGREW. I am perfectly willing to withdraw the motion to proceed to the consideration of executive business, but I apprehend if I do so a ye-and-nay vote will be called upon the bill now pending before the Senate.

Mr. HARRIS. Let us see whether it will be or not.

Mr. PETTIGREW. I withdraw the motion.

Mr. PLATT. I can not suppose the Senator from New York thinks that this bill can pass without a roll call.

Mr. HILL. We have just passed a bill appropriating \$3,000,000 without a roll call; we have passed other important bills without

a roll call, and Senators can be placed upon record just the same. The Senator has vigorously asserted his opposition to the bill; it is in the RECORD; and I hope the Senator will not resort to that to defeat the bill. If we want to make fools of ourselves, let us have the opportunity of doing it. The Senate understands the question. We think this is a proper bill. Of course we differ with the Senator. It seems to me we ought to have the bill passed, if the Senate wants to pass it, and then proceed to the consideration of whatever else may come before the Senate.

Mr. PLATT. I move that the bill be postponed until the next session of the Senate.

The VICE-PRESIDENT. The Senator from Connecticut moves to postpone the pending bill until next session.

Mr. PETTIGREW. Pending that motion, I move that the Senate proceed to the consideration of executive business.

Mr. HILL. What is the motion now?

The VICE-PRESIDENT. Pending the motion of the Senator from Connecticut, the Senator from South Dakota moves that the Senate proceed to the consideration of executive business.

Mr. HILL. I hope that will be voted down at present. Later on we can have an executive session.

The VICE-PRESIDENT. The question is on the motion of the Senator from South Dakota.

The motion was not agreed to.

The VICE-PRESIDENT. The question recurs on the motion of the Senator from Connecticut, that the pending bill be postponed until the next session.

Mr. PLATT. I ask for a division.

The Senate proceeded to divide; and there was—aye 1.

Mr. PASCO. I hope the Senator from Connecticut will withdraw his call.

Mr. HARRIS. Does the Senator from Connecticut demand a further count? It will bring results, if it come.

Mr. PLATT. It is not my fault.

Mr. HARRIS. I am not fixing any fault on anybody. I am simply stating a fact.

The noes were 30.

The VICE-PRESIDENT. No quorum has voted. The Secretary will call the roll.

Mr. HARRIS. That is the result, necessarily.

The Secretary called the roll; and, after a little delay, the following Senators answered to their names:

| | | | |
|------------|-------------|-----------------|-----------|
| Allen, | Cullom, | McBride, | Sherman, |
| Allison, | Daniel, | Mills, | Smith, |
| Bacon, | Davis, | Mitchell, Oreg. | Stewart, |
| Bate, | Faulkner, | Mitchell, Wis. | Teller, |
| Berry, | Gallinger, | Morgan, | Turpie, |
| Blackburn, | Gibson, | Morrill, | Vest, |
| Blanchard, | Hale, | Nelson, | Walthall, |
| Butler, | Harris, | Pasco, | Warren, |
| Cannon, | Hawley, | Peffer, | Wetmore. |
| Chilton, | Hill, | Pettigrew, | |
| Clark, | Jones, Ark. | Platt, | |
| Cockrell, | Lindsay, | Pugh, | |

The VICE-PRESIDENT. Forty-five Senators have answered to their names. A quorum is present.

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

Mr. HILL. I hope that motion will not prevail at present, until this bill is disposed of.

Mr. PETTIGREW. I wish to say that I do not make the motion for the purpose of hindering the passage of the pending bill. I think, perhaps, if we should go into executive session it might facilitate the passage of the bill.

Mr. HAWLEY. An executive session for a few minutes.

Mr. PETTIGREW. For a very few moments only.

The VICE-PRESIDENT. The question is on the motion of the Senator from South Dakota, that the Senate proceed to the consideration of executive business.

The motion was not agreed to.

The VICE-PRESIDENT. The question recurs on the amendment submitted by the Senator from North Carolina [Mr. BUTLER] as modified by the amendment submitted by the Senator from Utah [Mr. CANNON].

Mr. PLATT. What has become of the motion to postpone?

The VICE-PRESIDENT. The Chair will entertain that motion. The Chair inadvertently overlooked the motion of the Senator from Connecticut.

Mr. PLATT. I made a motion to postpone. A division was taken, and no quorum appeared. Now a quorum is present.

The VICE-PRESIDENT. The Chair will put the motion. At the time it was developed that there was no quorum present the Senate was dividing. A division had been called for. Senators opposed to the motion to postpone the bill until the first Monday in December will rise and stand until they are counted.

Mr. PLATT. I have no desire to embarrass the proceedings of the Senate. If I may do so, I will withdraw the call for a division.

The VICE-PRESIDENT. Is there objection? The Chair hears

none, and it is so ordered. The question recurs upon the amendment of the Senator from North Carolina as modified by the amendment of the Senator from Utah.

Mr. PEPPER. What is the present status of the amendment?

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to amend the bill by striking out, in line 18 of section 4, the words "in its discretion," and, in line 19, by striking out the word "may" and inserting the word "shall"; so as to read:

But such trial shall be by the court, or, upon application of the accused, a trial by jury shall be had as in any criminal case.

The amendment was agreed to.

Mr. ALLEN. I desire to withdraw the amendment I offered to the bill on yesterday.

The VICE-PRESIDENT. The amendment submitted by the Senator from Nebraska is withdrawn.

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, and was read the third time.

Mr. PLATT. I protest against the passage of an important bill in this way. I ask that the vote be put.

The VICE-PRESIDENT. The Chair submits to the Senate the question on the passage of the bill. Shall the bill pass?

The bill was passed.

ORDER OF BUSINESS.

Mr. MITCHELL of Oregon. I move that the Senate proceed to the consideration of House joint resolution 190, relating to the reorganization of the Northern Pacific Railroad Company.

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

Mr. MITCHELL of Oregon. I hope not until I get the joint resolution up. Then I shall have no objection.

Mr. TURPIE. I appeal to the Senator from Oregon to allow me to call up a pension bill on which a vote was taken yesterday.

Mr. MITCHELL of Oregon. I yield to the Senator from Indiana to call up a pension bill.

Mr. TURPIE. I ask the unanimous consent to take up the bill (H. R. 1094) granting a pension to Francis E. Hoover.

Mr. MITCHELL of Oregon. That is a veto case.

Mr. TURPIE. Yes, sir.

Mr. MITCHELL of Oregon. I hope the Senator will allow me to make an effort to get up the joint resolution referred to by me first. Then I will yield.

Mr. TURPIE. I appeal to the Senator to allow the roll to be called on this bill. It is the only way it can be passed. There is a quorum now present.

Mr. MITCHELL of Oregon. Very well. With the understanding that I shall not lose the floor I yield to the Senator from Indiana for that purpose.

Mr. TURPIE. I ask that the vote be taken upon the bill indicated by me.

FRANCIS E. HOOVER—VETO MESSAGE.

The Senate proceeded to reconsider the bill (H. R. 1094) granting a pension to Francis E. Hoover.

The VICE-PRESIDENT. The Chair will state that the bill has been read, likewise the message of the President, and the action of the other House thereon. The question is, Shall the bill pass, the objections of the President to the contrary notwithstanding? The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BATE (when his name was called). I am paired with the Senator from Utah [Mr. BROWN]. He gave me the privilege, if I saw fit, to vote, but I do not know how he would vote. It is a matter of some importance. If I had the right to vote, I should vote "nay." ["Vote."] I will record my vote in the negative.

Mr. BLANCHARD (when his name was called). I am paired with the Senator from North Carolina [Mr. PRITCHARD].

Mr. BUTLER. I will state to the Senator from Louisiana that my colleague [Mr. PRITCHARD], if present, would vote to pass the bill over the President's veto. So the Senator is at liberty to vote on the bill if he desires.

Mr. BLANCHARD. Then, with that statement from the Senator from North Carolina in behalf of his colleague, I will vote. I vote "yea."

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. Under the circumstances I will take the liberty of voting. I vote "yea."

Mr. MITCHELL of Wisconsin (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL], but I have reserved the right to vote to make a quorum. I vote "yea."

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

Mr. PUGH (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. HOAR]. I reserved the right to vote to make a quorum. For that purpose I vote "yea."

The roll call was concluded.

Mr. BLACKBURN. I am paired with the senior Senator from Michigan [Mr. McMILLAN], but I will vote to make a quorum. I vote "nay."

Mr. PASCO. I have authority to vote in order to make a quorum. I understand that my vote is needed for that purpose, and I vote "nay."

The result was announced—yeas 36, nays 9; as follows:

YEAS—36.

| | | | |
|------------|------------|-----------------|----------|
| Allen, | Cullom, | Jones, Ark. | Platt, |
| Allison, | Daniel, | McBride, | Pugh, |
| Bacon, | Davis, | Mitchell, Oreg. | Sherman, |
| Blanchard, | Dubois, | Mitchell, Wis. | Smith, |
| Butler, | Faulkner, | Morgan, | Stewart, |
| Cannon, | Gallinger, | Morrill, | Teller, |
| Chilton, | Gibson, | Nelson, | Turpie, |
| Clark, | Hawley, | Peffer, | Warren, |
| Cockrell, | Hill, | Pettigrew, | Wetmore. |

NAYS—9.

| | | | |
|------------|----------|--------|-----------|
| Bate, | Harris, | Mills, | Vest, |
| Berry, | Lindsay, | Pasco, | Walthall. |
| Blackburn, | | | |

NOT VOTING—44.

| | | | |
|-----------|-------------|------------|-----------|
| Aldrich, | Frye, | Kyle, | Roach, |
| Baker, | Gear, | Lodge, | Sewell, |
| Brice, | George, | McMillan, | Shoup, |
| Brown, | Gordon, | Mantle, | Squire, |
| Burrows, | Gorman, | Martin, | Thurston, |
| Caffery, | Gray, | Murphy, | Tillman, |
| Call, | Hale, | Palmer, | Vilas, |
| Cameron, | Hansbrough, | Perkins, | Voorhees, |
| Carter, | Hoar, | Pritchard, | White, |
| Chandler, | Irby, | Proctor, | Wilson, |
| Elkins, | Jones, Nev. | Quay, | Wolcott. |

So the bill was passed (two-thirds of the Senators present voting in the affirmative).

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House insists upon its disagreement to the amendment of the Senate numbered 2 to the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for the expenses of the House of Representatives, and for other purposes, for the fiscal year 1896, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CANNON, Mr. HAINER of Nebraska, and Mr. SAYERS managers at the conference on the part of the House.

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

A bill (H. R. 1256) for the relief of Henry A. Webb;
 A bill (H. R. 4538) for the relief of John Keefe;
 A bill (H. R. 5482) authorizing the Cleveland Bridge Company to construct a bridge across the Arkansas River between Pawnee County, Okla., and the Osage Indian Reservation;
 A bill (H. R. 8321) to authorize the county of St. Louis, in the State of Minnesota, to build or authorize the building of a foot and wagon bridge across the St. Louis River between Minnesota* and Wisconsin, at a point near Fond du Lac, in said State of Minnesota;

An act (H. R. 8433) to amend section 4878 of the Revised Statutes, relating to burials in national cemeteries;

A bill (H. R. 9149) to regulate the establishment of submarine telegraphic cable lines or systems in the United States;

A bill (H. R. 119) to protect and administer public forest reservations;

A bill (H. R. 9226) to change the time and places for the district and circuit courts of the northern district of Texas;

A bill (H. R. 9447) to amend section 1 of "An act to amend an act entitled 'An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty,'" approved May 9, 1888; and

A joint resolution (H. Res. 194) extending the scope of the investigations by the Agricultural Department in the matter of the improvement of the public roads.

NORTHERN PACIFIC RAILROAD.

Mr. MITCHELL of Oregon. I ask the Senate to proceed to the consideration of House joint resolution 190, relating to the reorganization of the Northern Pacific Railroad Company.

The joint resolution (H. Res. 190) to facilitate the reorganization of the Northern Pacific Railroad Company, to secure to actual settlers the right to purchase at a price not exceeding \$2.50 per acre the agricultural lands within its grant, and to prohibit said company or any successor company from giving by consolidation, sale, or other corporate action control of its railroad to any corporation, company, person, or association of persons owning, operating, or controlling a parallel or competing railroad was read the second time by its title.

Mr. PEPPER. I think the joint resolution is a measure altogether too important to be considered—

Mr. MITCHELL of Oregon. Debate is not in order, I believe,

The VICE-PRESIDENT. Debate is not in order except by unanimous consent.

Mr. PEPPER. I object to the consideration of the joint resolution at this time.

The VICE-PRESIDENT. The joint resolution has been read the second time.

Mr. ALLEN. I rise to a parliamentary inquiry.

The VICE-PRESIDENT. The Chair will state the status of the joint resolution. It has been read the second time, and will be placed on the Calendar.

Mr. ALLEN. I was going to state that yesterday when the joint resolution was read the Senator from Texas [Mr. MILLS] objected to a second reading.

Mr. MILLS. That is correct. The joint resolution takes its second reading to-day.

Mr. MITCHELL of Oregon. I understood that the joint resolution was read the first and second time yesterday.

Mr. JONES of Arkansas. No; it was not.

Mr. ALLEN. A distinct objection was made yesterday to its second reading.

Mr. MILLS. That is correct. So the joint resolution takes its second reading to-day.

Mr. MITCHELL of Oregon. My motion would be in order all the same, I take it. It had to be read the second time, even admitting all that is said to be true, before it could be taken up. Consequently my motion must necessarily be in order.

The VICE-PRESIDENT. The Chair will submit to the Senate the motion of the Senator from Oregon that the Senate proceed to the consideration of the joint resolution. [Putting the question.] The yeas appear to have it.

Mr. MITCHELL of Oregon. I call for the yeas and nays.

The yeas and nays were not ordered.

The VICE-PRESIDENT. The motion is lost.

BUREAU OF ANIMAL INDUSTRY.

Mr. WARREN. I move that the Senate proceed to the consideration of the bill (S. 1147) for the establishment of a bureau of animal industry for the inspection of meat products and live stock, suppression and extirpation of contagious and infectious diseases among cattle and live stock, to regulate the transportation of cattle and live stock and prevent the exportation or importation of diseased cattle, live stock, or other animals, and for other purposes.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Wyoming to proceed to the consideration of the bill indicated. [Putting the question.] The yeas seem to have it.

Mr. WARREN. I ask for the yeas and nays.

Mr. CULLOM. If I may be allowed to say a word, I am inclined to think there will be no opposition to the bill. It is a very important one, affecting the cattle interests of the country, and I think we can do no better than to consider it while we are here anyway.

Mr. WARREN. I desire to say that I do not wish to discuss the bill to any length. Of course if it leads to extended debate I do not propose to detain the Senate. I have before me a very urgent letter from the Secretary of Agriculture indicating his desire that the bill shall be passed as soon as possible. With the permission of the Senate, I ask that the letter may be read at the desk.

The VICE-PRESIDENT. Without objection, the letter will be read.

The Secretary read as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., June 3, 1896.

DEAR SENATOR: Permit me to remind you that S. 1147, revising the laws under which the Bureau of Animal Industry is working, has not yet been acted upon by the Senate. The condition of the present law makes it very embarrassing for this Department to proceed, as it has been found impossible to inspect all of the exported beef in accordance with the requirements of the present statute. To undertake to enforce this law will destroy the business of many small exporters, and throw the trade entirely into the hands of a few large concerns. If the bill as reported by your committee could be passed it would permit inspection where this is required, and allow the exportation of uninspected meats to countries which are willing to receive it.

Considering the interests involved, and the fact that no serious objection has been raised to this bill, would it not be possible to secure action upon it before adjournment?

Very respectfully,

J. STERLING MORTON, Secretary.

HON. REDFIELD PROCTOR,
Chairman Committee on Agriculture and Forestry.

United States Senate.

Mr. WARREN. If I may be permitted, I wish to say that in the Agricultural appropriation act for the fiscal year 1896 a provision was inserted that has not been carried out. The Secretary of Agriculture issued rules according to law, and later on he was compelled to issue an order suspending the operation of those rules, which was really suspending the law. That suspension held good until last March. Then, in the absence of legislation by Congress

in the meantime, the Secretary renewed the suspension order, and it holds good until July 1.

I submit to the Senate that we ought not to leave the Agricultural Department hanging in the air in this way. We ought at least to give the moral support that the passage of the bill through this body will give, and I feel quite sure that if it passes here it can pass the other House. The bill takes up the four or five enactments bearing upon this question, smoothes off the rough points of former legislation, puts in the missing links, and makes one measure in a reenactment that can be understood alike by lawyer and layman.

As I said, if the bill should only pass the Senate, it would give the Department of Agriculture moral support that will enable it to provide for the exportation of meat and meat products without each shipload being unduly delayed for inspection. Under the law to-day no clearance can be granted to a vessel on which are cured meats, canned beef, or any product of meat, unless it has a certificate that the live stock from which it was made was inspected upon the hoof. There has not been sufficient appropriations to carry out such an inspection. It has not yet been inaugurated at every abattoir and every slaughterhouse, and it can not be for some time; and the consequence is that we are proceeding contrary to and in the face of the law. It seems to me the bill should be read, and if there is anything in the bill that is wrong we can amend it. If its consideration brings forth honest criticism and opposition which defeats the bill, my duty will have been done. It seems to me the bill should be taken up and considered.

The VICE-PRESIDENT. The Chair will again submit to the Senate the motion of the Senator from Wyoming to proceed to the consideration of the bill indicated. [Putting the question.] The yeas appear to have it.

Mr. MILLS. Let us have the yeas and nays.

The yeas and nays were not ordered.

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

The VICE-PRESIDENT. The Secretary will call the roll.

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

| | | | |
|------------|-------------|-----------------|-----------|
| Allen, | Daniel, | McBride, | Sherman, |
| Allison, | Davis, | Mills, | Smith, |
| Bate, | Dubois, | Mitchell, Oreg. | Stewart, |
| Berry, | Faulkner, | Mitchell, Wis. | Teller, |
| Blackburn, | Gallinger, | Morgan, | Turpie, |
| Blanchard, | Gibson, | Morrill, | Vest, |
| Butler, | Hale, | Nelson, | Walthall, |
| Cannon, | Harris, | Pasco, | Warren, |
| Chilton, | Hawley, | Peffer, | Wetmore. |
| Clark, | Hill, | Pettigrew, | |
| Cockrell, | Jones, Ark. | Platt, | |
| Cullom, | Lindsay, | Pugh, | |

The VICE-PRESIDENT. Forty-five Senators have answered to their names. A quorum is present.

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

Mr. WARREN. I understand a roll call has been ordered upon the pending measure.

Mr. PETTIGREW. No; the yeas and nays were refused.

The VICE-PRESIDENT. The question was raised by the Senator from Texas that no quorum was present. A quorum is present, and the Senator from South Dakota moves that the Senate proceed to the consideration of executive business. That motion the Chair is compelled to entertain. The question is on agreeing to the motion of the Senator from South Dakota.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

Mr. WARREN. I should like to ask what is the parliamentary condition of Senate bill 1147? I understood the Chair to declare that it was before the Senate when the attention of the Chair was called to the absence of a quorum.

The VICE-PRESIDENT. The Chair will answer the inquiry of the Senator from Wyoming. The Chair submitted the motion of the Senator from Wyoming. The motion carried apparently. A demand was made by the Senator from Texas [Mr. MILLS] for the yeas and nays. The Chair called upon those in favor of taking a vote by yeas and nays to rise. Only four Senators rose. At that moment the Senator from Texas made the point of order that there was no quorum present. That was the condition at the time the roll was called.

Mr. MILLS. The question, then, is pending, to proceed to the consideration of the bill?

The VICE-PRESIDENT. That is correct. The Senator from Wyoming desires to make a statement, and by unanimous consent the Chair will hear him.

Mr. WARREN. Mr. President, I simply desire to say that while at another time I should feel entitled to a call of the yeas and nays and to further press this bill, there has been so much opposition to the bill developed upon the other side of the Chamber, that I am convinced that they do not propose to let the bill pass

at this time, nor even be considered; and I therefore withdraw all efforts to get the bill before the Senate, because it is well understood we can not develop a quorum in voting upon the measure when it is within the power of any one or two opposing Senators to break a quorum in the present thin condition of the Senate.

FRAUDULENT BOTTLING OF LIQUORS.

Mr. VEST. I move that the Senate proceed to the consideration of the bill (H. R. 4580) to amend section 3449 of the Revised Statutes of the United States.

The motion was agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. TELLER 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. 5210) "making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, 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 House recede from its disagreement to the amendments of the Senate numbered 100, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, and 191; and agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 99, and agree to the same with an amendment as follows: In lieu of the matter inserted by said House amendment insert the following: "Provided, That the Commissioners of the District of Columbia may, under such reasonable restrictions as they may prescribe, authorize any existing electric light company having overhead wires to maintain and use for a period of eight months, and no longer, its existing poles and overhead wires west of Rock Creek, in places outside of the existing fire limits of the city of Washington and of the District of Columbia; and any such overhead wire system may be extended west of Rock Creek and outside of said fire limits, to continue only for the said period of eight months; and at the end of said period all right or authority hereby conferred shall cease. And the said Commissioners may also authorize any such existing electric light company to construct and use, under such regulations as the Commissioners may fix, conduits for the reception of existing overhead wires within the territory formerly known as Georgetown, and to extend the same by an aggregate of not more than 1½ miles of conduit in the same territory. And the United States Electric Lighting Company may extend its underground conduits and wires east of Rock Creek, and within the said fire limits, to Mount Pleasant and Washington and Columbia Heights, under such regulations as the Commissioners of the District of Columbia may prescribe"; and the House agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 193, and agree to the same with an amendment as follows: Strike out all after the word "dollars," in line 3, down to and including the word "denomination," in line 6 of said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 194, and agree to the same with an amendment as follows: On page 40, after line 19 of the bill, insert as a separate paragraph, before amendment numbered 195, the following:

"And it is hereby declared to be the policy of the Government of the United States to make no appropriation of money or property for the purpose of founding, maintaining, or aiding by payment for services, expenses, or otherwise any church or religious denomination or any institution or society which is under sectarian or ecclesiastical control. And it is hereby enacted that from and after the 30th day of June, 1897, no money appropriated for charitable purposes in the District of Columbia shall be paid to any church or religious denomination or to any institution or society which is under sectarian or ecclesiastical control."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 195, and agree to the same with an amendment as follows: In line 15 of said amendment, after the word "denomination," insert: "Or any institution or society which is under sectarian or ecclesiastical control." After the word "extent," in line 22 of said amendment, insert: "Within the limits of the policy hereinbefore declared, and if not, the probable expense of providing and maintaining public institutions for such purpose." Strike out lines 28 to 33, inclusive, of said amendment, and insert in lieu thereof the following: "Said committee is authorized to sit during the recess, and the necessary expenses of the committee, including clerical and stenographic work, shall be paid out of the contingent fund of the Senate and House of Representatives, jointly, on the certificate of the chairman of the committee"; and the Senate agree to the same.

H. M. TELLER,
W. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.
WILLIAM W. GROUT,
MAHLON PITNEY,
ALEXANDER M. DOCKERY,
Managers on the part of the House.

The VICE-PRESIDENT. The question is on concurring in the report.

Mr. VEST. I wish to say a word before the vote is taken. I will never agree to one portion of the conference report. I shall make no factious opposition, and if a majority of the Senate favor it, as a matter of course at this late stage in the session I shall not arrogate to myself more knowledge and patriotism than all the Senate combined, nor would I delay public business or the adjournment of the Senate if I were able to do so.

But I want to say that that provision, which will be construed hereafter to be a contract on the part of all of us who accede to it, that under no circumstances after the 30th of June, 1897, shall there be any appropriations for any hospital or to any asylum or to any eleemosynary institution of any sort which is under the control or connected with any church—this agreement, as I say, this provision, which will be construed as a contract, is to my mind absolutely inhuman, or may be so. For instance, here is an eleemosynary institution in this District of Columbia, under the control of a Protestant or a Catholic church, for orphan

children or for incurables or for the sick and maimed. In the vicissitudes of fortune that church may be utterly unable within six or twelve or eighteen months or two years from now to take care of the inmates. Is Congress to be told then that we have entered into a legislative contract not to assist that institution?

Take an orphan asylum, which I have now in my mind's eye, with 100 little orphan boys picked up here in the streets, without mother or father, who are under the charge of some Sisters of Charity. They would be left to the jails, to the penitentiaries, to the slums, and alleys of this city but for the Christian charity of these pure women. Now, suppose that two years from this time these women or that church, if they are under the control of a church—for the sake of argument I will concede it—are absolutely unable to take care of those 100 little boys? Are they to be turned out? Are they to starve and become criminals?

Take the Providence Hospital here, where the Sisters of Charity are ministering angels to the sick and the maimed. Suppose that in two years they are unable to take care of the people within their doors, are we to allow these poor, sick, unfortunate people to be turned out; and then, if we undertake to give them a pitance out of the public Treasury, are we to be told, "Here is a legislative contract; you can not help them; you have agreed that after the 30th of June, 1897, under no state of case shall you give a dollar?"

Mr. President, I shall not be forced into any such legislation.

Mr. SHERMAN. I should like to ask the Senator if such a stipulation made by this Congress can have any binding force whatever upon a subsequent Congress?

Mr. VEST. I grant that we can hereafter repeal any act of Congress.

Mr. SHERMAN. We can repeal any action, or we can make an appropriation, if we desire, without repealing it.

Mr. VEST. But I commend to the Senator his own argument, made so repeatedly here, as to the parity of the two metals, which was put into the Sherman law, and repeated afterwards when we repealed the purchasing clause of the Sherman law. I have heard him contend again and again that that parity was in the nature of a solemn contract with the creditors of this Government, which we were bound to sustain.

Mr. SHERMAN. In dealing with a question of loans and bonds, etc., I have no doubt that a stipulation of that kind would be binding in public honor, but a mere declaration that Congress will not two years hence contribute to these charities is not worth the paper upon which it is written. If any of us are here then we shall violate it undoubtedly.

Mr. VEST. Then I understand the Senator thinks it is a mere brutum fulmen—that it amounts to nothing.

Mr. SHERMAN. We are using it merely as a way of getting out of a dilemma, and the chairman of the committee so asserts.

Mr. HILL. It is a stump speech.

Mr. VEST. It is worse than a stump speech, because it is impressing the country at large with the idea that we have succumbed to this religious clamor that has been raised and that we have satisfied public sentiment, when we amuse ourselves and wink at each other and say, "Of course we do not mean it; it goes for nothing; it is a pious fraud." Some people out in my country would call it a lie, but I shall not use that unparliamentary language. In other words, as they say out in "the wild and woolly West," "it don't go" when you come to put it in operation. I do not believe in that sort of legislation. I do not believe that we should put something here into an act which either amounts to nothing or which, if we keep it in and execute it, would be absolutely inhuman. I do not propose that any amount of clamor shall drive me into such a thing as that. I shall not stand here and make a factious opposition at all, but I want to put on record my objection to being bound by any such provision as that.

Mr. TELLER. Mr. President, I suppose it will be in the power of the next Congress without any question to act on the judgment of the Congress. I want to say for myself that while I have acceded to this report, I believe, as general principle, it is better that the Government of the United States, when it dispenses charity, should keep control of it and pay it out, although I do not say that I should not use these charitable agencies sometimes, for I would, and, so thinking, I shall feel for myself always, without reference to this provision or any other, justified in voting as the case presented seems to demand.

I want to say to the Senator from Missouri that I do not believe, and it was not the idea on the part of the Senate committee of conference, that we were deceiving the public nor responding to a public sentiment. I do not believe that there is a sentiment amongst the people of the United States that requires that we should withhold the charity of this Government from proper agencies because they may be considered and treated as sectarian. I think this question stands upon entirely different grounds from what the school question does, which has so agitated the public mind.

I want to say to the Senator who objects that we found ourselves in a condition where we either had to prolong, apparently

indefinitely, this session, or we had to agree to something of this character, and we have agreed to it under the stress of circumstances and conditions in which we found ourselves. For myself, I do not understand that by so doing I assert that under no circumstances shall I vote for charities of this kind.

The VICE-PRESIDENT. The question is upon concurring in the conference report.

The report was concurred in.

WILLIAM H. SCOFIELD AND OTHERS.

Mr. HILL. Mr. President, I hope the Senator from Missouri will permit me to call up a bill which came from the House of Representatives a few moments ago, so that I may dispose of it. I am not going to make any factious opposition to his bill.

Mr. VEST. I yield for that purpose.

Mr. HILL. I ask unanimous consent that House bill 7338, which just came over from the House of Representatives, may be laid before the Senate.

The bill (H. R. 7338) for the relief of William H. Scofield, Jacob Brady, James Ketcham, Annie Booth, as administratrix of the goods, chattels, and credits of George W. Booth, deceased; Wilson P. Dillar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Scofield, was read twice by its title.

Mr. HILL. Mr. President, this bill has passed the other House, and a similar bill has been reported from the Judiciary Committee of the Senate and is now upon the Calendar. I simply desire to have the House bill now disposed of.

Mr. SHERMAN. What is the amount involved?

Mr. HILL. About \$2,000.

Mr. SHERMAN. It is rather a dangerous precedent to set to discharge sureties on a bond. We have had one or two examples of that kind, and we should be extremely careful in releasing sureties.

Mr. HILL. The House report contains the facts in full.

Mr. SHERMAN. I should like to have the report read. If there are any special circumstances to justify the passage of the bill they ought to be stated.

Mr. HILL. The special circumstances are these, if the Senator will indulge me a moment: The statute requires that when any deficiency occurs in the accounts of a postmaster the Government should notify the sureties, and it should be done in thirty days. It was not done in this instance. A bond was given under which the liability was incurred. Subsequently, without notice to the sureties of the deficiency, a new bond was required and given. The committee held very properly that the sureties had no knowledge of this defalcation, no knowledge of a deficiency in any way, and supposed the accounts were all right. That was the reason the sureties gave the second bond. Under those circumstances it was deemed that the Government ought to relieve them from the last bond and hold them to the other; and that is the occasion for the relief. The very highest equity requires that they should be relieved.

Mr. SHERMAN. From what committee of the Senate has the bill been reported?

Mr. HILL. A similar bill has been reported from the Committees on the Judiciary of both Houses, and this bill has passed the House of Representatives. The other bill is here awaiting action.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

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

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

The VICE-PRESIDENT. In the absence of objection, Senate bill 3229, on the same subject, will be indefinitely postponed.

ST. LOUIS RIVER BRIDGE.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 8321) to authorize the county of St. Louis, in the State of Minnesota, to build or authorize the building of a foot and wagon bridge across the St. Louis River between Minnesota and Wisconsin, at a point near Fond du Lac, in said State of Minnesota; which was read twice by its title.

Mr. NELSON. I ask unanimous consent for the consideration of that bill at this time. The bill has been referred to the War Department and meets with the approval of the Department, and it has also been referred to the Committee on Commerce.

Mr. VEST. I should like very much to proceed with the consideration of House bill 4580, which has been interrupted by other matters.

The VICE-PRESIDENT. The Chair will recognize the Senator from Minnesota subsequently.

Mr. VEST. The Senator can call his bill up after the revenue bill is disposed of. I have had such extraordinarily bad luck with the bill that I should like to get rid of it.

DEFICIENCIES IN APPROPRIATIONS.

Mr. HALE. I submit a privileged report, which will take but a moment.

The VICE-PRESIDENT. The report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 2 to the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for expenses of the House of Representatives, and for other purposes, for the fiscal year ending June 30, 1898, 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 2.

EUGENE HALE,
W. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.

J. G. CANNON,
JOSEPH D. SAYERS,
Managers on the part of the House.

The VICE-PRESIDENT. The question is on concurring in the report of the committee of conference.

The report was concurred in.

FRAUDULENT BOTTLING OF LIQUORS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 4580) to amend section 3449 of the Revised Statutes of the United States.

Mr. VEST. The bill was heretofore read for information; the amendment of the committee was adopted, and the hour of 2 o'clock having arrived, the consideration of the bill was suspended.

Mr. BATE. I should like to have the bill read, as well as the amendment upon which we are to act.

The VICE-PRESIDENT. The bill will be read and the amendment will be stated.

The bill was read.

The SECRETARY. Mr. HILL proposes to amend the bill, in line 14, page 2, by striking out the word "and" and inserting the word "or"; so as to read:

Or to be imprisoned, etc.

Mr. HILL. Mr. President, I do not think this proposed legislation is wise, nor do I take much stock in the original statute which this bill proposes to amend, and which I shall read. It is section 3449 of the Revised Statutes:

Whenever any person ships, transports, or removes any spirituous or fermented liquors or wines under any other than the proper name or brand known to the trade as designating the kind and quality of the contents of the casks or packages containing the same, or causes such act to be done, he shall forfeit said liquors or wines, and casks or packages, and be subject to pay a fine of \$500.

Mr. President, I think this statute was unnecessary for any purposes of the collection of revenue. Of course, if a person stamps a keg "lager beer" when it contains wine or liquor, that would be a transparent fraud, although he might pay the amount of the tax correctly. But it will be seen that this original statute says that there must not be stamped "any other than the proper name or brand known to the trade as designating the kind and quality of the contents of the bottles, casks, or other packages containing the same."

Mr. MILLS. Will the Senator from New York yield to me to ask for the passage of a bill?

Mr. HILL. The Senator from Missouri has charge of the pending bill.

The VICE-PRESIDENT. The Senator from New York is recognized.

Mr. HILL. The question arose under this statute as to what was meant by the phrase, "other than the proper name or brand known to the trade as designating the kind and quality of the contents of the bottles, casks, or other packages containing the same."

The question will arise as to whether one of these packages marked "Old Holland Gin" is properly branded, although the gin is manufactured in this country and although that was a trade-mark which the party had been using for years and years. Is it to be said because he continues the use of that old phrase, "Old Holland Gin," it is necessarily a false statement, and that it necessarily would be implied that it was made in Holland or Old Holland? Questions of that kind arose under this statute, and some prosecutions have been had, more, I think, in the interest of opposition dealers than in the true interests of the Treasury.

Now it is proposed to amend this statute, which I think was in its full extent of doubtful propriety in the outset, by not only making the party pay a fine of \$500, as the existing law provides, but also that he shall be imprisoned for six months for the first offense—that he shall pay a fine of \$500 and also be imprisoned for six months; so that in case a man continues the use of these old trade-marks, which may be strictly held to imply something different from what the article actually is, he is not simply to be fined but is absolutely to be imprisoned for the first offense. I think that is pretty harsh. In the first place, the question will arise as to the extent of the power of this Government thus to make what are essentially police regulations.

This is not in consonance with the other revenue laws of the nation. Nearly all of them provide simply for fines. This is not to punish smuggling or defrauding the Government. For instance,

take an illustration. Assume that there was a tax upon brussels carpet, which a man must pay, and the statute requires him to use the correct name. Formerly brussels carpet came from Brussels and was exclusively manufactured there. Now brussels carpet is manufactured in this country; but it retains its name and designation. So there is an article called Schiedam schnapps, whatever that is. That is made here, and yet it might be implied from the name that it was something which came from abroad. A question will arise under this statute, as it has arisen before, as to whether a person can be prosecuted under it. The trade-mark protected him; but this statute it is proposed to amend by providing imprisonment for the first offense. The report of the House committee on this bill says:

The Internal Revenue Office reports that the existing statute is inadequate to meet and correct the gross and extensive frauds perpetrated upon the public and upon the revenue by persons engaged in the sale of a great variety of spirituous, vinous, and malt liquors under false and fraudulent brands. To illustrate, but without going into details, the Commissioner of Internal Revenue reports that in many districts lager beer is found upon the market under such names as "hop tea" and "ambrosia," as well as other false designations.

Of course where lager beer is in kegs and is marked "hop tea" and "ambrosia," that is a palpable fraud; and I do not suppose any sort of imprisonment would be objectionable in such cases. But the original statute was broad; and while the committee in reporting this bill have added the words "knowingly and willfully," that language does not tone down the thing much, because the Senate committee have made this amendment to the bill, or the House committee, I do not know which.

Mr. PLATT. The Senate committee reported that amendment.

Mr. VEST. Yes; that was reported by the Senate committee.

Mr. HILL. The Senate committee reported the amendment. The committee realized the fact that it was pretty harsh to condemn a party upon the first offense to imprisonment; and in order to mitigate the situation they have added the words "knowingly and willfully," so that anyone who knowingly and willfully sells or keeps on hand for sale or removes packages that do not contain the proper name of the liquor, etc., shall be liable to the penalty. That does not cover the case I have mentioned. Of course when a person sells Old London gin he does it knowingly and does it willfully, and he claims the right to do it under his own trade-marks which have existed for years. The prosecution under the statute is based upon the idea that in some way or other that is not the proper name of the liquor because it may imply that it was a foreign production.

This bill strikes me as more in the interest of opposition dealers than as a bona fide bill for the protection of the Treasury; but it goes too far. I can not see why a fine should not be a sufficient punishment for the first offense, instead of six months' imprisonment. The reason I make that statement is not that I want to justify persons in evading the statute, but there are delicate legal questions arising and have arisen before, after the original act was passed. It is said that when persons are convicted they will pay the fine promptly. Where a man has had these old trade-marks for years and years people are willing to buy his goods, no matter by what name they are called.

I see no particular benefit to be derived to the public Treasury by the enactment of this bill. I think it will absolutely prevent respectable dealers in New York, St. Louis, Chicago, Milwaukee, and all over the country from raising the question which would arise under these cases, when they will have to go to prison if beaten upon the technical point. That is the reason I object to it. That is the reason that I suggest, with the consent of my friend from Missouri, that it should be left discretionary with the judge as to whether the first offense should be absolutely punished by imprisonment. Prosecution is made, say, against a client of mine upon the ground that some of the articles contained in kegs do not absolutely express the proper names—in other words, might import that they were produced abroad, and I illustrated by "Old Holland Gin" and the other names they have for these and other articles. It has been suggested on my left that the "lager beer" originally came from Germany and that would imply that all lager beer was made abroad. I do not think the bill is correct, and that is all I have to say about it.

Mr. VEST. Mr. President, this bill was drawn by the Commissioner of Internal Revenue and urged upon the committees of both branches of Congress. The Senator from New York says it is a bill which was intended to apply to the question of business of brands or trade-marks. The Internal Revenue Department disclaim anything of that sort, and they say the bill is intended simply to prevent frauds upon the revenue. For instance, the practice obtains of putting a brand or trade-mark upon fine brandies, which bear a duty of \$1.80 a gallon, and the brand or trade-mark put upon it is "whisky," which would pay but \$1.10 a gallon, making a difference of 70 cents in the tax. Under the old statute when these liquors were put up in bottles and a trade-mark was put upon them it was simply impossible to detect the fraud

without opening the package, and when there is a large number of them it is almost impossible to do that.

It was also further found, according to the report of the internal-revenue officer, that the dealers in these goods were willing to pay the \$500 fine on account of the enormous profits they made, and it was simply no obstacle at all to this fraud upon the revenue to impose a simple fine. Therefore, the Internal Revenue Department found it absolutely necessary to ask from Congress an amendment to the law so as to add the terror of personal imprisonment in order to prevent these fraudulent practices.

This proposed legislation does not stand upon the same footing as the oleomargarine or the filled-cheese law. My objection to that legislation was that it was the perversion of the taxing power of the Government for police purposes. But here there is no question about the power of the Government to put an excise tax upon liquors. Every civilized country derives a large portion of its revenue, and England derives the largest portion, from an excise tax upon liquors. The constitutional power of taxation unquestionably exists, and no court would say and no lawyer would contend that we did not have the right to pass auxiliary laws to make effective our unquestionable right to collect these excise taxes.

General WHEELER, a prominent member of the Committee on Ways and Means of the House, addressed me the following note:

I inclose you a copy of the House report on House bill 4580, which is an amendment to section 3449 of the Revised Statutes. I am informed that the bill was drawn by the Commissioner of Internal Revenue, and, as shown by the inclosed report, is necessary to protect the revenue.

Since the report was made I am informed on the authority of Mr. Brooks, the special agent of the internal revenue in New York, that he is unable to convict parties violating the existing law, for the reason that the word "bottles" is not included in the present law.

He says that a party arrested for illicit distillation admitted that he had filled 30,000 cases of illicit whisky and branded it at his pleasure gin, brandy, or whatever he desired. Thus not only depriving the United States of the internal-revenue tax, \$1.10 per gallon, but also imposing these goods on the public as imported spirits, which should have paid \$1.80 per gallon.

There is no matter of trade-mark involved in this, but simply an act to protect the revenue.

This states as clearly as I could possibly do it the object of this proposed law.

Mr. HILL. Take the instance I suggested of gin, old Holland gin. A man is entirely willing to pay the full amount of the tax; yet would it not be argued that that is not under the proper name or brand? The report says they want to reach cases where the implication is that they are imported when they are not imported. That is the object, it is said, that it is sought to accomplish now. I ask the Senator, in such case as that, would it not be claimed that that is the effect of the bill?

Mr. VEST. I admit that one might conjecture hard cases under this and every other revenue law, but we have amended the bill so that any jury must be satisfied that he knowingly and willfully did so. I opposed that amendment, to be frank about it, because I can hardly conceive of a case in which a conviction will ever be had with those words in the law. It is an unusual thing in revenue laws—in fact, it is the exception in this case—to put in the words "knowingly and willfully"; but a large majority of the committee disagreed with me and inserted the words, so that it would be impossible under the case put by the Senator from New York to secure a conviction.

Mr. HILL. If he does it knowingly he does it willfully; he does it because he claims he has a right to do it and he is willing to pay the full amount of the tax.

Mr. VEST. I do not suppose any court would hold in a case of that sort that it was done willfully. But, putting it in the broadest way, if a dealer in liquor deliberately and knowingly puts a trade-mark or brand upon a package or a bottle when he knows it is a falsehood he ought to be punished for it. He must have some object in doing it. He is not doing it for amusement. He is certainly doing it to commit a fraud.

Mr. JONES of Arkansas. And he perpetrates a fraud.

Mr. VEST. And he perpetrates a fraud. The public are entitled to know, when a brand is put on, that the brand or trade-mark properly represents the contents of the package.

Mr. HILL. That, of course, is all right enough where they attempt to substitute one kind of liquor for another kind—lager beer for ale, or ale for whisky, or whisky for brandy, or something of that kind. That is a proposition entirely different from the one I present.

Mr. VEST. Take the case that is mentioned by General WHEELER in this letter as coming from Mr. Brooks, the inspector. Here is a man who says he had 30,000 bottles, into which he put whisky and then put on the trade-mark of gin, brandy, and different sorts of imported foreign liquors. That was a clear violation of law.

Mr. HILL. It was a false statement, and if it is desired to punish a case of that kind—and it ought to be—a statute can be framed to cover it.

Mr. VEST. And this statute is intended to cover it. Under

the old statute he could not be convicted, because it was impossible to do so. This law is intended to cover a case where bottles are fraudulently used.

Mr. HILL. I do not object to that part of it.

Mr. VEST. That is one of the main objects of this proposed legislation. I ask for a vote, Mr. President.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from New York.

Mr. VEST. I hope the amendment will be rejected.

Mr. HILL. If hopes will carry it, Mr. President, I hope it will be adopted.

The amendment was rejected.

The bill was reported to the Senate as amended.

Mr. GALLINGER. Before the matter passes from the committee I should like to ask the Senator in charge of the bill if I understood him correctly to say that the bill was drawn and recommended by the Commissioner of Internal Revenue?

Mr. VEST. Yes, sir.

Mr. GALLINGER. I had intended to offer, and have had printed, an amendment to the bill comprising the text of a bill popularly known as the pure-food bill. I think it is much more important that the people of this country should have pure food than pure whisky or pure gin or pure brandy or any other intoxicating drink. I have been astounded that Congress has not before now passed that bill, which I will not now detain the Senate in having read, as I think it is of the utmost consequence to the people of this country. But I have no desire to obstruct the passage of the pending bill, upon the statement of the Senator from Missouri that the Commissioner of Internal Revenue desires it shall become a law. So I withhold my amendment, and trust that when the pure-food bill comes before the Senate, as I have no doubt it will during the term of the Senator from Missouri, he will interest himself to see that it becomes a law, as well as the bill in which he is now interested.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

COURTS IN TEXAS.

Mr. MILLS. I ask unanimous consent to take up the bill which has just come from the other House affecting courts in Texas. Nobody else is interested in it except Texas people.

There being no objection, the bill (H. R. 9226) to change the time and places for the district and circuit courts of the northern district of Texas was read the first time by its title and the second time at length, and considered as in Committee of the Whole.

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

ST. LOUIS RIVER BRIDGE.

Mr. NELSON. I ask unanimous consent for the present consideration of House bill 8321.

There being no objection, the bill (H. R. 8321) to authorize the county of St. Louis, in the State of Minnesota, to build or authorize the building of a foot and wagon bridge across the St. Louis River between Minnesota and Wisconsin, at a point near Fond du Lac, in said State of Minnesota, was read the first time by its title and the second time at length, and considered as in Committee of the Whole.

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

POTOMAC RIVER BRIDGE.

Mr. DANIEL. I ask the unanimous consent of the Senate to consider the bill (S. 2775) to authorize the Herndon and Aldie Railroad to construct a bridge over the Potomac River at or below the Great Falls.

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 from the Committee on Commerce with amendments.

The first amendment was, in section 1, line 7, after the word "or," to strike out "below" and insert "near"; so as to make the section read:

That the Herndon and Aldie Railroad Company, a body incorporated under the laws of the State of Virginia, be, and is hereby, authorized and empowered to construct a bridge and approaches thereto across the Potomac River at a point at or near the Great Falls thereof.

The amendment was agreed to.

The next amendment was, in section 2, line 4, after the word "Company," to strike out "are" and insert "is"; in line 6, after the word "railroad," to strike out "with such conveniences aforesaid," and in line 8, after the word "feet," to insert "including slopes, culverts, and all appurtenances"; so as to make the section read:

That the said bridge may be constructed with a single or with double tracks, and may be provided with such conveniences as may be deemed necessary for railway traffic; and the said Herndon and Aldie Railroad Company is hereby granted the right of way, and may construct said railroad

across the land reservation of the United States adjacent to said Great Falls, not exceeding in width 60 feet, including slopes, culverts, and all appurtenances.

The amendment was agreed to.

The next amendment was, in section 3, line 3, before the word "shall," to insert "its approaches and appurtenances"; in line 4, after the word "said," to strike out "structure" and insert "structures and their proposed location," and in line 8, after the word "approval," to strike out "and thereupon"; so as to read:

That the said Herndon and Aldie Railroad Company, before entering upon the construction of said bridge, its approaches, and appurtenances, shall submit to the Secretary of War plans and drawings of said structures and their proposed locations for his approval, and should he approve such plans and drawings he shall at once notify the officers of said Herndon and Aldie Railroad Company of such approval.

The amendment was agreed to.

The next amendment was, in section 3, line 8, after the word "approval," to insert:

That said company, before commencing work on said bridge, its approaches, or appurtenances, shall deposit with the Treasurer of the United States to the credit of the Washington Aqueduct the sum of \$5,000, to defray all the expenses that may be incurred by the United States in connection with the inspection of the company's work on the lands of the United States, and any of the company's work that may affect the interests of the United States, and in making good any damages done by said company or its works to any work or land or other property of the United States, and in completing, as the Secretary of War may direct, any of the company's work that the said company may neglect or refuse to complete, and which the Secretary of War may consider necessary for the safety of the Washington Aqueduct and the works pertaining thereto, or for the proper care and preservation of its lands; and the said company or its successors shall also deposit as aforesaid such further sums for said purposes at such times as the Secretary of War shall direct. The said moneys shall be disbursed like other moneys appropriated for the Washington Aqueduct, and whatever shall remain of said deposits after the completion of the works for which they may be obtained shall be returned to said company with an account of the disbursements in detail. The disbursements of said deposits shall, except in case of emergency, be made only on the order of the Secretary of War.

The amendment was agreed to.

The next amendment was, in section 3, line 33, after the word "war," to insert:

Upon compliance with all of the preceding conditions the.

And in line 35, after the word "bridge," to insert "its approaches and appurtenances"; so as to read:

Upon compliance with all of the preceding conditions the said company may proceed to the erection of said bridge, its approaches and appurtenances.

The amendment was agreed to.

The next amendment was to add at the end of section 3:

During the construction and after the completion of said bridge, approaches, and appurtenances, the agents and employees of the company, when on the public lands of the United States in the vicinity, shall be subject to such regulations as may be approved by the Secretary of War.

The amendment was agreed to.

The next amendment was, in section 4, line 8, before the word "That," to insert:

That the said Herndon and Aldie Railroad Company shall not construct any passenger room, ticket office, depot, workshop, water tank, or building on the lands of the United States. That any changes in the bridge, approaches, roadbed, or appurtenances rendered necessary by the construction of any public work of the United States shall be promptly made by the company or its successors without charge to the United States.

In line 15, after the word "within," to strike out "three years" and insert "one year"; in the same line, after the word "within," to strike out "six" and insert "three," and in line 21, after the word "or," to insert "until"; so as to make the section read:

That the said Herndon and Aldie Railroad Company shall not construct any passenger room, ticket office, depot, workshop, water tank, or building on the lands of the United States. That any changes in the bridge, approaches, roadbed, or appurtenances rendered necessary by the construction of any public work of the United States shall be promptly made by the company or its successors without charge to the United States. That the said Herndon and Aldie Railroad Company may at any time make any alterations deemed advisable to be made in said bridge, or such conveniences aforesaid, but must first submit such proposed alterations of said bridge to the Secretary of War, and his approval shall be first had before they shall be made: *Provided*, That the construction of said bridge shall be commenced within one year and completed within three years from the date of the approval of this act: *Provided further*, That nothing in this act contained shall be so construed as to authorize the said railroad company to acquire or occupy any portion of the property right or rights of way of the Chesapeake and Ohio Canal Company without the consent of the owners of a majority of the stock of said company, or until after condemnation proceedings and proper compensation of said Chesapeake and Ohio Canal Company.

The amendment was agreed to.

The next amendment was to insert as an additional section:

SEC. 5. That the right to alter, amend, or repeal this act is hereby reserved; and if construction of the bridge hereby authorized is not begun within twelve months and completed in three years from the approval of this act it shall be null and void.

The amendment was agreed to.

Mr. PLATT. On page 4 there is a reference to "conveniences." Will the Senator from Missouri inform me what "conveniences" are? I ask the Secretary to read the clause to which I have reference.

The Secretary read as follows:

That the said Herndon and Aldie Railroad Company may at any time make any alterations deemed advisable to be made in said bridge, or such conveniences aforesaid.

Mr. PLATT. What are "conveniences"? That word was stricken out in a former place in the bill. I do not know what the conveniences of a bridge are.

Mr. VEST. Some abutment works. If the word was stricken out in a former place it should be stricken out in the succeeding part of the bill.

The PRESIDING OFFICER (Mr. BACON in the chair). Without objection that amendment will be made.

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 to authorize the Herndon and Aldie Railroad to construct a bridge over the Potomac River at or near the Great Falls."

LOSSES OF POSTMASTERS.

Mr. CULLOM. I ask the Senate to consider the House bill 9447, now on the table.

The bill (H. R. 9447) to amend section 1 of "An act to amend an act entitled 'An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty,' approved May 9, 1888, was read the first time by its title, and the second time at length.

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

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

Mr. HARRIS. May I inquire of the Senator from Illinois what the provision of law is that is proposed to be amended?

Mr. CULLOM. The part of the law that is proposed to be amended is the proviso of an act which limits the sum to \$2,000. The House has passed a bill providing that no claim exceeding \$10,000 shall so and so. It merely strikes out the word "two" and inserts the word "ten."

Mr. HARRIS. No disbursements are to be made by the Department without the action of Congress?

Mr. CULLOM. This is not a matter of disbursement. It relates to the settlement of claims. For instance, there are four or five cases now before Congress where burglaries have been committed upon post-offices and sums extracted, and the postmaster of the town or place is charged with the amount. If it exceeds \$2,000, the account can not be settled without coming to Congress for an act relieving him. For the purpose of giving the Postmaster-General further discretion, the amount is enlarged from two to ten thousand dollars.

Mr. HARRIS. In cases such as these he may adjust the matter and settle it up to \$10,000?

Mr. CULLOM. That is all there is in the bill.

Mr. HARRIS. It is a pretty large discretion, but I shall not interpose any objection.

Mr. CULLOM. I consulted with the only members of the Committee on Post-Offices and Post-Roads present, and I am prepared to say that they both approve the provisions of the bill.

Mr. MITCHELL of Oregon. I desire to say that I think this is very wise legislation. I am on two committees, each of which is annoyed from time to time, if that is a proper word to use about legislation, with the bills for relief, simply because the Postmaster-General has not jurisdiction to adjudicate. He has jurisdiction, as stated by the Senator from Illinois, in all cases where the amount does not exceed \$2,000. But whenever it runs over that sum—and most cases do—the postmasters must come to Congress for a special bill of relief. There are a number of bills of that kind pending in the Committee on Post-Offices and Post-Roads, and there are some in the Committee on Claims, of which I am a member. I see no reason why the Postmaster-General should not have jurisdiction to adjudicate all of them. This will undoubtedly include all.

Mr. CULLOM. I will state, in addition, that a robbery occurred two or three years ago at the post-office in Chicago, and I think a year or two ago I secured the passage of a bill for the relief of the gentleman who was postmaster at that time. For some reason or other it has been kept back and never has passed the House.

Within a year another robbery occurred, where the safe was broken open, in my own town, and the postmaster was robbed of a very considerable sum of money, stamps, etc. I understand there is another case in New Jersey, one in Kansas, and they are scattered about, and the postmasters are unable to settle their accounts, as they would like to do before they get out of office, on account of the difficulty in getting private acts passed for individual relief. I hope the bill will be passed.

Mr. PLATT. I do not think there is any danger in giving the Postmaster-General power to adjudicate these claims up to \$10,000. My observation has been that the Postmaster-General has been exceedingly technical about adjudicating any claims. There are a good many more claims which he does not adjudicate than those he does adjudicate.

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

IMPROVEMENT OF PUBLIC ROADS.

Mr. WARREN. House joint resolution 194 in relation to the improvement of public roads is on the table. The same subject-matter has been passed upon by the appropriate committee of the Senate. It is a measure of a few lines, and I should like to call it up and have it passed.

The joint resolution (H. Res. 194) extending the scope of the investigations by the Agricultural Department in the matter of the improvement of the public roads was read the first time by its title and the second time at length.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

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

Mr. HARRIS. Before the joint resolution is voted upon, I simply desire to say, as I shall not ask for a yea-and-nay vote, which would afford me an opportunity to record my vote, that I should vote against the joint resolution.

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

The PRESIDING OFFICER. The question is, Shall the joint resolution pass?

The joint resolution was rejected.

Mr. WARREN subsequently said: I desire to move that the vote by which the Senate rejected House joint resolution 194 may be reconsidered and that the joint resolution may be placed on the Calendar.

The PRESIDING OFFICER. If there be no objection, the motion to reconsider will be agreed to, and the joint resolution will be placed upon the Calendar. The Chair hears no objection, and it is so ordered.

STATUS OF MIXED-BLOOD INDIANS.

Mr. ALLEN. I desire unanimous consent to call up for consideration the bill (S. 3051) defining the rights and privileges of mixed-blood Indians under the treaties and statutes of the United States, confirming the title of said Indians to their lands, allowing the same to be alienated under certain circumstances, and for other purposes.

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

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

Mr. ALLEN. I should like the attention of the Senator from Connecticut for a moment. This bill met the approval of the Indian Committee, of which the Senator from Connecticut is a member. The report was unanimous, and I hope the Senator will not insist on his objection.

Mr. PLATT. I beg leave to say the report on the bill was not unanimous.

Mr. ALLEN. Very well. Then I will accept the consequences, and endeavor to establish after a while the Senatorial parity as to courtesy.

Mr. PLATT. I wish to reply to the remark of the Senator from Nebraska. The bill is a very important one, and I was not in favor of it in committee. It can not be passed without discussion. It is a bill of very wide scope; and while I do not know that I objected to it when the report was made, I reserved my rights in the committee to oppose the bill.

NAVASSA ISLAND AND SWAMM ISLAND.

Mr. GIBSON. I desire to call up the joint resolution (S. R. 89) directing and authorizing the Secretary of the Navy to appoint a board of three officers of the Navy to proceed to Navassa Island, in the West Indies, and examine and report upon the cost of establishing a coaling station for the United States Government on said island.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on Naval Affairs with an amendment, to strike out all after the resolving clause and insert:

That the Secretary of the Navy be, and he is hereby, authorized and directed to appoint a board of three officers of the Navy and instruct said board to proceed to Navassa Island and Swamm Island, in the West Indies, and examine and report upon the practicability and advisability of establishing a coaling station for the United States Government on either of said islands.

Mr. HAWLEY. I have a large photograph of the island, showing its whole breadth and length. It has a fine elevation. It is used chiefly for getting materials for fertilizers. There is no anchorage anywhere near there. Deep water goes bang up to steep stone walls. I do not know what they will do with it. The Senator is welcome to have the photograph if it will do him any good, or the Navy Department either. My information comes from a man who has spent years there in charge of the fertilizing works. The photograph comes from him to me.

Mr. GIBSON. The joint resolution has been carefully considered by the Committee on Naval Affairs, and it was decided to report it favorably. There was added, however, an amendment which increases the propriety of appointing the commission. The scope and advisability of the joint resolution are greatly enlarged by the amendment to the original joint resolution, including another island besides Navassa. The sole purpose of the inquiry is to determine which one of these two islands it is the more advisable should be selected as a coaling station for the United States.

Both of these islands are the property of citizens of the United States. The absolute necessity of establishing such a coaling station has been passed upon by the Navy Department. The object of the joint resolution is to enable a committee of three naval officers to visit the two islands and later on to report to the Secretary of the Navy their judgment with reference to the advisability of the enterprise.

Mr. PLATT. I think we ought to have some information on this subject. We do not want to send a naval expedition off to find a place to establish a coaling station unless there is some probability that they can find such a location. We ought to have some information on the subject as to whether there is really a probability that a coaling station for the United States can be established at this island. We do not want to send junketing expeditions from the Navy any more than we do from the Senate. I am quite willing to vote for the joint resolution if there is any probability that we can establish a coaling station there.

Mr. HAWLEY. Mr. President, I have no objection in the world to an investigation (I do not think it will cost very much) by one of the lighter vessels. It can pass around that way with a naval board and look at the island. I only give the Senate the benefit of what I happen to know about it. I think it is twelve or fifteen years since I met the American who had charge of the works on that island, and on one of his occasional visits I afterwards saw him. He gave me various little curiosities. Among others he gave me a photograph of the island, giving a view of the whole island from a distance of two or three miles, and then some views of the buildings and groups of people who worked there, and all that.

I saw, two or three weeks ago, I think, some reference in the papers to the precise matter embodied in the joint resolution, and, as fortune would have it, I met this gentleman himself within a week after that. I asked him, what I thought I knew already, whether there was anchorage around there at any place for a ship to lie, and he said nothing whatever; that they had to go up there in boats. But new modern science has no difficulty in cutting out a hole in the side of an island somewhere. There is no harm in the investigation, anyhow.

Mr. GIBSON. The joint resolution merely provides for an investigation. The question has been thoroughly considered by the committee, and the conclusion, I think, was unanimously reached that the joint resolution should be passed.

Mr. HALE. What is the language in reference to that point?

Mr. GIBSON. I was going to ask that the joint resolution should be again read.

The Secretary again read the joint resolution.

Mr. GIBSON. It will be discovered, I will say in reply to the Senator from Connecticut [Mr. PLATT], that the duties of the commission will be very far from any junketing trip.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Naval Affairs.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

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

The title was amended so as to read: "Joint resolution authorizing and directing the Secretary of the Navy to appoint a board of three officers of the Navy to proceed to Navassa Island and Swamm Island, in the West Indies, and examine and report upon the practicability and advisability of establishing a coaling station for the United States Government on either of said islands."

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for the expenses of the House of Representatives, and for other purposes.

The message also announced that the House had passed a bill (H. R. 4058) to set apart a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Washington National Park; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

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

A bill (S. 261) for the relief of Arthur P. Selby;

A bill (S. 1011) for the relief of Capt. James Reagan, United States Army;

A bill (S. 2943) to authorize the construction of a bridge across the Warrior River by the Mobile and Ohio Railroad Company;

A bill (S. 2944) to authorize the construction of a bridge across the Caleaba River, in Bibb County, Ala., by the Mobile and Ohio Railroad Company;

A bill (S. 2945) to authorize the construction of a bridge across the Alabama River by the Mobile and Ohio Railroad Company;

A bill (H. R. 7338) for the relief of William H. Schofield, Jacob Brady, James Ketcham, Annie Booth, as administratrix of the goods, chattels, and credits of George W. Booth, deceased; Wilson P. Billar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Schofield;

A bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for expenses of the House of Representatives, and for other purposes, for the fiscal year 1896; and

A joint resolution (S. R. 149) extending the benefits of sections 1426 and 1573 of the Revised Statutes to all enlisted persons of the Navy.

DONATION OF CONDEMNED CANNON.

Mr. GALLINGER. There are two small bills on the Calendar, one of which my colleague [Mr. CHANDLER], when he left the city, desired me to call up. The first one is Senate bill 2483, donating condemned cannon to the Soldiers' Home of New Hampshire, and the other donates condemned cannon to a monument association. I ask that the bill (S. 2483) donating condemned cannon and cannon balls to the New Hampshire Soldiers' Home may be now considered.

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

Mr. GALLINGER. I offer an amendment to be inserted at the end of the bill.

The SECRETARY. It is proposed to add at the end of the bill:

Provided, That the condemned cannon herein mentioned are available for the purposes stated, and can, in the opinion of the Secretary of the Navy, be spared without detriment to the public interest: *And provided further*, That the Government shall not incur any expenses in handling and transporting said cannon.

The amendment was agreed to.

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

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

Mr. GALLINGER. I ask to call up the next order of business on behalf of my colleague. It will take but a moment. It is the bill (S. 2630) authorizing and directing the Secretary of the Navy to donate condemned cannon to the Londonderry Soldiers' Monument Association of Londonderry, N. H.

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 be engrossed for a third reading, read the third time, and passed.

CLASSIFICATION OF RAILWAY POSTAL CLERKS.

Mr. MITCHELL of Oregon. I ask unanimous consent for the present consideration of the bill (S. 2741) to classify railway postal clerks and prescribe their salaries.

The PRESIDING OFFICER. The bill will be read for information, subject to objection.

The bill was read.

Mr. MITCHELL of Oregon. I desire to make a brief statement in regard to the bill.

Mr. HALE. That bill is too important a bill to pass without being discussed. I have had a great many letters in opposition to it. I must object to its consideration.

The PRESIDING OFFICER. The Senator from Maine objects to the consideration of the bill.

Mr. MITCHELL of Oregon. I understood the bill was taken up by common consent.

Mr. HALE. It was read for information. I was waiting to hear it read.

Mr. MITCHELL of Oregon. Will the Senator allow me to make a statement?

Mr. HALE. Certainly.

Mr. MITCHELL of Oregon. This is a bill originally prepared in the Post-Office Department, which has received the approval and the strong recommendation of every Postmaster-General since 1885. It has received the approval four several times unanimously, I think, of the Committee on Post-Offices and Post-Roads of the Senate, and has twice heretofore passed the Senate. It is a bill, as I have stated, which the Post-Office Department is very desirous

of having passed, looking to the efficiency of the Railway Mail Service.

Mr. STEWART. The same bill?

Mr. MITCHELL of Oregon. The same bill which has just been read; and under the circumstances I hope the Senator from Maine will allow it to be passed.

Mr. HALE. It adds very largely to the expenses of the Government.

Mr. MITCHELL of Oregon. I can state, if the Senator will allow me—

Mr. HALE. Mr. President, I must object.

Mr. MITCHELL of Oregon. Very well.

The PRESIDING OFFICER. The Senator from Maine objects.

PENSIONS TO PAYMASTERS' CLERKS IN MEXICAN WAR.

Mr. VEST. The Senator from North Dakota [Mr. ROACH] requested me to ask for the consideration of the bill (S. 810) to amend the act entitled "An act granting pensions to the soldiers and sailors of the Mexican war, and for other purposes," approved January 29, 1887, which he reported from the Committee on Pensions without amendment; and I make that request.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to so construe the provisions of the act entitled "An act granting pensions to the soldiers and sailors of the Mexican war, and for other purposes," approved January 29, 1887, as to include the surviving paymasters' clerks in the Army as of the same relative rank and grade as pursers' clerks in the Navy, and the surviving paymasters' clerks of the Army, and the widows of those who have died, so as to entitle them to all the rights and benefits given by the act of January 29, 1887, to pursers' clerks of the Navy.

Mr. COCKRELL. Is there a report with that bill?

Mr. VEST. There is a report with it. There are not a half dozen of these cases. They do not amount to anything.

Mr. GALLINGER. There are only four or five of these men left.

Mr. VEST. Only four.

Mr. GALLINGER. Four, I think, is the exact number.

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had receded from its disagreement to the amendments of the Senate numbered 2, 3, 4, 6, 7, 8, 13, 15, and 17 to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, and had agreed to the same.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 4580) to amend section 3449 of the Revised Statutes.

The message further announced that the House had passed the bill (S. 361) for the relief of Silas P. Keller with an amendment; 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. 4058) to set apart a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Washington National Park;

A bill (H. R. 7500) to grant a pension to Mrs. Keturah Wilson, widow of James Wilson, deceased;

A bill (H. R. 8159) to pension Mrs. Martha M. Gibson;

A bill (H. R. 8250) for the relief of William Gemmill; and

A bill (H. R. 8886) for the relief of Hiram T. Corum and Silas W. Davis, of Oregon.

CEDED INDIAN RESERVATION LANDS.

Mr. ALLEN. There is a little joint resolution on the desk that is a mere formal matter, which I should like unanimous consent to consider at this time. It is very short. In carrying out the provisions of the sundry civil appropriation bill it suspends the operation of the cancellation of certain entries of land, the payment of certain indebtedness for Indian lands, until the provision of the bill which has passed the House and is now on the Calendar can be acted on at the next session of Congress. I should like to have unanimous consent to take up the resolution and have it considered at this time.

The joint resolution (H. Res. 201) extending the time of payments due from settlers and purchasers on all ceded Indian reservations was read the first time by its title and the second time at length, as follows:

Resolved, etc. That the homestead settlers and settlers who purchased with the condition annexed of actual settlement on all ceded Indian reservations be, and they are hereby, granted an extension of one year in which to make payments as now provided by law.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

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

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

FINAL ADJOURNMENT.

Mr. ALLISON. The Committee on Appropriations instruct me to report back the resolution of the House of Representatives of May 6, 1896, which was referred to that committee, with an amendment, to strike out "Monday, the 18th day of May, at 2 o'clock p. m.," and insert "Thursday, the 11th day of June, at 3 o'clock p. m."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to amend the resolution by striking out "Monday, the 18th day of May, at 2 o'clock p. m.," and inserting "Thursday, the 11th day of June, at 3 o'clock p. m.," so as to make the resolution read:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on Thursday, the 11th day of June, at 3 o'clock p. m.

The PRESIDING OFFICER. The question is upon agreeing to the amendment proposed by the committee.

Mr. STEWART. Mr. President, of course I shall not attempt to delay the adjournment of Congress, but it seems to me worthy of remark that this Congress, coming in as it did with high-sounding promises, has utterly failed to redeem any of them. It has left the country in a most deplorable condition. It has failed to put an end to a policy which means ultimate ruin. We have been for several years borrowing gold to pay interest on borrowed money and to pay fixed charges to foreign countries. During the present Administration two hundred and sixty-two and a half million dollars of bonds have been sold to borrow gold to maintain the gold standard. It has not maintained the gold standard, however, because we are paying a large premium for the gold. On sixty-two and a half million dollars borrowed in February, 1895, we paid \$16,000,000 premium, as the President informed us. On the sale of \$100,000,000 there was also a large premium paid, or a discount on the bonds, which is the same thing. These were twenty-nine-year 4 per cent bonds, and would have sold for 125 if it had not been for the necessity of paying a premium to buy gold. As we go on, and our credit gets worse and worse, the premium must necessarily be larger and larger.

Our farm products, which we export and upon which we must rely to buy gold and pay for what we import, are depreciating in price in foreign markets year by year as the competition with silver-standard countries increases. See under what disadvantages our farmers labor as against the Asiatics. Take Russia, for example, which is on a silver basis. The Russian farmer has a hundred dollars of taxes to pay and the American farmer has a hundred dollars of taxes to pay. The Russian farmer takes a hundred bushels of wheat to Liverpool and sells it for 60 cents a bushel in gold. He takes that back to Russia, exchanges it for Russian money, and gets \$120; pays his hundred dollars of taxes and has \$20 with which to buy tea and coffee. The American farmer sells his hundred bushels of wheat for \$60 and only has \$60 when he gets home. He applies it on his taxes and finds himself \$40 in debt. This advantage goes to all the Asiatic and silver-standard countries as against the American farmer. The result is that the Asiatic has money with which to reproduce wheat and it does him some good; he has money with which to reproduce cotton and it does him some good, but the American farmer is left in debt every year, and still we say this must go on and debt must be piled up and there must be no relief.

Nonaction is the order of the day. We passed through the Senate a bill to stop the sale of bonds, which would have required the Executive to obey the law and pay out silver, of which there is an abundance. There are some \$30,000,000 of silver coin in the Treasury, and silver coin coming in daily. I am informed that more than half the revenue is paid in silver certificates, which are substantially silver coins, because the Government can convert them into silver coins when they come into the Treasury. We have an abundance of silver coin with which to redeem, and there is no possible necessity for involving the country in further debt.

What remedy for our difficulties have the Republicans of the House of Representatives suggested? They have suggested more taxation; they say all we need is more revenue. When we point out to them that there is a cash balance in the Treasury of available money amounting to nearly \$270,000,000, and that one of the embarrassments of the country is this unhealthy surplus, the only remedy proposed by the Republicans of the House, in the bills they have sent to us, was more taxation to increase the surplus and impound more and more money. About \$125,000,000, if I recollect aright—over \$120,000,000, at all events—of your greenbacks are retired in the Treasury; prices are falling; times are hard, and growing worse; and we are going to adjourn this Congress, for what?

In the New York Sun to-day there is a description of the fight which the Republicans propose. They are to make a fight for what? For tariff. To show the character of the campaign upon which we are about to enter, and for which we are to now adjourn, I will ask the Secretary to read the article from the New York Sun, a gold-standard paper, which appeared to-day.

Mr. GALLINGER. The New York Sun does not speak for the Republican party.

Mr. STEWART. Oh, but it speaks the truth about the Republican party, and I think you had better hear it. I should like to have that article read.

Mr. CULLOM. Is it brief?

Mr. STEWART. It is quite brief.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

WHOM OR WHAT WILL THEY FIGHT?

"The money question," the McKinley men keep on saying, "is a secondary issue, although important. The main issue is the tariff, and the Republican party will make its fight on that."

This sentiment finds repeated expression from McKinley managers and McKinley organs in various parts of the country. It is pronounced so persistently and so emphatically that it must mean something.

What does it mean? What is the tariff issue which is to be the principal issue of the coming campaign? On that issue who is it, or what is it, that the McKinley Republicans expect to fight?

Certainly not the present high protective tariff, enacted by a Congress Democratic in both branches and allowed to become a law by a Democratic President, who nevertheless denounced it as too atrociously protective to receive his signature. The present tariff is one of the highest protective tariffs ever in force in the United States. Its average rate falls short of the average rate of the preceding tariff, distinguished as the McKinley tariff, by very little. A Presidential campaign waged in support of the general theory of protection as against the general theory of tariff taxation for revenue only is a conceivable thing. Such a campaign occurred four years ago. But a Presidential campaign turning on the question whether 41 per cent, let us say, or 45 per cent shall be the average rate of protection is utterly inconceivable to the ordinary mind. You are not going to fire up much enthusiasm in the hearts of either the forty-oners or the forty-sevens.

Is the fight to be for the rearrangement or readjustment of the protection afforded by the schedules of the existing tariff? That undertaking might involve differences of opinion important enough to start a controversy in a Committee on Ways and Means, or even to occasion a lively debate in the House, sitting as a Committee of the Whole. Hardly important enough to fill and inflame the length and breadth of the Union in a Presidential year.

Or is it merely to contend in behalf of the theory of protection, as an abstract proposition, that the warriors of McKinleyism are arming themselves? Do they want to smash the last Democratic national platform? The enterprise is superfluous; the Democracy has smashed the platform already. The Democrats themselves have abandoned the position which the McKinley Republicans propose to attack. The McKinley warriors may march forth to occupy a stronghold which has been evacuated by its garrison, but it is a strained use of the English language to speak of such a proceeding as a fight, much less as the principal fight of a great Presidential campaign.

It requires two sides to make a fight. It requires two political parties, both earnestly interested and hot for the wager of battle, to make a main issue for a Presidential campaign. What is the tariff issue which looms before the excited imaginations of those Republicans who profess to regard the cause of honest money and the gold standard as of subordinate importance?

Nobody yet has told us this in language clear enough to be comprehensible.

Mr. STEWART. It will be observed by that article, which I think fairly dissects the situation, how inconsequential the purposes of the Republican party are except to obtain the offices. I do not know about the Democracy, whether the Democratic party has any purpose or not. It has been without a purpose for many years, and whether it will ever have a purpose it is for the future to determine. So far as the Republican party and the Democratic Administration are concerned, they are one and the same; their purpose is the same. It is their purpose to maintain the gold standard by loading the nation with debt, paying a premium for gold, increasing that debt year after year—falling prices, stagnation, and hard times. That is their purpose. They have indicated no other policy.

Not one gleam of hope has come from either the Democratic Administration or the Republican managers. I defy any man to suggest a proposition put forth by either which by any possibility could relieve the present distress. On the contrary, they refuse to change the policy of borrowing money; they refuse to change the policy of impounding the greenbacks in the Treasury; they refuse to change the policy of buying gold for gold gamblers; they refuse to change the policy of contraction; they refuse any hope. They are in favor of retiring the legal tenders. They are in favor of depriving the people of money. They are in favor of an Asiatic tariff, built up by a difference of exchange, whereby the Asiatics and all silver-standard countries have at least 100 per cent advantage in the markets of Europe.

McKinleyism means what? It means to maintain the Asiatic tariff against American farmers. It means to build up for a special privileged class a tariff high enough to protect the manufacturers of the East. It means to make the necessities of life dearer and dearer to the producers of this country. It means to make the products of the unprotected labor of this country cheaper and cheaper. It means to put the farmer in competition with 800,000,000 coolies, who are competing with him in the European markets. It means to impoverish the farmer. No one seeks to protect him.

I have been a protectionist and I have advocated protection; but

I never dreamed that the party to which I belonged would abandon the producers of this country and build up a protection entirely in favor of the millions of coolies and see the struggling masses of this country reduced to powder. I never believed that. Why, the first move in protection is to equalize exchange, to give our people money, to make it possible to manufacture in different parts of the country. Protection with the gold standard means slavery for the masses. It means to build up classes, to build up and widen the gulf between the laborers and the money changers.

The Republican party in the House declared—Mr. REED, who is the Republican party of the House, declared—that nonaction should be their motto; that they dared not disturb the present condition of things—contraction, falling prices, and hard times, and borrowing gold for gold gamblers—and they have not disturbed it. They are going forth to the country and say it shall not be disturbed, that the tariff shall be the issue; and here we have got a tariff only about 5 or 6 per cent below the McKinley tariff. Mr. McKinley himself stated in several speeches that perhaps his tariff was too high, and perhaps it was extravagant. Certainly the present tariff is higher, on an average, than any other tariff we have had, except the McKinley tariff. It is higher than any other in the history of the country except the McKinley tariff. We are going forth now to fight for what? To fight for the gold standard. How are we going to do that? By smothering the real money issue and keeping this sham issue of tariff before the country. The New York Sun, in the article which has been read, describes what kind of a fight that is. They are going to fight bravely with nothing before them.

Now, as to the Democratic party, if any party could have done more to injure the country than it has done for the last three years it would have been something more than human. I think the wit of man has been about exhausted to plunge the country into distress. Whether the party will reform or not, there are men in the Democratic party who do not like the present situation. There are men in the Democratic party who do not like loading the nation with debt in time of peace to buy gold for a set of gold gamblers. There are men in the party—here in the Senate—who rebel against any such proceeding. There has been a strong vote of Democrats here against it, and some Republican votes, too; but the Republican votes came from men who are opposed to sinking the country under the gold standard and fastening the chains of bondage upon the people. There are men in the Democratic party, and in the Republican party, but more in the Democratic party, who do not like the single gold standard, who do not like the English gold standard, who want to restore the money of the Constitution, who believe in the money of the better days of the Republic, who believe that there is not too much of both gold and silver for use as standard money.

There is a movement in the country which, if it can have expression, will sweep from the earth the policy which is afflicting mankind. Four-fifths of the people of these United States are in favor of the restoration of the money of the fathers and the wise laws of Hamilton, Jefferson, and Jackson as they existed prior to 1873. If they do not give expression to their sentiments it will be because the leaders will manipulate and keep them apart. But they will come together if you will let them. They will embrace the opportunity if you give it to them. The great mass of them put country above party. They mingle together in their neighborhoods and make no distinction as to party. They want a party of patriots such as existed in the better days of the Republic. They are anxious to throw off this load; they are anxious for the restoration of peace and prosperity as it existed in the better days of the Republic, as it existed before the machinations of a few men destroyed one-half of the metallic basis of our circulation and brought on falling prices and enabled a few money manipulators to pool the gold in the world, to take the circulation from the people and to charge what they pleased for it.

There is no gold in circulation, but everything is to be sold at such prices as the gold kings may dictate. The gold is pooled, and the kings of that pool have held in bondage as slaves the politicians of both hemispheres, who have danced to the music of the stock jobbers, the smaller fry following on.

We are rushing to adjourn the Senate for what purpose? One party is going out to make war between tweedledee and tweedledum. The Republican party can not state an issue which they dare to meet. We see the papers filled for days as to how they can get a jumble of words to deceive somebody, not how they can express a sentiment upon which people may vote; but the whole discussion of the leading politicians of the day is how they can twist words to deceive somebody.

Nobody will be deceived this time. No jumble of words will do. In this campaign you must be for the single gold standard, as the English syndicate prescribe, or you must be for the restoration of the money of the Constitution. The common people have dropped on it; they understand it; and they are moving from the Lakes to the Gulf and from ocean to ocean and all around the coast. They begin to understand how you have deceived them.

Let me tell you politicians, who care not for country but are fixing words to deceive, the day will come when the common people will rise in their might and rescue this Government from your hands and place it in the hands of those who use plain English and do not boast of the power of deception. What a spectacle these newspapers present; and we are going to adjourn Congress to engage in a fruitless struggle, a struggle that will bring no hope to anyone, a struggle that will sink us deeper and deeper in poverty and want.

I tell you, Senators, this Congress ought to stay here and grant relief. If the gold men have any legislation to propose that will give relief, let us know it. Let them proclaim it. The only thing they have proposed or suggested was more contraction, more hard times, less money for the people, lower prices, more debt, harder competition with the Asiatics. This country, with its 70,000,000 people, ought to be the richest nation on earth, and it would be the richest if an English syndicate had not been allowed to rob us of our patrimony. If we could make American laws, if there was an American sentiment here so that we could make laws for America and not have them dictated from the other side of the Atlantic, we would be an independent and a free people.

What an outrage it is that here, after thirty years of profound peace and abundant harvests, the opportunity for an honest, industrious man should be worse than it has been at any period since the landing at Jamestown! Never in all history have there been such galling hard times, such discouraging conditions, so much despair and want and misery among the masses of the laboring people, and particularly among agriculturists, as there are to-day. No young man can go forth into legitimate business and make money, because prices are falling, and if he produces property it is worthless in his hands. And this condition, known of all men, has been treated with ridicule and contempt by this Congress! We have sat supinely here and never raised a hand to relieve the people from the burden under which they are groaning!

I suppose we may as well adjourn, for we shall do nothing. This is a do-nothing Congress, and it is proposed to carry on the business of doing nothing and have no issue except an issue to grind the people and to avoid giving them any relief. That is all that is proposed for the future, and I suppose the sooner Congress adjourns the better. I shall not prolong its session.

Mr. ALLISON. I hope we can now have a vote on the resolution.

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

Mr. BUTLER. Mr. President, before the question is put, I desire to call the attention of the Senate and the country to a few pertinent facts. I have here a copy of this morning's Post, which contains an article that is very pertinent in view of the resolution now before the Senate, which I should like to have read.

Mr. HAWLEY. Will the Senator from North Carolina let me appeal to him? I wish to say that it is really a matter of very great consequence, of business consequence and in every other way tending to the comfort and satisfaction of Senators, to have the resolution providing for adjournment at 3 o'clock to-morrow go to the other House for their concurrence. The floor will still be open for Senators to make speeches. We might like to have a little dinner to-night and to take a recess for that purpose. Then speech making can go on at half past 8. But I wish, and I know Senators wish, the resolution to go to the other House for concurrence.

Mr. BUTLER. The thing that I want to talk on is the resolution. I do not care to talk after it has passed. I am willing to adjourn if it is a comfort to Senators and make my remarks to-night or in the morning, but I have got something to say on the resolution.

Mr. HAWLEY. I think it better that we spend the night in talking if we do not want to adjourn at all.

Mr. ALLEN. I rise for the purpose of making a suggestion to the Senator from Iowa. Would it not be better to let the resolution go over until to-morrow morning before voting on it?

Mr. FAULKNER and others. Oh, no.

Mr. ALLEN. I see nothing to be lost or gained particularly, although I can well understand that the President would have so many bills before him that he might not be able to approve them or prepare a veto if the hour is fixed.

Mr. ALLISON. I think there will be no difficulty in securing the signature of the President to such bills as he may approve. I should be very glad to accommodate Senators, but I think it is very important, if we are to deal with this subject, that the Senate should pass upon it to-night, in order that the resolution may go to the other House. It was my purpose later on, as soon as this matter is disposed of, to ask the Senate to take a recess until half past 8 or, say, 9 o'clock. It will be necessary, in order that enrolled bills may be signed and other business between the two Houses transacted, that the Senate shall be in session to-night. It will probably be in session to a reasonably late hour to-night, so that all the real business of the Senate may be transacted and sent to the President.

Mr. BUTLER. I suggest to the Senator from Iowa, to keep from inconveniencing Senators, as it is now our dinner hour, that he let the resolution go over until to-night, and when the Senate reassembles at 9 o'clock I wish to make some brief observations upon it.

Mr. ALLISON. I would prefer that the resolution should be passed and go to the other House before taking a recess.

Mr. BUTLER. Mr. President, before the resolution to adjourn Congress is passed, it is well enough to stop and see what has been done and where we are at and where the country is at. Senators are paid a salary by the year. We are about to leave here and proceed to draw four hundred and some odd dollars a month at home, while our constituents are unable to draw anything, which is quite a serious question to our constituents, and ought to be to us as their representatives.

We have been here since last December, and we have done absolutely nothing. I challenge any man in this Chamber or the other to point to a single bill which has become a law that will be of material benefit to the American citizens, or that will in the least relieve the real trouble lying at the root of financial ills and the economic evils that are now like a cankering sore eating and undermining the body politic. There is not a single measure. Here we have stayed, and we have hedged and sparred, one side trying to place the responsibility on the other, a Democrat rising in his seat and pointing at the Republicans as being responsible for the condition of the Treasury, a Democrat pointing at and blaming the Republicans for bringing evil times upon us, and just as often a Republican has risen and tried to show that it has all been brought upon us by the Democratic party and the Democratic Administration.

This sham battle has gone on, with Senators sparring for party advantage, while each hour has increased the evil conditions that have grown up for the last twenty years because of laws placed upon the statute books by the Republican party mainly, and indorsed by the Democratic party—because when it had its chance it did not repeal them and therefore it indorsed them, and not only indorsed them but augmented them, for it commenced where the Republicans left off and leaves the laws and therefore conditions worse.

A few days ago a most important measure passed this body, probably the most important measure that has been before Congress this session, probably the most important measure that has passed either House—a bill to put a barrier between the hands of the gold combine and the Treasury of the country, a measure to stop the endless chain which was invented by the Senator from Ohio [Mr. SHERMAN], put into operation by him, and which has been kept well greased and running at high speed by the Democratic President ever since he got a chance to operate it to deplete the people's Treasury, to put the dollars thus robbed from us, I may say truly, into the coffers of aliens.

That bill, I say, is more important than a free-coinage measure. Why? Because it strikes at the root of the evils that have brought hard times and distress upon the country, with the evils which have resulted, low prices, mortgage, debt. It was the bondholder who demonetized silver, and it was simply one of his many schemes to enhance the value of his bonds and to pillage and plunder the American people.

Mr. PEPPER. I wish to inquire whether it would suit the convenience of the Senator from North Carolina to conclude his remarks after dinner. We are all getting a little hungry. I know I am.

Mr. BUTLER. It would suit me just as well. I should like to be reenforced by my dinner before I proceed; but still I am prepared to go on.

Mr. ALLISON. Of course, this debate we understand to be political in its character, and I trust that the resolution may pass. Certainly the Senator from North Carolina will have ample time to complete his observations this evening in the line on which he seems to be proceeding or on any other line that may be agreeable to him.

Mr. BUTLER. Yes, it is political, and that is why it is pertinent now. It will not be so pertinent after this session of Congress has gone out of existence—is dead—and therefore unable to give the people relief. I do not desire now to engage in preaching funerals. I am talking over a live question and not a dead one. I will not allow the resolution to pass and then make my speech on it after Congress has decided to adjourn.

Mr. ALLISON. I did not suppose the Senator was engaged on a funeral address.

Mr. BUTLER. If you adjourn this Congress and do nothing I will preach the funeral address next November.

Mr. ALLISON. I ask the Senator if he is opposed to the resolution?

Mr. BUTLER. I want to have a chance to express my opinion about it before voting on it one way or the other.

Mr. ALLISON. Then I will not interrupt the Senator. I hope he will be allowed to proceed.

Mr. HILL. Permit me to make a suggestion. There are quite

a number of Senators who would simply like to have the vote taken in order that they may make their arrangements in reference to other matters. If it could be understood this evening whether the resolution is or is not to pass, it would be a great personal accommodation to them. Otherwise there is nothing about it.

The Senator may make his speech at any time. We shall be glad to hear him upon this or any other question. The only point is that we should like to know before we go to our dinners this evening. We may want to telegraph people—I do, and I know others do—as to whether there is a likelihood that we will adjourn at 3 o'clock to-morrow. If the Senator can accommodate us we shall be very much obliged to him. That is all. If he can see his way consistently to do that he will oblige a number of us.

Mr. BUTLER. I have been appealing here on a number of occasions to have the American people relieved from their inconveniences, and I want to show why the people have not been accommodated. I want to show where the responsibility rests, and then see whether or not we are willing to accommodate ourselves without accommodating the people.

Mr. PEPPER. I think the Senator from North Carolina has seen enough of the temper of the Senate to know that practically the unanimous sentiment here is in favor of an adjournment. The views which the Senator wishes to express I think we are all anxious to hear. I do not see why the Senator can not as well proceed after the resolution is disposed of as before, unless it is his purpose to oppose the resolution in the end.

I am personally in favor of it. I think we have done nothing and we are not going to do anything, and the sooner we adjourn and get away from here the better it will be for us all. But if the Senator insists upon delivering his remarks before the vote is taken, very well.

Mr. BUTLER. I saw there was rather a unanimous sentiment for adjournment or that the preponderance of sentiment was that way, but I had hoped to be able to convert some of the Senators by appealing to their sense of duty to their constituents before they voted. Of course my vote, if I should vote against the resolution, would not count by itself. We would have to have a majority to make it count, possibly. But the fact that I shall have to undertake to convert my friend the Senator from Kansas too, with the others whom we have been trying to convert all this session, of course embarrasses the situation very much.

However, I was interrupted at a very interesting point and now Senators are anxious to hear me to-morrow.

Mr. CULLOM. To-night.

Mr. BUTLER. To-night. It is very tantalizing for one to find himself in a position where Senators are naming a time when they are very anxious to hear him, because there are not many of us who can find a large number of our fellow-Senators who are kind enough to say that they are anxious to hear us at any time. That pleases my vanity a little, I admit. Although I was at a most interesting point in my remarks, I will not now resume. However, I have here a very important paragraph in a paper which I must have read. It shows why the very important bill which I was discussing has not passed the House, and that is very appropriate and pertinent now before we vote upon the resolution. I ask the Secretary to read the explanation as to why the other House has not acted upon the bond bill.

The PRESIDING OFFICER. The Secretary will read as indicated, if there be no objection.

The Secretary read from the Washington Post of June 10, as follows:

CAPITOL CHAT.

The "ghost dance," as Senator BRICE calls the silver agitation, has frightened the Republican leaders of the House of Representatives, and they did not consider it "expedient" to take a vote upon the bill, which passed the Senate last week, prohibiting the further issue of bonds. The question of expediency was, however, determined entirely from one point of view—

Mr. BUTLER. Let Senators note that. The House was controlled by one point of view.

The SECRETARY—

and that is the effect of a division of the Republicans on this issue might have upon the St. Louis convention.

Quite a number of Republicans from the Southern States and the Northwest informed Mr. DINGLEY that they dare not vote against the bill.

Mr. BUTLER. That is important.

The SECRETARY—

Quite a number more informed him that they would be compelled to vote for it if it were taken up for consideration.

Mr. BUTLER. That is very important.

The SECRETARY—

They explained that their constituents are decidedly of the opinion that the President should be deprived of the authority to issue bonds at his pleasure—

Mr. BUTLER. That is highly important.

The SECRETARY—

and do not think the Government ought to borrow money to pay its running expenses when it has the means and the power of producing a sufficient amount of revenue without increasing the interest-bearing debt.

Mr. BUTLER. That is extremely important.

The SECRETARY—

They think it would be wise to deprive the President of the power to borrow money without the cooperation of Congress, and believe that he might in that way be convinced of the advisability of increasing the revenues.

Mr. BUTLER. Of course that is not correct, as every intelligent man must know, and as it seems to me must be admitted by every fair-minded, honest man. As I have already shown, the amount of revenue has nothing to do with these bond issues. The Senator from Ohio [Mr. SHERMAN] knows and the President knows that as long as they attempt to force upon the country the gold standard, that as long as they insist upon redeeming greenbacks in gold alone and in paying all our Government obligations in gold alone, just so long we will be forced to borrow the gold—be forced to issue bonds to buy gold. No matter how high the tariff or how much revenue is collected, we will still have to borrow gold under this infamous endless-chain gold-standard system. Why? Because the Government does not get gold when it collects its customs duties. Then what folly to insist on paying out gold, when we have no gold and can not collect taxes or duties in gold. Oh, the sham, the fraud, and the infamy of the whole thing! All this talk about more revenues being the remedy is the work of politicians in order that they may fool the people and get them to submit to further robbery. Let the Secretary read the balance of the article.

The SECRETARY—

Other Republicans whose constituents are engaged in the "ghost dance" did not wish to antagonize local sentiment, and from these two classes there would have been a considerable Republican vote in favor of the passage of the bill. The effect of such a division would stimulate the free-silver element in the St. Louis convention, and, therefore, Mr. DINGLEY, after consultation with the Speaker and other leaders on the Republican side, decided to allow the bill to remain on the Calendar.

Mr. BUTLER. That is the climax. The Post has some very bright newspaper men, and they are, as a rule, as they go—I am a newspaper man myself—responsible; but I will tell you that the newspaper reporter had better hide who put that article in the paper, because there is danger that the House will kidnap him—kuklux him, as we call it in North Carolina—when he treats them that way.

There is no doubt that the reporter gave the correct reason for their nonaction, but the point about it is the audacity of a newspaper man having the courage to tell the truth. It is outrageous. If I were a member of the House I would not stand it. It is outrageous to tell the truth on them in that way. It may be, however, that they will let him off easy on account of that reference to the Republican campaign slogan—more revenues—as the panacea of all our ills; that is, that the way to give the people relief is to tax them more.

Here is an important measure to protect the Treasury, to preserve the credit of the country, to prevent our Treasury from being filched, to prevent debt from being piled up on us for future generations to pay, and the House will not pass upon it. Why? Because the St. Louis convention meets next week, and they are afraid that they will start and give a new impetus to the silver movement, which they have been trying to smother down. But, like Banquo's ghost, it will not down. They are afraid to do anything. They will be d—d if they do, and they will be d—d if they don't. The people will place the responsibility upon them.

Yes, they are afraid that a large number of the members of the House will have to vote for the bond measure. They can not now hold it down, because their constituents are writing to them. That is a humiliating confession. It is almost a shame upon the American Congress that such a confession should be made from one of the great legislative branches as its excuse for not acting upon one of the most important measures that has been before these bodies in ten years. Now, what I wanted to say is this: If the House does not dare to pass that antibond bill now, then we should stay in session till after the Republican convention; then if the reasons given in the Post are correct, we might be able to get the bill passed through that House and save the people from another bond deal this summer. In my opinion we should not adjourn with matters standing in this shape.

Learning that the Senators are very anxious to get their dinners, and are equally anxious to have me continue afterwards, I will try to be agreeable to them. I wish I could be agreeable and obliging to my constituents at the same time.

Mr. ALLISON. I desire to modify the amendment by fixing the hour of final adjournment at 4 o'clock to-morrow instead of 3.

The PRESIDING OFFICER. Without objection, that modification will be made. The question is on agreeing to the amendment of the committee as modified.

The amendment as modified was agreed to.

The resolution as amended was agreed to.

Mr. ALLISON. I move that the Senate take a recess until half past 9 or 9 o'clock.

Mr. BUTLER. Half past 9 will be better.

Mr. ALLISON. Would the Senator from North Carolina prefer half past 9?

Mr. BUTLER. Yes.

Mr. ALLISON. I fixed it at 9 o'clock to suit the Senator from North Carolina. I will modify my motion and make it half past 9.

Mr. PEPPER. Before the motion for a recess is put to the Senate I desire to ask for a unanimous-consent agreement that there shall be no bills taken from the Calendar to-night for the purpose of putting them upon their passage.

Mr. ALLISON. I hope that suggestion will be adopted by unanimous consent.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent that at the evening session no bills shall be taken from the Calendar and put upon their passage. Is there objection to such an agreement? The Chair hears none, and it is so ordered.

Mr. ALLISON. Now let us take a recess.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Iowa [Mr. ALLISON], that the Senate take a recess until half past 9 o'clock this evening.

The motion was agreed to; and (at 6 o'clock and 40 minutes p. m.) the Senate took a recess until 9 o'clock and 30 minutes p. m.

EVENING SESSION.

The Senate reassembled at half past 9 o'clock p. m.

SILAS P. KELLER.

The PRESIDING OFFICER (Mr. BACON in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 361) for the relief of Silas P. Keller, which was, in line 6, to strike out the word "Indians" where it occurs the second time, and insert the words "Indian bands."

Mr. COCKRELL. Let the bill lie on the table for the present.

Mr. PLATT. I move its reference to the Committee on Indian Affairs.

Mr. COCKRELL. That is right.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes.

The message also announced that the House had passed a bill (H. R. 2663) to amend the laws relating to navigation; in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the concurrent resolution of the House of Representatives providing for the adjournment of the present session of Congress.

ENROLLED BILLS SIGNED.

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

A bill (S. 1853) for the relief of Edward Rice; and

A bill (H. R. 9226) to change the time and places for holding the district and circuit courts of the northern district of Texas.

BILL INTRODUCED.

Mr. CANNON introduced a bill (S. 3296) granting to the State of Utah the Industrial Christian Home in Salt Lake City; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

PAY OF LETTER CARRIERS.

Mr. HALE (at 10 o'clock and 45 minutes p. m.). I enter a motion to reconsider the vote by which the Senate passed the bill (S. 3058) to increase the pay of letter carriers.

Mr. MITCHELL of Oregon. I thought it was the understanding that no business should be transacted this evening.

Mr. HALE. The understanding was that no bill on the Calendar should be called up for consideration. This bill was taken from the Calendar and put on its passage, and I enter a motion to reconsider the vote by which it was passed.

Mr. MITCHELL of Oregon. I move to lay the motion to reconsider on the table.

Mr. HALE. I do not make the motion. I enter the motion.

Mr. MITCHELL of Oregon. I should like to have the Secretary read the unanimous-consent arrangement entered into before we adjourn.

The PRESIDING OFFICER (Mr. BACON in the chair). The Secretary will read the agreement.

The Secretary read as follows:

Mr. PEPPER. Before the motion for a recess is put to the Senate I desire to ask for a unanimous-consent agreement that there shall be no bills taken from the Calendar to-night for the purpose of putting them upon their passage.

Mr. ALLISON. I hope that suggestion will be adopted by unanimous consent.

The PRESIDING OFFICER (Mr. BACON in the chair). The Senator from Kansas asks unanimous consent that at the evening session no bills shall be taken from the Calendar and put upon their passage. Is there objection to such an agreement? The Chair hears none, and it is so ordered.

Mr. MITCHELL of Oregon. I desire to inquire whether the bill referred to by the Senator from Maine has gone to the House of Representatives?

Mr. HALE. That makes no difference.

Mr. MITCHELL of Oregon. Let us know what the facts are. Mr. HARRIS. For the information of the Senate I should like to know what the bill is.

Mr. HALE. It is a bill increasing the compensation of letter carriers. It adds about a million and a half dollars to the expenses of the Government, and so much taxation.

The PRESIDING OFFICER. The Chair is advised that the bill has been sent to the House of Representatives.

Mr. MITCHELL of Oregon. Then the Senate has no jurisdiction.

Mr. HALE. I enter a motion to reconsider.

Mr. MITCHELL of Oregon. I enter a motion to lay the motion to reconsider on the table.

The PRESIDING OFFICER. The motion to reconsider is entered. The motion to lay on the table will have to be made at the proper time.

Mr. HARRIS. I suggest to the Senator from Maine that if he desires to reconsider the vote he should connect with his motion, as it seems to me, a request that the House of Representatives shall return the bill, as it has gone to the House.

Mr. HALE. I have no doubt that, under the courtesy which exists between the Houses, if the motion is made within the necessary time under the Senate rules the bill will be held up, because otherwise that would always have to be done in every case.

Mr. HARRIS. Still, in the absence of the bill, can the Senator proceed with his motion—

Mr. HALE. Then let me suggest to the Senator, who is an old parliamentarian, that no motion to reconsider within the two days would ever amount to anything, because when a bill is passed it always goes to the other House.

Mr. HARRIS. That is quite true; but in reply I suggest to the Senator that so far as my memory goes back, where a bill has been passed by the Senate and has gone to the other House, and a motion has been made to reconsider the vote by which the bill was passed, there has been connected with such motion a request that the House should return the bill.

Mr. HALE. The Senator knows it would be useless now to make any motion. I simply enter the motion.

The PRESIDING OFFICER. The Chair will have read for the information of the Senate the second clause of Rule XIII, upon that subject.

The Secretary read as follows:

When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate, and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative, shall be a final disposition of the motion to reconsider.

Mr. MITCHELL of Oregon. I rise to a point of order. It is that the motion of the Senator from Maine to reconsider is not in order unless accompanied, as required by the rule, with the request that the House shall return the bill. Not being accompanied by that request, of course the motion is not in order.

Mr. HALE. I have only entered a motion to reconsider. I am entirely willing that it shall take its fate under the rule.

I have no idea that the House of Representatives, after the motion to reconsider is entered, will take any action until the Senate has had an opportunity to consider the matter. I do not think, and I suppose a great many Senators agree with me, that the present is an opportune time for increasing the salaries of a favored class. The whole course of Congress this winter has been against increasing salaries. There has been a great impotency and a great pressure to increase the salaries of the letter carriers all over the country. I do not sympathize with that movement, and I enter this motion now, although I am entirely aware that one result of it will be that I may be denounced in many quarters as lacking in my duty. But I enter the motion and take the responsibility of it.

The PRESIDING OFFICER. The Chair is of the opinion that when the motion is made it will have to be accompanied by the other motion under the rule. The Chair does not understand the Senator from Maine now to make the motion.

Mr. MITCHELL of Oregon. I understand by the ruling of the Chair that the motion can not now be entertained.

Mr. HALE. I do not make the motion. I simply enter the motion.

The PRESIDING OFFICER. But the Senator from Oregon misunderstood the Chair. The Chair ruled that it did not understand the Senator from Maine now to make the motion to reconsider, but that whenever a motion was made to reconsider under the rule the accompanying request for the return of the bill must also be made. But this is simply in the nature of a notice that such a motion will be made.

Mr. MITCHELL of Oregon. It amounts to nothing.

Mr. HALE. That is not for the Chair to say.

The PRESIDING OFFICER. That is not for the Chair to determine.

Mr. MITCHELL of Oregon. It amounts to nothing, as I shall contend when this matter comes up at the next session.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

A bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes;

A bill (H. R. 8321) to authorize the county of St. Louis, in the State of Minnesota, to build or authorize the building of a foot and wagon bridge across the St. Louis River, between Minnesota and Wisconsin, at a point near Fond du Lac, in said State of Minnesota;

A bill (H. R. 4580) to amend section 3449 of the Revised Statutes;

A bill (H. R. 3990) granting a pension to Mrs. Eliza G. Pyne;

A bill (H. R. 9447) to amend section 1 of an act to amend an act entitled "An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty," approved May 9, 1888; and

A joint resolution (H. Res. 201) extending the time of payments due from settlers and purchasers on all ceded Indian reservations.

Mr. ALLISON. I move that the Senate adjourn, to meet at 11 o'clock to-morrow.

The motion was agreed to; and (at 11 o'clock p. m.) the Senate adjourned until to-morrow, Thursday, June 11, 1896, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate June 10, 1896.

PROMOTIONS IN THE ARMY.

Cavalry arm.

First Lieut. Franklin Oliver Johnson, Third Cavalry, to be captain, June 8, 1896, vice Bourke, Third Cavalry, deceased.

Second Lieut. Alexander Wallace Perry, Ninth Cavalry, to be first lieutenant, June 8, 1896, vice Johnson, Third Cavalry, promoted.

Infantry arm.

Second Lieut. Harry Raymond Lee, Eleventh Infantry, to be first lieutenant, June 8, 1896, vice Penn, Second Infantry, appointed quartermaster.

POSTMASTER.

Axel S. Ellis, to be postmaster at Sioux Falls, in the county of Minnehaha and State of South Dakota, in the place of B. F. Campbell, Alfred D. Tinsley now holding the commission under a recess appointment.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 10, 1896.

PROMOTIONS IN THE ARMY.

First Lieut. Franklin Oliver Johnson, to be captain, Third Cavalry.

Second Lieut. Alexander Wallace Perry, to be first lieutenant, Third Cavalry.

Second Lieut. Harry Raymond Lee, to be first lieutenant, Second Infantry.

POSTMASTERS.

Axel S. Ellis, to be postmaster at Sioux Falls, S. Dak.

William H. Chapman, to be postmaster at Farmersville, in the county of Collin and State of Texas.

Charles C. Field, to be postmaster at Puyallup, in the county of Pierce and State of Washington.

John L. Anable, to be postmaster at Mount Vernon, in the county of Skagit and State of Washington.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, June 10, 1896.

[Continuation of legislative day of Saturday, June 6, 1896.]

The recess having expired, the House was called to order at 10 o'clock a. m. by the Speaker.

HOUSE BILLS LAID ON THE TABLE.

The SPEAKER laid before the House the following House bills, which are ordered to lie on the table, Senate bills covering the same subjects having passed the House:

A bill (H. R. 796) amending the act for the adjustment of railroad land grants;

A bill (H. R. 7868) to bridge the Missouri River near Boonville, Mo.;

A bill (H. R. 8885) amending the act approving the funding act of Arizona;

A bill (H. R. 6119) providing for a commission to investigate problems presented by labor, agriculture, and capital;

A joint resolution (H. Res. 191) authorizing a scientific investigation of the fur-seal fisheries; and

A bill (H. R. 6403) amending the act for the protection of the salmon fisheries in Alaska.

REBINDING OF PRESIDENTS' MESSAGES.

Mr. RICHARDSON. Mr. Speaker, I ask for the adoption of the resolution which I send to the Clerk's desk, which resolution I think is privileged.

The resolution was read, as follows:

Resolved, That the Public Printer is hereby authorized to rebind such of the original messages of the Presidents of the United States as may, in the judgment of the Clerk of the House, require rebinding, for preservation in the files of the House; and the Clerk of the House is hereby directed to deliver said original messages to the Public Printer for the purpose herein authorized.

The resolution was agreed to.

MATERIAL FOR MINOR COINS.

Mr. CHARLES W. STONE. Mr. Speaker, I desire to present from the Committee on Coinage, Weights, and Measures the resolution which I send to the Clerk's desk, with the recommendation that it do pass.

The resolution was read, as follows:

Resolved, That the Secretary of the Treasury be requested to communicate to the House at the commencement of the next session such information as he may have or may be able to obtain meantime as to the comparative merits and advantages of pure nickel, nickel alloy, aluminium combined or alloyed with other metals, and of copper bronze as material for our minor coins; and for the purpose of making such information as full and complete as possible the Secretary of the Treasury is authorized to have struck such experimental minor coins of the metals above mentioned, pure and in combination with other metals, as he may deem necessary and proper, and is requested to communicate to the House the results and conclusions derived from such experimental coinage.

The resolution was agreed to.

REPORT ON JAPANESE COMPETITION.

Mr. DINGLEY. Mr. Speaker, I desire to submit a privileged resolution for printing some additional copies of a report.

The resolution was read, as follows:

Resolved, That there be printed for the use of the House 10,000 copies of the report of the Committee on Ways and Means on Japanese competition.

Mr. RICHARDSON. I should like to ask the gentleman from Maine if this was a unanimous report?

Mr. DINGLEY. There is no minority report presented. The understanding was that if one was presented it would be printed with the majority report.

Mr. RICHARDSON. There have been no views of the minority submitted?

Mr. DINGLEY. There have been no views of the minority presented, but if they should be there would be leave for printing them in connection with the report.

The resolution was agreed to.

UNITED STATES COURT AT HARTFORD, CONN.

Mr. HENRY of Connecticut. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2850) changing the time for holding circuit courts of the United States in the district of Connecticut.

The bill was read, as follows:

Be it enacted, etc. That a term of the United States circuit court in the district of Connecticut shall be held at Hartford, in said district, on the second Tuesday of October, 1896, and thereafter in each year on the second Tuesday of October, and that after the third Tuesday of September, 1896, the term of said circuit court now by law provided to be held annually on the third Tuesday in September shall be discontinued.

Mr. RICHARDSON. Mr. Speaker, I should like to have some explanation from the gentleman about this.

Mr. HENRY of Connecticut. I will say that this bill is an exact copy of a bill which has been considered by the Judiciary

Committee of the House and favorably reported. The passage of the bill is asked for by the bar of the State, and also by the judge of the United States district court. Nobody objects to it. It is merely for the convenience of the bar of the State.

The SPEAKER. The question is on suspending the rules and passing the bill.

Accordingly, two-thirds having voted in favor thereof, the rules were suspended and the bill passed.

AMERICAN REGISTER FOR STEAMER MENEMSHA.

Mr. LOW. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2978) to provide an American register for the steamer *Menemsha*.

The bill was read, as follows:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built steamer *Menemsha*, owned by Charles W. Hogan, a citizen of the United States, to be registered as a vessel of the United States.

SEC. 2. That the Secretary of the Treasury is hereby authorized and directed to cause the inspection of said vessel, 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.

Mr. DINGLEY. I should like to have the report read, or some explanation.

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

The Committee on the Merchant Marine and Fisheries, to whom was referred the bill (S. 2978) granting an American register for steamer *Menemsha*, have examined the bill and accompanying papers, and report the same back to the House and recommend its passage.

An identically similar bill was favorably reported from this committee May 8 last, and that bill (H. R. 8557) is now upon the House Calendar.

The following are the facts in the case as taken from the committee's report on the House bill:

"The *Menemsha* is an iron steamer, built at Newcastle, England, in 1885. Her length is 310 feet 6 inches; beam, 38 feet 8 inches; depth of hold, 27 feet; tonnage, 1,724 net and 2,743 gross. She was classed in Lloyds prior to her wreck as 100 A1, and, by the repairs put upon her by the Newport News Shipbuilding and Dry Dock Company, she is now in first-class condition.

"The owner of the *Menemsha*, Mr. Charles W. Hogan, is a citizen of the United States, and purchased the vessel from the Mendota Steamship Company, of England, for \$43,000, which price included the bill for repairs put upon said vessel, which were made by the Newport News Shipbuilding and Dry Dock Company, amounting to \$35,558.25, which Mr. Hogan assumed and paid. Smaller bills, amounting to \$900, were also paid by him.

"The *Menemsha* encountered fearful weather during the month of February when coming west. One of her ballast tanks collapsed, and for a number of days the condition of those upon the vessel was extremely critical. The principal trouble and disaster occurred in mid ocean during the voyage from Leith, Scotland, to Newport News, Va., where she arrived in an unseaworthy condition. Her present value is shown to be \$44,000, and the repairs put upon her by the Newport News Shipbuilding and Dry Dock Company have amounted to \$35,558.25, being in excess of the three-fourths of her value, as required by law."

In view of these facts your committee report the bill favorably and recommend that it pass.

Mr. DINGLEY. As I understand from the report, the only reason for the passage of this bill is that the wreck occurred outside of the jurisdiction of the United States—beyond the three-mile limit?

Mr. LOW. Yes.

Two-thirds voting in favor thereof, the rules were suspended and the bill passed.

CONTESTED ELECTION CASE—HOPKINS VS. KENDALL.

Mr. MOODY. Mr. Speaker, I desire to call up the contested election case of Hopkins vs. Kendall, of the Tenth Congressional district of Kentucky, and ask for the passage of a resolution which has been unanimously reported by the Committee on Elections No. 1.

The Clerk read as follows:

Resolved, That the parties in the contested election case of N. T. Hopkins vs. J. M. Kendall be permitted to take additional testimony touching the election in Clark County up to the 1st day of August, 1896, according to the rules for taking testimony in contested election cases prescribed in the statutes of the United States. Said testimony to be confined to the issues made by the notices of contest and the answer thereto.

Mr. BAILEY. I would like to have some explanation of this. I make the inquiry if this is from the Committee on Elections No. 1?

Mr. MOODY. It is from the Committee on Elections No. 1. This resolution was considered by all the members of the committee present. The gentleman from Georgia [Mr. BARTLETT] was present when it was adopted in the committee, and it meets his approval.

Mr. BAILEY. I have no further questions.

Mr. MOODY. I move the adoption of the resolution.

The resolution was agreed to.

FOREST FIRES ON THE PUBLIC DOMAIN.

Mr. SHAFROTH. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 9123.

The Clerk read as follows:

A bill (H. R. 9123) to prevent forest fires on the public domain.

Be it enacted, etc., That any person who shall willfully or maliciously set on fire, or cause to be set on fire, any timber, underbrush, or grass upon the public domain, or shall carelessly or negligently leave or suffer fire to burn unattended near any timber or other inflammable material, shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any district court of the United States having jurisdiction of the same, shall be fined in a sum not more than \$5,000 or be imprisoned for a term of not more than two years, or both.

SEC. 2. That any person who shall build a camp fire, or other fire, in or near any forest, timber, or other inflammable material upon the public domain, shall, before breaking camp or leaving said fire, totally extinguish the same. Any person failing to do so shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any district court of the United States having jurisdiction of the same, shall be fined in a sum not more than \$1,000 or be imprisoned for a term of not more than one year, or both.

SEC. 3. That in all cases arising under this act the fines collected shall be paid into the public-school fund of the county in which the lands where the offense was committed are situate.

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. BAILEY. I should like to ask the gentleman from what committee this proposition comes?

Mr. SHAFROTH. I will state to the gentleman that this comes from the Committee on Public Lands; and I will make a little statement concerning the necessity of this legislation. At the present time there is no law on the statute books punishing persons for setting fire to forests. Great destruction to the timber on the public domain is caused by forest fires. There has been considerable legislation on cutting timber; but the amount of timber that is cut compared with the destruction by fire is almost infinitesimal. The cutting is simply done near lines of railroads, which upon the map would be indicated simply by a line; but a forest fire will begin and it will sometimes in three days cover 100 square miles, thus destroying a growth of years.

Now, the necessity for legislation like this is apparent to everyone. We in the West for years have seen the necessity of preserving the timber on the public domain. We are interested in preserving the shade, so that the snows on the mountains will not melt until the summer, and when they do melt will furnish a copious supply of water for irrigation purposes in the plains below. There is nothing in the United States statutes that prohibits persons from setting fire to forests, and this bill has been considered by the Committee on Public Lands, which has reported it unanimously. It has been referred to the Secretary of the Interior, and he has recommended its enactment; and so, it seems to me, there should be no opposition whatever to the measure.

Mr. BAILEY. If the gentleman will permit me, I believe this is a bill that ought to have come from the Committee on the Judiciary, inasmuch as it creates and punishes a crime. I cordially assent to the proposition that a man who willfully and maliciously sets fire to the public domain ought to be severely punished; but it appears to me that the punishment is out of all proportion to the offense, in that it sends a man to the penitentiary for two years because he negligently or carelessly happens to set fire to the public domain. Though it may not burn a square mile nor a square foot, under this bill he could be put in the penitentiary and made infamous during the balance of his life. I think the bill ought to be limited to men who "willfully and maliciously" or who "willfully or maliciously" commit the offense, but to punish a man by two years in the penitentiary for carelessly setting fire to the public domain is altogether out of proportion to the offense.

Mr. SHAFROTH. I think if you will examine the first section of the bill you will find that it is: "That any person who shall willfully or maliciously set on fire." The words "willfully or maliciously" are used.

Mr. BAILEY. I may have misunderstood it, but I think it covered the case of carelessness or negligence.

Mr. SHAFROTH. That feature is covered in the second section. I want to explain the necessities for that. Nine-tenths of the forest fires occur on account of campers who go out and camp near some stream and leave a fire burning. They do not totally extinguish it. A wind comes up and blows the fire into the adjoining forest, and then you have a conflagration, and it is almost impossible to extinguish it. The fires have to burn until they come to barren land or a stream of some kind which the fire can not leap; this bill is to meet the case of those people who will start camp fires and will not extinguish them. There is no minimum punishment prescribed, so that the court can take into consideration all the circumstances. It says not more than \$1,000; so that the court may inflict a punishment of only \$1. We thought it best to leave it entirely in the discretion of the court, which would take into consideration all the circumstances.

Mr. BAILEY. That is the second section. I thought I was not mistaken in what the first section contained. I find that it reads:

That any person who shall willfully or maliciously set on fire or cause to be set on fire any timber, underbrush, or grass upon the public domain or shall carelessly or negligently leave or suffer fires to burn unattended near any timber or other inflammable material, etc.

This is a matter in which my constituents can not possibly be interested, for we have not and never had an acre of public land in

our State. I simply suggest that you are defining a crime and punishing it out of proportion to the offense, which, I think, is always bad legislation. I make no objection if the House desires to pass it.

Mr. SHAFROTH. In answer to the suggestion of the gentleman, I simply desire to say that there is no minimum fine or imprisonment imposed by this bill, but it leaves the punishment to the judge, who can fine the party found guilty a dollar if he chooses.

Mr. LITTLE. What is to hinder the States or Territories in which these lands lie from enacting laws for the punishment of this offense?

Mr. SHAFROTH. They have passed laws concerning the subject-matter. It is difficult to enforce the State laws. It is fear of Federal jurisdiction that will make the offenders observe the law.

Mr. LITTLE. If the people of the Territories or States who are to be protected by this will not respect the laws of their own States, it will not justify Congress, I think, in placing the matter under the jurisdiction of the Federal courts.

Mr. SHAFROTH. In answer to that suggestion, I wish to say just this: We have had some legislation of this kind on our State statute, of course; but persons living in the immediate vicinity of this timber are not so much interested in its preservation as those who live on the plains below who want the water during the summer months.

Mr. DOOLITTLE. What States will this proposed legislation cover?

Mr. SHAFROTH. All the States.

Mr. LITTLE. Every one of them.

Ms. DOOLITTLE. A great deal of timber has been destroyed in my State through the carelessness of campers and sheep herders—most valuable timber—worth hundreds, thousands, and even millions of dollars. I think legislation of this character is very urgently required in the West to preserve the timber against the criminal carelessness of the persons who go there.

Mr. SHAFROTH. The people against whom we seek to protect this timber are not so much those residing permanently in those portions of the country as the hunters who go there transiently and do not care anything about the permanent welfare of the State. The class of persons whom we desire to reach do not yield so readily to State law as they would to the authority of the United States Government.

Mr. BAILEY. The gentleman makes a very serious accusation against his own people when he says that they do not respect the laws which their own representatives make.

Mr. SHAFROTH. It is not an accusation against my own people; it is an accusation against offenders of the law, and often they are not residents of the State. At any rate, we know that a law on this subject emanating from Federal authority would be better observed than a State enactment, on account of the greater certainty of prosecution.

Mr. LITTLE. In my State portions of the public domain are scattered here and there over the State; and under this proposed legislation a citizen who might happen to touch off fire on one of those tracts would be subject to prosecution in the Federal courts, and in order to be tried might be carried 80 or 100 miles away. Now, I think that if the citizens of the States sought to be protected by this bill will not enforce their own State laws, then the jurors who would be furnished to the Federal courts in those States from the same citizenship can not be intrusted to enforce a law of this kind.

The fact is, I do not think Congress is justified in exercising jurisdiction through the Federal courts in matters where the State courts already have ample authority and power under State laws framed for the purpose of dealing with this question. I can not see why a citizen should be in greater terror of going to the penitentiary under a conviction in a Federal court than of going to the penitentiary through a conviction in a State court. If the evil of which gentlemen complain is so serious, then the States that suffer in this way ought not only to pass laws, but to enforce them.

Mr. DOOLITTLE. It is more difficult to detect these men through the officials of the State than it would be through the power of the Federal Government.

Mr. LITTLE. It strikes me that the State organization, with its power to detect and punish offenses against the law through the instrumentality of constables, sheriffs, etc., of the respective counties, must be better equipped for the discovery and prosecution of these offenses than Federal officers scattered here and there.

Mr. DOOLITTLE. With all due deference to the gentleman, I think he is mistaken.

Mr. SHAFROTH. In reply to the suggestions which have been made against this bill, I wish to say that the timber which the bill seeks to protect is on the public domain, and it seems to me absurd to say that the United States Government can not or should not pass laws to protect the timber upon its own domain.

Mr. LITTLE. My views on this question impel me to object to the passage of the bill.

The SPEAKER. The question is on the motion of the gentleman from Colorado [Mr. SHAFROTH], to suspend the rules and pass the bill.

The question having been put,

The SPEAKER. In the opinion of the Chair, the ayes have it.

Mr. LITTLE. I call for a division.

The question being again taken, there were—ayes 93, noes 3.

Mr. LITTLE. No quorum.

Mr. SHAFROTH. I withdraw the bill.

The SPEAKER. The bill is withdrawn; and the gentleman from Wyoming [Mr. MONDELL] is recognized.

Mr. LITTLE. I withdraw the point of no quorum.

The SPEAKER. As the Chair understands, the point of no quorum is withdrawn.

Mr. SHAFROTH. The bill has been withdrawn. The gentleman withdrew his point after I had withdrawn the bill.

WORK ON UNION PACIFIC RAILROAD LAND PATENTS.

Mr. MONDELL moved to suspend the rules and adopt the following concurrent resolution:

Resolved by the House of Representatives (the Senate concurring). That the Secretary of the Interior be, and he hereby is, authorized and directed to resume work upon and to issue patents to the Union Pacific Railway Company without delay to all lands which have been sold by said company to bona fide purchasers: *Provided*, That nothing herein contained shall be construed as waiving any right that the United States may have to declare a forfeiture as to the lands which have not been so sold by said company: *Provided*, That the words "bona fide purchasers" herein contained shall not be held to include the holders of lands secured by mortgage on such land grant.

Mr. DINGLEY. I should like to have this resolution explained briefly.

Mr. MONDELL. The lands referred to in this resolution are lands along the line of the Union Pacific Railway and within its land-grant limit. About a year ago the Secretary of the Interior issued orders to the Commissioner of the General Land Office to cease patenting lands to the Union Pacific Railway Company and other land-grant roads pending legislation by Congress in regard to those roads and their land grants. It is evident that this Congress will take no action in regard to those roads or their land grants. In the States of Colorado, Wyoming, Nebraska, and Utah there are some two and a half millions of acres which have been sold by the Union Pacific Railway Company to actual settlers. In a great many cases those lands were entirely paid for several years ago, and in other cases they are under contract and partly paid for. They are absolutely in the hands of actual settlers and are for the most part the only real estate owned by them. It is a great hardship to those settlers that they are unable to obtain patents for their lands. The resolution provides that it shall not affect the title of the Government in any Union Pacific Railway Company lands that have not been sold to bona fide purchasers. Citizens of the States interested are very anxious to have the Department resume the patenting of the lands that have been actually sold to bona fide settlers.

Mr. PARKER. I would like to ask the gentleman whether this proposed legislation will make good the title to lands sold by the railway company after the United States declared that the grant should be forfeited?

Mr. MONDELL. I will say to the gentleman that the United States has never declared these lands forfeited. There is no question between the United States and the Union Pacific Company as to the forfeiture of their lands. That question never has been raised. The company has fulfilled the terms of its agreement with the Government in full. There has simply been an arbitrary ruling of the Secretary that, temporarily, patents for these lands shall not issue.

Mr. PARKER. Is not some reason given for that ruling?

Mr. MONDELL. In reply to the question of the gentleman from New Jersey, I will read an extract from the annual report of the Secretary of the Interior:

I have recently deemed it advisable to direct the Commissioner of the General Land Office to allow his force to give their time to selections of lands made by roads other than bond-aided roads. I have not undertaken to pass finally upon the rights of the bond-aided roads, but I have considered, in view of the fact that this whole subject must come before Congress, that it is advisable to leave the lands as they are for the present.

Now, this resolution simply provides that the Secretary shall issue patents to the Union Pacific Company for all lands which have been sold by said company to bona fide purchasers: "Provided, That nothing herein contained shall be construed to affect any right that the United States may have to declare a forfeiture as to lands that have not been sold." Thus it absolutely protects the Government, and what we ask is simply that these settlers who have bought their lands in good faith shall receive title to them.

Mr. McEWAN. I desire to ask the gentleman what is meant by the words "resume work" in this resolution. Does it mean the expenditure of money upon these lands?

Mr. MONDELL. No, sir. The Secretary instructed the Commissioner of the General Land Office last year to cease work in his department upon the lists of these lands furnished by the roads to be patented.

Mr. McEWAN. But what is that "work"?

Mr. MONDELL. It is simply labor in the department. The Secretary directed the Commissioner to suspend work upon the issuing of patents for these lands, and this resolution proposes to direct him to resume that work.

Mr. BELL of Texas. I desire to ask the gentleman whether this bill has been reported by the Committee on Pacific Railroads?

Mr. MONDELL. It has been reported unanimously by the Committee on Public Lands of this House.

Mr. BELL of Texas. But has it been reported by the Committee on Pacific Railroads? Was it referred to that committee?

Mr. MONDELL. No, sir; it went to the Committee on Public Lands in both Houses.

Mr. BELL of Texas. I remember the bill now, and I want an opportunity to make a little explanation in regard to it, but I will not interrupt the gentleman at this time.

Mr. MONDELL. I yield to the gentleman.

Mr. BELL of Texas. Mr. Speaker, this bill, or one exactly like it, was referred to the Committee on Pacific Railroads. The gentlemen who represented the railroad companies appeared before the committee and made arguments, and the position taken by them was this: They contended that a mortgage made in good faith would have exactly the same effect as a sale, and if we should pass this bill or the bill similar to it which was pending before that committee, the effect would be to at once not only authorize but require the Secretary of the Interior to issue patents for all the lands covered by mortgage as well as for those which have been actually sold. There may have been some disposition made of the bill at a time when I was not present in the committee, but I know there was a very general opposition to the passage of such a bill, and I am sure that a matter of this great importance ought not to be disposed of at this time, especially in the absence of the chairman of that committee. The bill has a much more far-reaching effect than seems to be anticipated by the gentleman in charge of it, unless the attorneys who appeared before the committee were entirely mistaken in their contention, and I do not think the subject ought to be disposed of summarily at this time.

Mr. MONDELL. Mr. Speaker, in reply to the gentleman from Texas it seems to me that he does not understand the scope of the resolution or else he must have in mind some very different character of legislation than that proposed here. This is simply a concurrent resolution, not even a joint resolution, and can not in any manner change existing law or affect in any way the existing law relating to the Union Pacific Railway land grants. It is simply a resolution providing that men who have gone into these States and in good faith invested their all in real estate for the purpose of securing homes shall have their lands patented to them as they have been patented heretofore.

I wish to call the attention of the gentleman to the fact that up to one year ago there was no delay whatever in the issue of the patents to these people; but the Secretary of the Interior, pending possible legislation (understand that the question never was raised as to the right of the company to any of the lands)—but pending possible legislation by Congress the Secretary felt that it might be better to use the force in the Department in other lines rather than in patenting these lands in view of possible action by Congress. That is the only reason for their suspension. This resolution simply directs the Secretary of the Interior to issue to these settlers—in other words, it is an expression of Congress on the subject.

Mr. BELL of Texas. Does it not say "purchasers"?

Mr. MONDELL. Yes; to issue to the bona fide purchasers the patents to which they are clearly entitled.

Mr. BELL of Texas. Now, the point is that a lawyer of eminence nominated by the President of the United States or one of the justices of the Supreme Court of the United States was asked recently the specific question before the committee when this matter was under consideration as to what effect the passage of such a law would have. He replied that it would not only affect the issuance of patents, and thus affect claims to titles, but would also require the issuance to the bona fide and good-faith mortgagee of patents to them. That was the position taken by Mr. Justice Peckham, who I understand to be very eminent as a lawyer, and while of course he may be mistaken, we certainly ought not to commit ourselves to a policy that may have that effect, when it is clearly not intended by the gentleman in charge of the measure.

Mr. MONDELL. If the gentleman will look at the list set forth in this report by Senator ALLEN, a list which is printed to accompany the report—and remember that this bill passed the Senate unanimously—he will find that it refers to certain lists

containing some two and one-half million acres of land which are affected by the present conditions. It is true that the Union Pacific land grant—the entire grant—is covered by bonds; but in no possible way can a concurrent resolution affect any law in reference to the Union Pacific land grants, especially when it provides specifically that it shall be confined exclusively to the issuance of patents with reference to lands held by absolute and bona fide purchasers.

Mr. BELL of Texas. Not settlers, but purchasers, as I understand the resolution.

Mr. MONDELL (continuing). And the Government absolutely retains the right of forfeiture.

Mr. BELL of Texas. But it is well known to all lawyers who are familiar with such subjects that when a patent is issued by the Government it puts an end to the contention.

Mr. MONDELL. But it is true that patents are being annulled every day by the Department.

Mr. BELL of Texas. I understand that; but only in cases of fraud, or something of that kind.

Mr. MONDELL. And this resolution simply directs the Secretary to do what has been done heretofore by all the Secretaries. There has never been a question heretofore up to one year ago that these men were not entitled to their patents. Up to that time they were receiving the patents as fast as they complied with the conditions required by the road and the railroad company applied for patents.

Now, I am certain that the gentleman from Texas does not ask me to go back home, and other gentlemen who represent the States interested in this matter—some twenty-two or twenty-three thousand farmers being involved—and say to them that the House absolutely refuses to allow the Secretary of the Interior to issue patents to the railway company for their lands.

Mr. BELL of Texas. No, but I would like him to say this to these people, that we do not think it safe, just on the close of the session, when there is not a quorum present, to pass a law or a joint resolution, which is practically the same thing, which will have the effect, in the judgment of some of the best lawyers of the country, to not only settle these questions so far as they are concerned, but also so far as the mortgagees or holders of mortgages are concerned.

Mr. SHAFROTH. The gentleman from Texas labors under a misapprehension. He assumes that this is a joint resolution.

Mr. BELL of Texas. I so understood the gentleman in charge of it.

Mr. SHAFROTH. This is not a joint resolution but a concurrent resolution; and such a resolution can not change existing law. In one instance—in the case of a joint resolution—it requires the signature of the President, and then it has the effect of a law; but a concurrent resolution has no such effect. It is simply directory to the Secretary of the Interior.

And I wish to say now that I am a member of the committee, and made the report in this instance, and that the resolution introduced, which came before the committee and members of the Public Lands Committee (which passed the Senate unanimously), does not contemplate any such action as the gentleman from Texas seems to apprehend.

The Committee on Public Lands believe that the Secretary of the Interior should be directed to resume the issue of patents to these lands, and the gentleman from Arkansas [Mr. McRAE], who was chairman of the Committee on Public Lands in the last Congress, drew this resolution himself. He did not like the wording of the resolution that was brought to the Committee on Public Lands, but drew this resolution in his own handwriting, and modified it in the manner that he wanted to. It unanimously passed the Committee on Public Lands. It does not change existing law. It could not change existing law, because it is simply advisory to the Secretary of the Interior.

Mr. MONDELL. Mr. Speaker, I yield to the gentleman from Montana [Mr. HARTMAN].

Mr. HARTMAN. Mr. Speaker, in reply to the suggestion of the gentleman from Texas [Mr. BELL] and to obviate his objection, I will ask leave to propose the following amendment, which I think will do away with his objection entirely, if it does exist in fact:

Provided, That the words "bona fide purchasers" herein contained shall not be held to include the holders of bonds secured by mortgage on such land grant.

That obviates the gentleman's objection.

Mr. MONDELL. I accept that amendment.

Mr. BELL of Texas. I think that probably obviates some of my objections; but I still make the point that this bill ought to have been referred to the Committee on Pacific Railroads. The chairman of that committee is not here, and I see only two members of that committee present besides myself. I do not think that a bill of this kind and of this importance should be passed in the closing hours of this session, when there is no quorum present,

when there is nobody present to whom it was referred who can explain particularly the effect of it. Therefore I object to it, regardless of any amendment that may be offered.

Mr. MONDELL. I yield to the gentleman from Indiana [Mr. FARIS].

Mr. BELL of Texas. I should like to hear what the gentleman from Indiana [Mr. FARIS] has to say about this.

Mr. FARIS. Mr. Speaker, I think my colleague on the Pacific Railroads Committee [Mr. BELL of Texas] is laboring under some misapprehension relative to this matter. I believe I attended all the meetings of the Pacific Railroads Committee. I do not believe that this resolution or any similar bill or resolution was ever before that committee. This, however, did occur: In the early days of this session the receivers of the Union Pacific came before our committee and presented this difficulty that the management of the railroad was and is under, expressing the hope that the committee would take the matter in hand and that some legislation would be had on the subject, they representing to our committee that the Secretary of the Interior had arbitrarily, of his own motion, entirely suspended the issuance of these patents. For the information of the committee the Secretary of the Interior appeared before us and made a long statement on the subject, and, as I remember, he assumed the entire responsibility for the present status in the matter of the issuance of patents, justifying himself because of the default on the part of the company and the expected continued default on the part of the company as to its obligations to the Government. He stated that he thought that the status quo should be maintained as to the matter when he stopped issuing these patents. Now, I do not remember that we have had any bill on the subject before the committee. I think, indeed, we never had, and I agree with my colleague, the gentleman from Texas [Mr. BELL], that this matter ought to have been referred to the Committee on Pacific Railroads. Mr. Speaker, as I understand it, there is no purpose or object in this resolution except to protect the bona fide purchasers of lands along the line of the Union Pacific road, and understanding the situation as I do from the hearings before our committee, I think this resolution ought to pass.

Mr. BELL of Texas. Do you not remember that Judge Peckham appeared before our committee and made a speech in behalf of the mortgage bondholders, asking for this very legislation, and stating that the effect of it would be to require the issuance of patents not only where the land had been sold and the settler had gone upon it but also wherever it had been mortgaged in good faith?

Mr. FARIS. I will say in answer to my colleague that I do not remember—

Mr. BELL of Texas. You remember Judge Peckham being before the committee?

Mr. FARIS. Judge Peckham and Mr. Ellery Anderson were before our committee on the same day, one following the other, and they made a statement or argument, with a great deal of elaboration, upon this and kindred subjects. I have no recollection that Judge Peckham stood in antagonism to Mr. Anderson on this proposition.

Mr. BELL of Texas. No; on the contrary, representing the holders of the mortgages, he of course favored it and wanted the legislation.

Mr. TAWNEY. Will not the amendment proposed by the gentleman from Montana [Mr. HARTMAN] obviate your objection?

Mr. BELL of Texas. It certainly will to a certain extent. It does modify it very much.

Mr. FARIS. My recollection is very clear that Mr. Anderson, one of the receivers for this road, insisted to the committee that some such relief as this ought to be accorded to these people buying these lands, and, if my colleague will permit me, I will say that I have no recollection that Judge Peckham or anybody else ever referred to that subject or made any argument before the committee subsequent to that day.

Mr. BELL of Texas. No, not subsequent to that day, but right on that day.

Mr. BRODERICK. You understood that there were a great many lands in several States that purchasers had been in possession of for a number of years, for which they had no patents?

Mr. FARIS. Yes.

Mr. BRODERICK. And they wanted their patents?

Mr. FARIS. Yes; had paid the money in good faith; that many of them were living on the lands and all of them were affected by what was conceded and not disputed by the Secretary of the Interior to be his own arbitrary act in the premises.

Mr. BRODERICK. I understand, also, that the bill went to the Committee on Public Lands of the Senate?

Mr. FARIS. I heard that this morning, but did not know it before.

Mr. BRODERICK. That committee is a safe committee, composed of good lawyers.

Mr. FARIS. I make no point on that. I only refer to the failure

to present this matter to our committee, because such distinguished men had appeared before us and given us information, including the Secretary of the Interior. I think the resolution ought to pass.

Mr. BRODERICK. I think so, too.

The SPEAKER. The question is on suspending the rules and passing the concurrent resolution.

Several MEMBERS. There is an amendment.

The SPEAKER. Under the rules, on a motion to suspend the rules there can be no amendment.

Mr. HARTMAN. Can not it be done by unanimous consent?

The SPEAKER. Yes. If there be no objection, the amendment will be considered as agreed to.

There was no objection.

The question was put.

The SPEAKER. In the opinion of the Chair, two-thirds having voted in favor thereof, the rules are suspended and the concurrent resolution is agreed to.

JONATHAN SCOTT.

Mr. KIRKPATRICK. Mr. Speaker, I desire to present a privileged report. The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4526) granting a pension to Jonathan Scott, together with the message of the President of the United States, bearing date May 30, 1896, vetoing the same, directs me to report the bill back with the recommendation that the bill pass, the veto of the President to the contrary notwithstanding.

Mr. DINGLEY. One moment. I desire to call the gentleman's attention to the fact that under the Constitution the yeas and nays will have to be taken on the passage of that bill over the veto; and in view of the circumstances that exist it is hardly wise that they should be called.

Mr. KIRKPATRICK. I realize that; but it seems to me that a quorum is present here this morning. [Cries of "Oh, no!"]

Mr. DINGLEY. I think you had better withdraw the bill for the present and wait until we have a quorum.

Mr. KIRKPATRICK. In your judgment will there be a quorum here?

Mr. DINGLEY. I can not tell. Of course the gentleman very well understands that if the absence of a quorum should be developed on the yeas and nays it will be fatal to some matters of very great importance, among which is final adjournment.

Mr. KIRKPATRICK. I will allow the matter to stand for the present, and may call it up a little later.

The SPEAKER. The report is withdrawn.

FOREST FIRES.

Mr. SHAFROTH. Mr. Speaker, I wish to call up again the bill (H. R. 9123) to prevent forest fires on the public domain, and move to suspend the rules and pass the bill. The gentleman from Arkansas [Mr. LITTLE] has withdrawn the point of no quorum.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

TITLES TO CERTAIN LANDS IN MISSISSIPPI.

Mr. WILLIAMS. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 9345) to enable certain persons in the State of Mississippi to procure title to public land.

The bill was read, as follows:

Be it enacted, etc., That all persons who, prior to January 19, 1895, purchased in good faith from the State of Mississippi any lands within the 6 miles or granted limits of the Mobile and Ohio Railroad, and which lands were included in approved swamp-land list No. 7, Augusta series, their heirs or assigns, shall have the preference right of entry for one year from the passage of this act, either under the homestead law or by purchase at private entry, at \$1.25 per acre; and the fact that persons affected by this act have heretofore made entry of lands under any law or laws shall not work a disqualification to make entry as herein provided.

Mr. WILLIAMS. Mr. Speaker and gentlemen of the House, this is a bill that was unanimously reported by the Committee on Public Lands, and which is worded precisely as the Commissioner of the General Land Office recommended that it should be worded. The case is this: On September 20, 1850, there was a law passed by the United States Government granting a right of way and granting the even-numbered sections within a 6-mile limit to a certain railroad, styled in the act the Mobile and Chicago Railroad Company, the Government reserving the odd-numbered sections, having granted the even ones to the railway company, at an increased price of \$2.50, in order to indemnify the Government for the lands granted to the railroad company. Upon September 20, 1850, the Government of the United States passed what is known as the land-grant act, by means of which they allowed States to select certain lands as swamp lands. The State of Mississippi proceeded under the swamp-land-grant law to select certain lands, and selected, among others, a great many of these lands which were upon this list of lands reserved to be sold at \$2.50 an acre. The governor of the State of Mississippi certified

that land to the Interior Department. The Interior Department, on August 23, 1883, approved the list selected by the governor of the State of Mississippi, and transmitted to the governor on February 19, 1884, his approval of the list. The approval was never carried into patent.

Now, subsequently the Interior Department, upon January 19, 1895—years after these lands had been sold to parties who had bought them and had been living upon them for a generation, in many instances had buried their ancestors on them—the Department came to the conclusion that these lands were reserved, and revoked the approval which had been previously given. The consequence has been to leave the lands of a great many people who have been living upon them for a generation or longer subject to homestead entry, and it is very natural for a man who wants to enter a homestead to prefer one with a house and barn and other conveniences upon it rather than to go into the woods. A great deal of trouble has grown up in the counties where these lands are situated, and where about 15,000 acres are involved. The bill is worded in the exact language recommended by the Commissioner of Public Lands of the United States, and the passage of the bill is of immediate necessity in order to cure a crying evil which, if not cured, will cause a great deal of damage to actual, bona fide settlers upon these lands.

Two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles:

A bill (H. R. 2) disposing of two condemned cannon; and
A bill (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes.

WILLIAM H. SCOFIELD AND OTHERS.

Mr. FAIRCHILD. Mr. Speaker, I call up House bill No. 7338, and I move that the rules be suspended for the present consideration of the bill.

The SPEAKER. Not for the passage of the bill?

Mr. FAIRCHILD. No; my object is to amend it so that it will correspond to the form in which the bill is about to pass the Senate.

The SPEAKER. Why does not the gentleman move to suspend the rules and pass the Senate bill?

Mr. FAIRCHILD. I accept the suggestion of the Chair, and move to suspend the rules and pass the bill in the form in which I send it to the Clerk's desk.

The bill was read, as follows:

Be it enacted, etc., That William H. Scofield, Jacob Brady, James Ketcham, Annie Booth, as administratrix of the goods, chattels, and credits of George W. Booth, deceased; Wilson P. Billar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Scofield be, and they are hereby, released from any liability as sureties on the bond of Neil Hepburn, by reason of the defalcation of Neil Hepburn, as late postmaster at City Island, N. Y. And the Secretary of the Treasury is hereby authorized and directed to discontinue as against said William H. Scofield, Jacob Brady, James Ketcham, Annie Booth, as administratrix of the goods, chattels, and credits of George W. Booth, deceased; Wilson P. Billar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Scofield any action that may have been instituted against them to enforce such liability, and to cause to be satisfied of record any judgment that may have been entered against said sureties in any such action: *Provided, however,* That the provisions hereof shall apply only to the bond covering amounts accrued subsequent to September 30, 1893.

By unanimous consent a second was considered as ordered.

Mr. BAILEY. Mr. Speaker, I desire to have some explanation of this bill.

Mr. FAIRCHILD. I will say to the gentleman from Texas that this is a bill that was reported some time ago unanimously by the Committee on the Judiciary and was before the House on a former occasion and went over on the objection of my colleague, Mr. BARTLETT. Subsequently my colleague called at the Post-Office Department and satisfied himself as to the propriety of the bill to the extent that he said he would not renew his objection.

Mr. BAILEY. Does the Post-Office Department recommend the passage of the bill?

Mr. FAIRCHILD. The Auditor's department, having charge of the subject, favors the passage of the bill.

Mr. BAILEY. Do they recommend the passage of the bill?

Mr. FAIRCHILD. They have not specifically in any writing recommended the passage, but they have written a letter which is now before the Judiciary Committee of the Senate, upon which that committee has reported the bill favorably, and which indicates that the Department favors the passage of the bill. It was upon that communication that the Senate Judiciary Committee recommended the passage.

Mr. BAILEY. Mr. Speaker, the chairman of the Judiciary Committee tells me that this has been before that committee, and that it is a proper bill, so I make no further question about it.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill.

Mr. BRUMM. Mr. Speaker, one moment. I want to get some information about this. I will ask the gentleman why this bill was sent to the Judiciary Committee, if it involves a claim?

Mr. FAIRCHILD. This is not a claim against the Government. The bill relates to a suit by the Government against the parties named in it.

Mr. McEWAN. Mr. Speaker, I do not think we have sufficient information yet to vote intelligently on this matter. The Government is either going to give away money when it should not do so, or it is not—

Mr. CANNON. Let me ask the gentleman from New York—

Mr. McEWAN. I believe I have the floor, Mr. Speaker. These people went on this man's bond knowing that they assumed a liability. We are now asked to relieve them from that liability, and if we do it I think we are doing wrong. We have no right whatever to vote away the people's money and give it to these men who assumed this liability. Let them pay. In other words, by this kind of legislation we are doing our best to entirely nullify the system of taking bonds for the protection of the Government.

Mr. FAIRCHILD. Mr. Speaker, I think I can satisfy my friend on that point. These men were sureties on two bonds. The first expired September 30, 1893, and under it a liability accrued of \$1,900. The second bond expired three quarters later, and under that bond a liability accrued of \$2,800. Under the law the Department is required to notify sureties immediately of any deficiency discovered on the part of any postmaster. The Department neglected to do that.

A deficiency in the accounts of this postmaster was discovered as early as June, 1893, amounting to more than \$500; but the Government failed to notify the sureties of this fact, although the officers of the United States were corresponding with the postmaster urging him to make good his default. The bill as originally introduced and as originally reported by the Judiciary Committee proposed on that state of facts to relieve the sureties from both bonds. The bill as now amended relieves them from only the second bond, thus according with the views of the Judiciary Committee of the Senate. With regard to the second bond the equities in favor of the sureties are greater, for the reason that one of the sureties on the first bond died and the Department, owing to the death of that surety, wanted a new bond; and although the Government officials had knowledge at the time that this postmaster was in default to the extent of \$1,900 the same men were accepted as sureties upon the second bond, they being kept in ignorance of the defalcation.

Mr. BRUMM. From the statement just made by the gentleman from New York [Mr. FAIRCHILD] it strikes me that this bill should have been sent to the Committee on Claims.

Mr. FAIRCHILD. I think I can satisfy the gentleman on that point. At the time when this bill was introduced in the House, proceedings had been commenced against these parties; and it was a question whether or not the Government should discontinue that action. It was to that view of the case that the bill applied. Owing to objection made by my colleague from New York [Mr. BARTLETT], at the time when the bill first came up, proceedings were continued and judgment entered. Execution is now in the hands of the marshal for enforcement, and will be enforced unless before this Congress adjourns this bill becomes a law. If that judgment should be enforced, these sureties, who are poor men with nothing in the world but their little homes which they have earned by a lifetime of labor and by husbanding their earnings in building associations, will be sold out to satisfy this judgment.

Mr. MITCHELL. Has this bill the unanimous approval of the two committees?

Mr. FAIRCHILD. It has.

Mr. BRUMM. This is really a claim of the Government against the sureties?

Mr. FAIRCHILD. That is correct.

Mr. BRUMM. Judgment has been obtained and execution is in the hands of the marshal. Now, a bill proposing to release the claim of the Government against these people should have gone to the Committee on Claims; the Committee on the Judiciary has no jurisdiction of such a matter.

Mr. FAIRCHILD. I wish to say to my friend from Pennsylvania [Mr. BRUMM] that in introducing this bill and having it referred to the Judiciary Committee I had no disposition at all to prefer one committee above another. My only object was to have a proper reference; and I followed in the matter the advice of those who had been in the House longer than I had.

Mr. BRUMM. That is not a matter of law; it is a matter involving a claim; and of course it should have gone to the Committee on Claims.

Mr. RAY. When the bill was referred to the Judiciary Committee this judgment had not been rendered; so that the bill appeared to be of the same class as other bills which are usually sent to the Judiciary Committee.

The question being taken on the motion to suspend the rules

and pass the bill, it was agreed to, two-thirds voting in favor thereof.

SANTA BARBARA, CAL., A SUBPORT OF ENTRY.

Mr. McLACHLAN. I move to suspend the rules and pass the bill (S. 2412) to make the city of Santa Barbara, county of Santa Barbara, State of California, a subport of entry.

The bill was read, as follows:

Be it enacted, etc., That the city of Santa Barbara, State of California, be, and the same is hereby, made a subport of entry in the district of Los Angeles, with the privileges of section 7 of an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, 1880.

Mr. McLACHLAN. This bill, which proposes merely to make Santa Barbara a subport of entry, has already passed the Senate and is unanimously recommended by the House committee. I know of no objection to it whatever.

The question being taken, the motion of Mr. McLACHLAN to suspend the rules and pass the bill was agreed to, two-thirds voting in favor thereof.

LIFE-SAVING STATION ON NEW ENGLAND COAST.

Mr. MOODY. I move to suspend the rules and pass Senate bill No. 2783. This bill, which was drawn by the Superintendent of the Life-Saving Service, has been passed by the Senate and has been unanimously reported by the House committee.

The bill was read, as follows:

A bill (S. 2783) to establish a life-saving station on the coast of New Hampshire or Massachusetts, between the Hampton and the Merrimac rivers.

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized to establish a life-saving station on the coast of New Hampshire or Massachusetts at such point between the Hampton and Merrimac rivers as the General Superintendent of the Life-Saving Service may recommend.

Mr. RICHARDSON. I demand a second on the motion to suspend the rules.

Mr. MOODY. I ask that a second may be considered as ordered.

Mr. RICHARDSON. I agree to that.

There being no objection, a second was ordered.

Mr. RICHARDSON. Now I should like to hear some explanation of this bill.

Mr. MOODY. Mr. Speaker, this bill proposes to permit the establishment of a life-saving station on a certain part of the coast of Massachusetts or New Hampshire. As I have said, it was drawn by the Superintendent of the Life-Saving Service. It has been presented in consequence of the fact that during the storm of last February four vessels were wrecked on the Massachusetts coast in one night; and there was no means of rescue for the sailors, so that eleven lives were lost. I do not know that I need add anything except to say that the bill has passed the Senate and has been unanimously reported in the House.

Mr. RICHARDSON. As I understand, the bill is only permissive, and does not order that this station be established.

Mr. MOODY. It does not order the establishment of the station.

The question being taken, the motion to suspend the rules and pass the bill was agreed to, two-thirds voting in favor thereof.

GETTYSBURG NATIONAL CEMETERY.

Mr. CURTIS of New York. Mr. Speaker, I ask that the Senate bill (No. 2490) to authorize the Secretary of War to improve and maintain the public roads within the limits of the national park at Gettysburg, Pa., be taken up, and move to suspend the rules and pass the same.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized, in his discretion, to improve and maintain the public roads within the limits of the national park at Gettysburg, Pa., over which jurisdiction has been or may hereafter be ceded to the United States: *Provided*, That nothing contained in this act shall be deemed and held to prejudice the rights acquired by any State or by any military organization to the ground on which its monuments or markers are placed nor the right of way to the same.

Mr. RICHARDSON. I demand a second in order to hear an explanation of this bill.

Mr. CURTIS of New York. I will give an explanation if the gentleman will just allow me.

Mr. RICHARDSON. Very well.

Mr. CURTIS of New York. This bill was before the House some time ago, and the gentleman from Nebraska objected. It was explained to him, and later he said he would withdraw the objection.

The bill simply allows the Secretary of War to improve the roads in the Gettysburg Park, and lay out such other roads as may be necessary to get to one monument or from one set of monuments of the States to the others. It requires no appropriation but simply authorizes the use of the money already set apart for this purpose. It passed the Senate unanimously, and comes with unanimous report from the Committee on Military Affairs of the House.

I ask a vote.

The question was taken; and two-thirds voting in favor thereof, the rules were suspended and the bill passed.

ERIE, PA., PORT OF IMMEDIATE TRANSPORTATION.

Mr. GRISWOLD. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 180) to make the city of Erie, Pa., a port of immediate transportation.

The bill was read, as follows:

Be it enacted, etc., That the privileges of the seventh section of the act approved June 10, 1880, governing the transportation of dutiable merchandise without appraisement, be, and the same are hereby, extended to the port of Erie, in the State of Pennsylvania.

The motion to suspend the rules and pass the bill was agreed to, two-thirds voting in favor thereof.

REPRINT OF BANKRUPTCY BILL.

Mr. RICHARDSON. Mr. Speaker, I desire to submit a privileged report from the Committee on Printing.

The SPEAKER. The report will be read.

The Clerk read as follows:

Resolved, That 5,000 copies of House bill No. 8110, entitled "An act to establish a uniform law on the subject of bankruptcy throughout the United States," as the same passed the House, be reprinted for the use of the House.

Mr. RICHARDSON. There is also a report presented by the committee which I ask to have printed in the RECORD.

The report is as follows:

The Committee on Printing, to whom was referred resolution 405, providing that 5,000 copies of House bill No. 8110, entitled "An act to establish a uniform law on the subject of bankruptcy throughout the United States," as the same passed the House, be reprinted for the use of the House, having had the same under consideration, recommend that it do pass.

Mr. ALLEN of Mississippi. Mr. Speaker, in view of the record made by this Congress, it does seem to me that we should do all in our power to give the people instruction and information on the subject of bankruptcy.

The result of the action of this Congress will certainly be to produce that condition among the people. And why should we not put them in a condition to avail themselves of the benefits of laws suitable to their condition? But, sir, before elaborating my views fully on this resolution I desire to make something in the nature of a personal explanation. Both in the public press and this House I have been criticised for my silence during this session of Congress. [Laughter.] I want to say, sir, there has been very little during this session of Congress to inspire a Christian man with loquacity. [Renewed laughter and applause.]

Mr. Speaker, I am not the only great statesman who has been observing a great deal of silence for the last few months. "There are others." [Laughter.] In fact, Mr. Speaker, there are several of us great leaders who have not been talking much of late. [Laughter and applause.]

I suppose we all have our reasons for being silent. In my life there have been some discouraging incidents during this session. When I returned here last winter and found this Hall so full of Republicans, with such a scarcity of Democrats, when I found myself crowded back from my old seat on the middle aisle, where it had been for ten years, and the Republicans lapping over and occupying nearly half of the west side of the Hall, whereas the Democrats had for years occupied not only all of that side, but had lapped over and occupied a part of the Republican side of the House; I say when I found I had been driven away from this commanding position I occupied so long, and from which I speak to-day by courtesy, to make room for a Republican majority, in the language of my friend General WHEELER, "I trembled for my country." [Laughter.] While I still occupy the seat that is the outpost of the Democratic position in this House, it is entirely too far away from the center aisle, and there are too many Republicans on what was formerly Democratic territory.

I sat in the gallery the other day and heard some one ask, "Which is the Democratic side?" The response came that there is no Democratic side; that there was only a Democratic strip. [Laughter and applause.]

Now, Mr. Speaker, I insist that individually I am not to blame for the disasters that have come upon my party. I feel it is due myself that I should make this explanation, because, in yielding to the pressure brought to bear on me to stand for reelection to Congress [laughter], I consulted an old friend, who wrote me that there was some dissatisfaction among the people because, he said, I had led the party to defeat, and some were demanding a new leader. [Laughter and applause.]

I want the country to understand that the Democratic party never went to defeat so long as it followed my leadership. It will be remembered, Mr. Speaker, that three years ago a great many of the Democrats of this House went off under the lead of my friend Tracy, from New York, and ceased to follow me. They began to condone the crime of 1873, by which silver was demonetized; began to talk about its being "the recognition of a condition"; about "the act of 1873" being "the tombstone on an old grave"; turned their backs on silver, and became worshipers at the shrine of gold! It was this departure from the time-honored principles of the Democratic party that caused a great many people to lose confidence in it and filled this Hall with the opponents of Democracy.

There was another incident in the early part of the session, a Senatorial election that occurred down in Mississippi, the result of which rather impressed me with the conviction that the best men were not being selected for high positions this year. [Laughter.] I doubt not, Mr. Speaker, that there are others who have occasion to feel and do feel about this as I do. [Laughter.]

I do not know, Mr. Speaker, how you feel about it, but these mistakes of the people at times have a tendency to make me despair of the perpetuity of our republican institutions. [Great laughter and applause.]

And then, Mr. Speaker, when I remember the circumstances under which this House met and the promises and professions of the Republican leaders as to what they would do when they got possession of the House, and when I have watched their performances, it has not been calculated, as I said before, to produce talk from a Christian man who was unwilling to "cuss."

This Congress met in the midst of great industrial and business depression. Business was paralyzed, people poor and growing poorer, their products selling for almost nothing, discontent and unrest with both labor and capital, the Administration selling bonds to buy gold to keep up a gold reserve, the gold brokers and bond buyers taking this gold in turn out of the Treasury to force the issue of more bonds, and the great Republican party that had professed so much capacity for relieving this condition of distress—the only remedy they proposed was one bill to increase taxation, and a bill to authorize the issuance of a different series of bonds. The people asked for bread, and you offered them a stone. They wanted to be rid of the bond-selling business; your remedy was to facilitate it. They did not need to be taxed any more, but the Republican prescription for every governmental evil is to increase taxation.

Mr. Speaker, I desire to call special attention to the extravagance of this Congress. It has already passed appropriation bills which carry directly in round numbers about \$520,000,000, and has authorized contracts that will require the expenditure of \$100,000,000 more, practically making a voting away by this Congress of \$620,000,000 of the people's money; and it should be remembered that in some of these appropriations provision is only made for eight months, instead of the whole year, as has always been done heretofore. Besides this, many of the claims against the Government, such as war claims passed upon by the Court of Claims, are denied payment in pursuance of the policy of Republican managers to keep down the figures, as far as possible, in a Republican Congress, for party purposes in the coming Presidential election.

But, Mr. Speaker, the amount is already large enough to damn the party responsible for it. This money must all be raised by taxing the people; there is no other way to get it. The figures are so stupendous it is hard for the mind to grasp them, and this money is voted at a time when the Treasury and the people are in no condition to pay it.

The people are already overtaxed and the revenues insufficient to meet the expenses of the Government. I am aware that it is very difficult to make any impression on this body or to arouse the country on the question of economy against extravagance. But I do hope and believe that the condition of the people of this country at this time will make them call their public servants to account for wasteful extravagance.

Let me call your attention to how this thing is growing. In 1860, when the Democratic party was in power, and the country was prosperous, the entire governmental expenditures amounted to \$63,200,875.65; and if you will look at the platform adopted by the Republican party that year you will see that they arraigned the Democratic party for its wasteful and extravagant appropriations. That was one of its greatest charges against Democracy.

Now, with the population of the country only about doubled, you have appropriated almost ten times the amount of money required to run the Government when your party said it was run extravagantly. Ten years ago, when the country was comparatively prosperous and the Treasury was overflowing with a large surplus, we appropriated \$336,439,918.20 for the expenses of the Government, and that was regarded and was, in my opinion, an extravagant appropriation. But in ten years, without any excuse for it, with the purchasing power of money nearly doubled, \$185,000,000 of direct appropriations and \$100,000,000 of continuing contracts have been added—and see how easily you do it!

A bill creating a Government liability of \$75,000,000 or \$80,000,000—I refer to the river and harbor bill—is passed through this House under a suspension of the rules with only thirty minutes' debate, no opportunity being allowed to offer amendments or vote out improper items; and when it is returned here by the President with his veto, the previous question is called and no opportunity given to discuss it and show the President's characterization of it to be true or false.

There has been added nearly \$300,000 this year by law to the annual expense of running the two Houses of Congress.

Mr. Speaker, my vote has been against every proposition to

increase appropriations and expenses during this Congress, and in my efforts I have had some assistance from the President. [Laughter.] In some instances we have succeeded, and in others we have failed.

Mr. Speaker, the prudent business man, when he finds his expenses exceeding his income, goes to work to cut down expenses that he may live within his means. I do think the most sensible and patriotic proposition that has been made during this session with reference to our expenditures came from the gentleman from Alabama [Mr. WHEELER] when he proposed to make a cut of 25 per cent in the salaries of all Government officials and employees.

We could have made the revenues of the Government square with our expenses if we had adopted this plan, and there would have been no injustice in it, for the 75 per cent left will buy more of the necessities of life now than the 100 per cent would buy when most of these salaries were fixed. I would be glad to see such a measure pass yet before we adjourn. But this wise proposition was only laughed at. No, the Republican party does not want to reduce expenses; they want a pretext for increasing taxation for the benefit, not of the Government, but for the few who have grown rich through governmental favor.

The gentlemen who we are told by some of the Republicans are this year having the "fat fried out" of them to get money to nominate and elect the great apostle of protection to the Presidency no doubt expect to get their money back with ten and an hundred fold interest.

I cite to prove this statement the fact that the Republicans in this Congress have rejected every proposition to increase the revenue unless it comes in that shape that individuals would get more money out of it than the Government. We could raise \$25,000,000 or \$30,000,000 of revenue by an additional tax on beer, and it would not affect the price but little, if any, paid by the consumer. The tax would fall mainly on the brewing trust, and the Republican party will not have it, because it does not enable any private interest to exact any of the tax. The same might be said of a tax on tea; but that meets the same objection from the Republicans—it would be a tax for revenue.

Mr. Speaker, I do hope and believe that the farmers of the South and West, and the farmers of the whole country, for that matter—I mention the South and West, as they are the great agricultural and producing sections of this country—will look at this thing in a sensible way and go to the polls next November prepared to vote not only patriotically but in their own interest. I call your attention here to a portion of an article on the relative prosperity of the agricultural and manufacturing sections of the country, the facts of which are taken from the last census returns. It presents some startling and interesting facts. In this article New England, New York, New Jersey, and Pennsylvania are reckoned as the East:

With 5 per cent of the area and 26 per cent of the population, the East possesses 43 per cent of the assessed wealth of the nation—above two-fifths. What is more, it was able to capture of the wealth gained in the ten years from 1880 to 1890, 41 per cent.

THE EAST NOT A PRODUCING SECTION.

How did it do it? How, with one-twentieth of the land to work on and with one-fourth of the population to do the work, was this little section able to secure so large a percentage of the increment of the nation's stored-up riches? Be it understood that this little section is not to any considerable degree a "producing" section. It does not "raise things." For example, it has only 18 per cent of the farm capital of the country and only 11 per cent of the acreage improved for cultivation. Of the total agricultural product of the country—and in this is to be included all the cotton, wool, hides, and the like, as well as all the cereals—this section raises only 17 per cent.

Again, it has only 15 per cent of the total railway mileage of the country which may represent transportation facilities.

Clearly it did not grow rich out of these. But the East is a manufacturer. With only 5 per cent of the area on which to locate its mills and factories, it still does more than half the manufacturing for the whole country. The States of New York and Pennsylvania alone turn out more than one-third of all the manufactured product of the United States.

In a word, the West produces the materials and the East makes them up. Precisely the relative profits of these two operations probably no man could determine. The following facts are presented for just what they may be worth:

At the time the census was taken there were 9,000,000 workers employed on the farms, in the fisheries, and in the mines of the whole country. The annual value of their produce was about \$2,500,000,000. That was an average value of product per worker of \$273.

RATIO IN FAVOR OF MANUFACTURERS.

In the same year there were 5,000,000 men and women employed in manufacturing. The total value of the product they turned out was above \$9,300,000,000. Deducting from this sum the computed cost of the raw materials, and the total value added to these raw materials in the process of manufacturing was \$4,210,000,000. That was an average of \$842 per worker, or a ratio of 3 to 1 in favor of the manufacturing worker as against the man on the farm.

One dollar invested in farming earns 15 cents.
One dollar invested in manufacturing earns 64 cents.
Or, to put the matter in another way, it took nearly \$16,000,000,000 of farm capital to turn out a product of \$2,500,000,000—a relationship of \$1 to 15 cents. On the other hand, \$6,000,000,000 of manufacturing capital was able to take \$5,000,000,000 worth of raw material and make it worth above \$9,000,000,000, or a net gain of \$4,000,000,000 and more. That was a relation of capital to net gain of \$1 to 64 cents.

Whether this be a hint or a path to the solution of the question, it is certain that the wealth gain of the manufacturing States in the last decade was

extraordinarily greater than that of some of the leading agricultural or producing States. There is a little book published by the Arena Company. It is called *Bread Winners and Bond Holders*, and was written by S. S. King, of Kansas.

In one of his illustrations Mr. King has taken the State of Massachusetts as an example of what he calls a "nonproducer," and set it in contrast to the nine great producing States shown on the opposite side. Taking land, labor, and capital as the three chief factors of production, he shows that the nine States of what he calls "the produce district" had land in proportion to Massachusetts as 58 to 1; they had labor as represented by population as 7 to 1, and capital as represented by assessed value as 2 to 1.

And yet in ten years the nine great producing States added to their assessed wealth \$559,000,000, while the single little State of Massachusetts gained \$569,000,000. The one small exceeds the nine great!

Mr. Speaker, the farmers of this country are a great, conservative class. They are as much entitled to the kindly consideration of the Government as any class of people in it. They help fight our battles in time of war. They feed our armies and our people both in war and peace. They furnish most of our exports with which we liquidate our debts and balances abroad. They pay more taxes in proportion to their wealth than any other class. Their holdings are of such a character that they could not escape them if they would.

In the very nature of things, they can not be protected to any appreciable extent by tariff laws, because we raise a large surplus of agricultural products that must find a market beyond the reach of our tariff laws. In these markets the price of their products are fixed.

Representing, as I do, an agricultural district, and familiar, as I am, with their struggles, misfortunes, and disappointments, I, sir, intend in the future, as I have in the past, to give my votes and influence toward relieving them of every unnecessary burden placed upon them, whether it be in the interest of extravagant appropriations or for the benefit of individual corporate gain, and I wish to warn them that they make a great mistake if they give their votes for any party or policy that increases unnecessarily their burdens.

There is no flowery path ahead of the American farmer; his lot will be hard enough with the very best the Government can do for him, and it is a grievous wrong to require him to bear taxation unnecessarily in any interest.

Mr. Speaker, there is another silent man about whose prospects and silence a good deal is being said at this time, and I desire to pay my respects to him. I refer to the distinguished gentleman from Ohio whom they say is to be nominated for the Presidency by the Republican party at St. Louis next week. I will not speak of the methods by which it is said his successful campaign has been won. I leave that for Senator CHANDLER and other Republicans who exposed the methods of his managers not long ago. But suffice it to say if his nomination is secured by the practices charged against him by his party friends, he should be defeated at the polls.

Mr. Speaker, there is about this time a very great interest and desire in the public mind to ascertain what are now the views of this silent man on the financial question, which is exciting so much interest just now. But they say his manager, Mr. Hanna, will not allow him to talk. While he is profoundly silent himself, he has friends in every part of the country certifying to what his real views on the question are, and these certificates seem to be made to suit the locality in which they are given; and I confess that his friends, by going to his past record on this question, can find warrant for certificates to suit all shades of opinion.

When I see the trouble some people are having with speeches made in the past, I am more reconciled to my own silence. But at this time, when the public mind is so wrought up and concentrated on the financial question, would it not look better for this leader of Republican thought to define his own position? Certificates as to what a man's opinions are might do very well if he were so situated he could not speak for himself. A certificate ought to be the last resort of the man whose word would be taken about his own position.

I have always heard that an egg that goes around with a certificate attached that it is a good egg is not a safe egg to buy, for they do say an egg never feels called upon to take around a certificate of its soundness until it is under suspicion.

Mr. Speaker, I have read and reread the platform adopted by the Republican convention of the State of Ohio, from which the Republican candidate for the Presidency will come; and of all the conglomerations of financial declarations that have appeared in this year of our Lord, the Ohio platform on this question "takes the cake." It declares for gold, silver, and paper money; wants each of them to be "as sound as the Government and as untarnished as its honor."

If you will look at the wording of this platform and the speech made by Mr. McKinley before the Marquette Club at Chicago, you will find the wording of the platform is almost in the exact words of this speech. We are therefore authorized to conclude that the Ohio platform was written by the Republican candidate for the Presidency. It is susceptible of all and more misleading constructions than have been put on the platforms of the two

great political parties adopted at their last national conventions, and we all know what that means.

I here call attention to the financial plank of the Ohio Republican State platform:

THE FINANCIAL PLANK.

We contend for honest money, a currency of gold, silver, and paper, with which to measure our exchange, that shall be as sound as the Government and as untarnished as its honor; and to that end we favor bimetalism, and demand the use of both gold and silver as standard money either in accordance with a ratio to be fixed by an international agreement, if that can be obtained, or under such restrictions and such provisions to be determined by legislation as will secure the maintenance of the parities of values of the two metals, so that the purchasing and debt-paying power of the dollar, whether of silver, gold, or paper, shall be at all times equal.

I now give you a sentence from Governor McKinley's speech before the Marquette Club at Chicago last February, that you may see who wrote the Ohio platform. In speaking of the Republican party he said:

It stands for a currency of gold, silver, and paper, with which to measure our exchanges, that shall be as sound as the Government and as untarnished as its honor.

I could now give extracts from his speeches showing him on every side of this question. He voted for free coinage in 1878 and for the Bland-Allison law, for the Sherman law in 1890, denounced the Democrats for repealing the Sherman law, and now stands for any sort of money the national Republican convention will prescribe.

I would like, Mr. Speaker, to see the great parties this year adopt platforms susceptible of no double or misleading construction and then nominate candidates on them who have real convictions in accord with them, and who would be willing to stand by them. But the Ohio candidate seems to be waiting and willing to take his views from the convention from which he seeks the nomination. The Republican party may desire to observe the same rule in selecting their candidate that the cavalryman observed in selecting his horse. He said the kind of a horse he wanted was one that could turn quick and go fast. [Great laughter.] I doubt if the Republican party can find a candidate who can turn quicker or go faster than the gentleman from Ohio. But, Mr. Speaker, there is one thing about this candidate for the Presidency against which I wish to enter my protest here and now, and I hope the convention, if it does nominate him, will take a stand as between the English and American handshake. Mr. McKinley's rallying cry is "Americanism; American systems; American policies." Why should he be permitted to abandon the American handshake? Have any of you seen him in the last few years shaking hands; seen him raise his arm high in the air for his overhanded English handshake? Just think of how the American simplicity of a Jefferson or a Lincoln would be shocked by this effort to imitate the English handshake! We want an American President to shake hands right out from the shoulder—good old American style—none of this overhanded business. [Great laughter.]

Mr. Speaker, I served in this House with Mr. McKinley; I knew him very well. If he should be the nominee of the St. Louis convention I hope he will get on a straight, frank, and unequivocal platform. And if the American people should make the mistake of putting him in the White House I hope he will come down to the good old American handshake; and, so far as I am concerned, the same intimate and cordial relations that have existed between the occupants of the White House and myself for so many years will be continued. [Applause and laughter.]

Mr. Speaker, the efforts of the Republican party to divert the people in this campaign from the financial question to the tariff will, in my judgment, be abortive. The financial question is uppermost in their minds, and the friends of silver are going to stand up and be counted this year. The gold standard has had a fair trial; it has been weighed in the balance and found wanting. It does not suit the masses of the American people. I grant you that the people who want to invest their money in United States bonds, where they escape all taxation and where the owners can live in idleness and luxury, free from all care and secure from all obligation to contribute to the support of the Government, those who are interested in having their dollars buy as much as possible of products of labor. They seem to like the gold standard, for it is working just to suit them; but the great body of the people who have no fixed incomes are catching onto the fact that they are the victims of this system.

Mr. Speaker, I am no prophet, but in my speech more than two years ago I predicted just about what has happened with reference to our currency. The demand now is for the retirement of all our paper money except the issue of the national banks, and that what silver we have is to be practically mere subsidiary coin or token money. It will require the sale of seven or eight hundred millions more of bonds to carry out the programme, and then the people will be without a currency except such as the national banks see proper to let them have. I do not wonder that the

American Bankers' Association are interested in preserving the existing standard of value, as shown by this letter:

THE AMERICAN BANKERS' ASSOCIATION,
2 WALL STREET AND 90-94 BROADWAY,
New York, March 23, 1896.

[President, Eugene H. Pullen, vice-president National Bank of the Republic, New York; first vice-president, Robert J. Lowry, Lowry Banking Company, Atlanta, Ga.; chairman executive council, Joseph C. Hendrix, president National Union Bank, New York; treasurer, William H. Porter, vice-president Chase National Bank, New York; secretary, James R. Branch, 2 Wall street, New York.]

To the Bankers of the United States:

At a meeting of the executive council of the American Bankers' Association, held in this city on March 11, 1896, the following declaration was made by unanimous vote:

THE EXISTING STANDARD OF VALUE.

"The executive council of the American Bankers' Association declare unequivocally in favor of the maintenance of the existing gold standard of value, and recommend to all bankers and to the customers of all banks the exercise of all their influence as citizens in their various States to select delegates to the political conventions of both the great parties who will declare unequivocally in favor of the maintenance of the existing gold standard of value."

Your influence is earnestly requested to give practical effect to this action.
EUGENE H. PULLEN, President.
JAMES R. BRANCH, Secretary.
JOSEPH C. HENDRIX,
Chairman Executive Council.

This shows an effort on their part to control the national conventions, but I am thankful to be able now to say that they will not be able to control the Democratic convention this year. We will see next week how they succeed with the Republicans. You will see, I think, they will control, and demand either a gold-standard platform or one that is a great deal worse—a straddle. I do hope the people of these United States will require of public men and parties that they make an intelligible declaration on the great issues before the people, and then require them to live up to it. I will speak for no party that attempts to straddle on any great issue again.

I desire to call attention to one or two objections to free coinage as stated by the opponents of that proposition when the Senate sent us the free-coinage bill some few months ago. The gentleman from New Jersey, Mr. PARKER, in speaking of the free coinage of silver at 16 to 1, said:

I believe that if this be done the dollar will buy less, will pay less wages, will be worth less, and that this practically will effect partially a repudiation of debts, both public and private.

He is more honest than most of his crowd. His objection to the dollar we want is that it will buy less and pay less wages and will be worth less. That is just the sort of dollar we want—one that will buy less and one that will pay less wages. Your dollars are now worth too much. It takes too much labor and too much of the products of labor to get one. It is the appreciation of the dollar that makes the falling prices for property and commodities, and that is what is ruining the country and what we are trying to stop. We are as much interested in restoring the parity between the dollar and commodities as we are in maintaining the parity between the dollars. My friend Colonel BLUE, of Kansas, in his speech against free coinage, gave as one of his reasons for opposing it that he had so many pensioners in his district and that free coinage would lessen the purchasing power of their pension money.

Mr. Speaker, these arguments give the whole case away, as I understand it. It is hard on the American people if they must be required to double the purchasing power of these pensions because they have of their bounty given them. You see the pensioners belong to the fixed-income class; but it does seem to me the farmers in Colonel BLUE's district would protest against their products being sold for nothing in order that the pensioners' money should buy more. No, sir; this policy will not do. We must get out of it and go back to old Democratic principles. We must get back to the money of the Constitution. We can not afford to have all the business interests in our country disturbed by the fact that some gold broker is raiding the little gold in the Treasury.

They try very hard to frighten us by telling us of the calamities that will follow free coinage, but they do not stop to think about the calamities that are on us from the present condition, and they are growing worse every day, and whenever what the gold standard really leads to comes there is no financial calamity could be worse. Let the Democratic party declare for an honest and economical administration of the Government and for the restoration of silver to the place it occupied prior to 1873.

Let Democrats cease to talk about this being a billion-dollar country and necessarily a billion-dollar Congress; let the Democratic party in its platform and in its practices be what it was organized to be—a party of the masses of the people of this country contending for their rights and their welfare against the encroachments of the classes. Let Democrats cease to follow where JOHN SHERMAN leads on the financial question, and we will fill this House again with Democrats, and disappoint the silent man from Ohio by electing a Democratic President. [Loud applause.]

The SPEAKER. The question is on agreeing to the resolution. The question was taken; and the resolution was agreed to.

HENRY A. WEBB.

Mr. ARNOLD of Rhode Island. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 1256) for the relief of Henry A. Webb.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to redeem, in favor of Henry A. Webb, of Providence, R. I., the following-described bonds of the United States, issued under acts of Congress approved July 17, 1861, and August 5, 1861, namely: Bonds numbered 30049 to 30051, inclusive, for \$500 each; also bonds numbered 5495 to 5497, inclusive, for \$100 each; also bonds numbered 18433 to 18437, inclusive, for \$100 each; also bonds numbered 4345 to 4353, inclusive, for \$50 each, amounting in all to \$2,750, with interest for sixteen and one-half years on said bonds numbered 30049 to 30051, inclusive, 5497, 18433, 18437, and 4345 to 4350, inclusive, from January 1, 1865, to July 1, 1881, the said Henry A. Webb claiming that he owned said bonds on February 11, 1865, when it is alleged they were stolen from him, and have never been recovered by him: *Provided,* That before the redemption of said bonds the said Henry A. Webb, or some one in his behalf, shall execute or cause to be executed and deposit with the Secretary of the Treasury a bond of indemnity, with good and sufficient sureties, subject to the approval of said Secretary, to secure the United States against loss or damage in consequence of the redemption of said bonds.

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. DINGLEY. One moment before that is done. Do I understand from the gentleman from Rhode Island that this is for the payment of certain bonds that were stolen, upon giving to the United States bonds sufficient to indemnify the Government if the bonds should ever be discovered.

Mr. ARNOLD of Rhode Island. Yes, sir.

Mr. DINGLEY. That is all.

Mr. BLUE. Mr. Speaker, I would like to ask the gentleman in charge of this matter if an investigation has been had to see whether any of these bonds have been presented for payment. We have had one bill vetoed that provided for the payment of bonds which it seems had been paid. What is the information in regard to that?

Mr. ARNOLD of Rhode Island. Six hundred and fifty dollars of these bonds has been paid. If the gentleman would like to have the report read, I will ask that it be read.

Mr. BLUE. I do not understand that. If there has been \$650 of these bonds paid, why should there be an appropriation to pay them? It seems to me that that is objectionable.

Mr. ARNOLD of Rhode Island. The report will give a better explanation than I can.

The Clerk proceeded to read the report.

Mr. BLUE. Mr. Speaker, I understand, as to this payment of this \$650, it was the fault of the Department, as proof had already been made that these bonds were stolen. If that is correct, I will withdraw my objection and not ask for the further reading of the report.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

IMPROVEMENT OF PUBLIC ROADS.

Mr. WILLIS. Mr. Speaker, I move to suspend the rules and pass the joint resolution H. Res. 194.

The joint resolution was read, as follows:

A joint resolution (H. Res. 194) extending the scope of the investigations by the Agricultural Department in the matter of the improvement of public roads.

Resolved, etc., That the inquiries and investigations relating to public roads with which the Secretary of Agriculture is charged by the act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1897, be extended to the following subjects, namely:

First. The scientific location of highways on the public domain.

Second. The practical use that can be made of the Geological Survey in the discovery of road materials.

Third. The methods and conditions under which free testing of road materials can be afforded.

Fourth. The feasibility and most practical methods of securing instructions in road building at agricultural colleges, the Military Academy, and all institutions having military instructors.

Fifth. What measures can be adopted to secure the general reduction of transportation rates on road materials.

And for the furtherance of these inquiries and investigations the Secretary of Agriculture is authorized to request the cooperation of the Secretary of War, the Secretary of the Interior, and the Interstate Commerce Commission.

Mr. WILLIS. Mr. Speaker, I move to suspend the rules for the purpose of passing the joint resolution; and I will remark simply that the purpose of the resolution is to extend and make more specific the scope of road inquiry. There is no appropriation and no additional expense involved in this other than the necessary use of the appropriations already made for that purpose.

Mr. BLUE. How much is that?

Mr. DINGLEY. Let me ask the gentleman from Delaware if this is to be done by a division of the Agricultural Department? Is this simply an extension of their work?

Mr. WILLIS. Exactly. It is simply an extension of work that is now under their direction. The whole thing is to be done under the Agricultural Department as formed before. The attention of the Department is desired to be called to this scheme and interest is purposed to be excited in the country generally on this very important and very vital question of road improvement. That is all there is in it.

Mr. DINGLEY. This is for the purpose of diffusing information, as I understand?

Mr. WILLIS. Yes, sir.

Mr. HENDERSON. Why can not all this be done by the Department now? They have full power.

Mr. WILLIS. But they do not do it.

Mr. HENDERSON. That is another matter. It is one thing to have the power and another thing to exercise it.

Mr. CHARLES W. STONE. I will say to the gentleman from Illinois that the appropriation bill provides that the inquiry shall be directed to certain matters, and this simply adds certain other matters which the road bureau of the Agricultural Department desires to direct attention to.

Mr. HENDERSON. This does not appoint a new commission?

Mr. CHARLES W. STONE. No new commission and no additional expense.

Two-thirds having voted in the affirmative, the rules were suspended and the bill was passed.

BRIDGE ACROSS THE ALLEGHENY.

Mr. WILLIAM A. STONE. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the desk, being the bill (S. 3170) to authorize the Butler and Pittsburg Railroad Company to construct and maintain a bridge across the Allegheny River.

The bill was read.

By unanimous consent, a second was considered as ordered.

The rules were suspended, and the bill was passed.

ENLISTED MEN IN THE NAVY.

Mr. BOUTELLE. Mr. Speaker, I move to suspend the rules and pass Senate joint resolution No. 149, extending the benefits of sections 1426 and 1573 of the Revised Statutes to all enlisted persons in the Navy.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States in Congress assembled. That the benefits of honorable discharge, as conferred by section 1426 of the Revised Statutes, and of three months' pay upon reenlistment after honorable discharge, as conferred by section 1573, upon seamen, ordinary seamen, landsmen, firemen, coal heavers, and boys, be, and the same are hereby, extended and made applicable to all enlisted persons in the Navy.

Mr. BAILEY. Mr. Speaker, I demand a second, in order that we may have an explanation of the resolution.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BOUTELLE. Mr. Speaker, this measure is to correct the effect of a recent ruling of the Assistant Comptroller which has reversed the action of the Navy Department for more than forty years, by applying a technical rule to the construction of the statute. A statute more than forty years of age provides that where an enlisted man, after serving his term and receiving an honorable discharge from the Navy, reenlists within three months, he shall receive his pay of the interim. The provision was intended to create a species of bounty which should serve to retain the best men in the service, and it has been very effective in giving us the best class of men. The original law was intended to cover all classes of enlisted men, and was so construed for many years.

In the evolution of the service they have got into a way of rating enlisted men for different minor positions and giving them special designations, such as stewards, boatswain's mates, and so on. They are all enlisted men, they are neither appointed nor commissioned, but the Comptroller has made a ruling that inasmuch as he does not find the specific titles of these different rates of enlisted men in the law, none of the enlisted men who are so rated, as the yeomen, or stewards, or cooks, or by any of these special designations, come under the operation of the statute, and he has held up the application of the statute in those cases. This joint resolution is to provide that the law shall apply as it was intended to apply, and as it had been construed to apply for more than forty years—to all the enlisted men in the service. It affects, as I am informed by the Department, 36 per cent of the very best men in the Navy, and serious trouble will be caused unless this remedy is applied. There is an amendment recommended by the Comptroller which I desire to have incorporated in the joint resolution.

The amendment was read, as follows:

Add after the word "Navy," in line 9, the words "and all accounts of paymasters who have made payments to enlisted men, not of the classes named in sections 1426 and 1573 of the Revised Statutes as if they had been included in the provisions of said sections, shall be allowed and passed by the accounting officers of the Treasury as if they had been included in said sections."

Mr. BAILEY. I presume that the amendment is intended to relieve officers who have acted upon the former construction of the law.

Mr. BOUTELLE. That is the object.

The SPEAKER. Without objection, the resolution will be modified so as to include the amendment.

There was no objection.

The rules were suspended and the joint resolution as amended was passed.

HAHNEMANN MONUMENT.

Mr. JOHNSON of North Dakota. Mr. Speaker, I move to suspend the rules and pass the joint resolution (S. R. 27) granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann.

The joint resolution was read, as follows:

Resolved, etc. That permission be, and the same is hereby, granted the Hahnemann monument committee of the American Institute of Homeopathy to erect said monument in such place in the city of Washington, D. C., as shall be designated by the officer in charge of the new Library building, the Joint Committee on the Library, and the chairman of the monument committee; and the sum of \$4,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the building of a foundation upon which to place said monument, said monument to be presented to the people of the United States by the American Institute of Homeopathy, kindred associations, and citizens, and to be erected in the city of Washington, D. C.

Mr. RICHARDSON. I demand a second, Mr. Speaker.

Mr. DALZELL. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

Mr. RICHARDSON. Mr. Speaker, I do not like to consent to this in view of the fact that the joint resolution contains a large appropriation. It seems to me that it is a very unusual kind of legislation.

Mr. DALZELL. It does not contain a large appropriation.

Mr. RICHARDSON. It appropriates \$4,000 for a monument to a private individual.

Mr. JOHNSON of North Dakota. I will say to the gentleman that the statue—

Mr. RICHARDSON. I do not object, Mr. Speaker, to having a second considered as ordered.

Mr. BAILEY. I do.

Mr. JOHNSON of North Dakota. Let me say to the gentleman from Texas—

Mr. BAILEY. I will say to the gentleman that I have no objection in the world to the Government giving space for this statue—all the space that may be needed—if the appropriation be struck out.

Mr. JOHNSON of North Dakota. The statue, including the pedestal, will be the gift of private parties. The only expenditure asked on the part of the Government is for leveling the ground so as to make a proper foundation.

Mr. BAILEY. I am informed that this work has been largely completed—

Mr. JOHNSON of North Dakota. Certainly.

Mr. BAILEY. And while I shall vote against the appropriation for this purpose, I withdraw the objection to a second being considered as ordered.

There being no objection, a second was ordered.

Mr. JOHNSON of North Dakota. This is a proposition to present to the United States a seventy-five-thousand-dollar statue, including the pedestal. As to the merits of the statue, I wish to say that a number of the leading sculptors of the world were invited to compete for this work, and 24 models, coming from some of the greatest men in this line of art, were submitted. These models were publicly exhibited in New York City under the auspices of the American Sculptors' Society, being the first instance in the history of art in the United States where a public exhibition of models was made before a selection. The committee appointed to make the selection, including the American Sculptors' Society, decided unanimously on the model selected. As a work of art this statue is superior to anything now existing in the city of Washington, except the statues on horseback. The simple request is that the parties who have planned the execution of this work may present this beautiful statue to the United States. The only possible expenditure on the part of the Government (and that is the object of the small appropriation) will be for leveling the ground and digging down to build a foundation. The statue itself and the pedestal are complete, and are offered as a gift.

Mr. KIEFER. Who offers them?

Mr. JOHNSON of North Dakota. The American Society of Homeopaths, besides whom a great many citizens have contributed.

Mr. BLUE. Mr. Speaker, if I understand this proposition, it contemplates an appropriation of something like \$4,000.

Mr. JOHNSON of North Dakota. It can not possibly exceed

that. The actual expenditure will depend upon the quality of the ground as it may appear when excavations are made for the foundation.

Mr. BLUE. This proposition involves the establishment of a precedent in the direction of making an appropriation by the Government whenever some society or organization comes along and proposes to make a presentation of a statue. I think, Mr. Speaker, the precedent is a bad one.

Mr. DALZELL. The gentleman will allow me to say this is not making a precedent. The precedent has already been established a number of times.

Several MEMBERS. Time and again.

Mr. BLUE. Well, the precedent ought not to have been established. It is sufficient for the Government to permit the statue to be erected here without appropriating money for the purpose.

Mr. DALZELL. I want to say to my friend that there is not a city in this country that would not be glad to make an appropriation for a work of art of this kind. I venture to say that when this statue is erected it will be the most artistic of all the works of art in this capital city. I know it was one of the pet projects of General Casey, recently in charge of the construction of the Library building, that this statue should be erected on the grounds of the Library; and he marked out the spot which he himself would select for the purpose. It seems to me that when a society—not a society, but numerous citizens representing this particular faith in medicine throughout the country—have had the enterprise to secure such a monument at a cost of \$75,000, this Government ought to be glad to furnish in this capital city not only a place on which to erect the statue but a pedestal for it to rest upon.

Mr. JOHNSON of North Dakota. The pedestal is already prepared, and is presented along with the statue. The only expense to the United States in connection with this matter will be the erecting of the foundation—the expense connected with the excavation. The pedestal is part of the present, and is already paid for.

Mr. BLUE. Well, Mr. Speaker, I have not yet been convinced; and it seems to me that if this expense is incurred in connection with the statue of one individual, there may be no restriction or limit in this direction; and whenever somebody comes along with a statue having the indorsement of some gentlemen of taste and who are reputed to be judges of the fine arts, this case will be cited as a precedent. It seem to me the whole business is bad and the appropriation ought not to be made.

Mr. DALZELL. Let me say to my friend from Kansas that the chances of parties coming along in the future and contributing seventy-five-thousand-dollar statues for the adornment of the city of Washington are not going to be "plenty as blackberries."

Mr. BINGHAM. In the case of two or three of the military statues which now adorn the city of Washington the pedestals and foundations have been furnished by the Government, the statues themselves being the contributions of army organizations. The precedent of the Government contributing a part of the expense in connection with these works of art is already established; the only difference being that in the other cases the statues, being military, have belonged to a class exceptionally popular.

Mr. BLUE. Well, to my mind there is a vast difference between such cases and a matter of this kind. There are different schools of medicine—

Mr. BINGHAM. Take this statue at the foot of the Capitol; that was a contribution of citizens.

Mr. BLUE. I understand that. But statues which commemorate distinguished military service or something of that character are of a different class from this. If the Government once starts out in the direction proposed here, there is no telling what will be the limit. If we once set the precedent, we do not know how soon another society may come along with a similar proposition; and thus year after year and month after month these appropriations may be urged, supported by the precedent now sought to be established. I do not think it is right.

Mr. JOHNSON of North Dakota. I suggest to the gentleman that in the matter of nonmilitary statues the capital of the United States is singularly deficient.

Mr. BINGHAM. Gentlemen will recall the large foundation work in connection with the statue in the Botanical Gardens. That statue was a contribution of the French Government, having been first exhibited at the Centennial Exposition in Philadelphia. The presentation having been made, the Government expended \$8,000 for the foundation and the erection of the statue. I merely wanted to give the gentleman facts, showing that there are precedents for the action proposed here.

Mr. DALZELL. And I would say to the gentleman further that there is a statue of Dr. Gross, near the Smithsonian Institution, built under similar circumstances at the close of the last session of Congress. I am informed; and also one of Professor Henry in the Smithsonian Grounds.

Mr. BLUE. I will content myself simply with voting against

the proposition. I will not obstruct its passage, but I think it wrong, all the same.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill passed.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GROUT. Mr. Speaker, I call up the conference report on the District of Columbia appropriation bill.

The SPEAKER. The Clerk will read the report.

The Clerk proceeded to read the report.

Mr. DOCKERY. Mr. Speaker, that report was agreed to last evening, and the only question at issue now is to further insist on the disagreement to the remaining Senate amendments.

Mr. GROUT. I move, Mr. Speaker, that the House further insist on its disagreement to the remaining Senate amendments, and ask for a conference on the disagreeing votes thereon.

Mr. RICHARDSON. I understand from the motion of the gentleman from Vermont that there has been no agreement upon any one of the amendments in dispute since the last report?

The SPEAKER. The Chair understands that there has been no agreement since the last report.

The motion of Mr. GROUT was agreed to.

The SPEAKER appointed as conferees Mr. GROUT, Mr. PITNEY, and Mr. DOCKERY.

Mr. DINGLEY. Mr. Speaker, before this matter goes into conference I desire to ask the gentleman in charge of the bill as to the prospect of an agreement upon the points of difference now remaining between the two Houses.

Mr. GROUT. Mr. Speaker, the remaining points of difference, I will state, in response to the gentleman from Maine, relate to the District charities and to the lighting of the city west of Rock Creek. These are the only points on which there is any disagreement.

Mr. DINGLEY. Has there been any progress made since the prior report?

Mr. GROUT. I was going to say further, if the gentleman will allow me a moment, that the conferees have been together informally this morning, and there is a bright prospect of coming to an early understanding so far as the District charities are concerned, and I have no doubt that the other question, with reference to the lighting of the city west of Rock Creek, will also be settled in some satisfactory manner.

Mr. DINGLEY. Because, if the gentleman will pardon me a moment, there seems to be, as I understand it now, only two points of difference between the Senate and the House, one on the District bill, with reference to the matters suggested by the gentleman in charge of the bill, and the point of difference with reference to the few public buildings embraced in the sundry civil bill in the Senate amendments. That is all that stands between the completion of the work of the House and the final adjournment of this session of Congress.

Now, it seems to me that with such slight differences remaining between the two Houses there ought to be a conclusion reached at a very early moment [applause] in order that we may be able to wind up the business of the session and adjourn Congress.

Mr. GROUT. I beg to say in response to the gentleman that the House conferees have been working diligently and have been prepared to make reasonable concessions in order to secure a settlement of these differences, and they have spared no effort toward reaching an agreement. I give the gentleman hope, however, that an understanding may be reached on the question of the charities in the District bill, and I presume we shall be able to reach an understanding also on the other matter, so that apparently a final agreement is in sight.

Mr. RICHARDSON. I would like to ask the gentleman from Maine a question. I suppose the statement the gentleman has made is equivalent to an official announcement that nothing will be done with the bond resolution pending before the Committee on Ways and Means?

Mr. DINGLEY. Well, in all probability there will not be much opportunity for any matters of that kind at this late stage in the session.

Mr. TAWNEY. I presume the gentleman from Tennessee refers to the bond resolution recently passed by the Senate. That was referred by the House to the Committee on Ways and Means, but is not before the committee now, having been adversely reported to the House.

Mr. RICHARDSON. I take it, therefore, from the statement of the gentleman from Maine that we are to understand officially that no action is to be taken on that question.

Mr. DINGLEY. What does the gentleman refer to?

Mr. DOCKERY. The gentleman refers to the bill of the Senate prohibiting the further issue of interest-bearing bonds.

Mr. RICHARDSON. A matter the consideration of which could easily be reached. But I was simply asking if we are to understand that nothing is to be done in regard to that question.

Mr. DINGLEY. The gentleman well knows that the House is very thin, and members are eager to get away; and there is no probability of any such action as he contemplates.

Mr. RICHARDSON. Well, with a majority of some hundred and sixty-odd, and growing rapidly—

Mr. DOCKERY. Sometimes at the rate of two a day.

Mr. RICHARDSON. Yes; sometimes at the rate of two a day; it seems that the gentleman ought to be able to secure and keep a majority for action on such an important measure as that.

Mr. HOPKINS. The gentleman from Tennessee, if he is anxious to get at the circumstances of the case, will find a report from the Committee on Ways and Means which has been prepared and submitted to the House. If he will get that report and read it he will obtain some information upon this subject.

Mr. CORLISS. Mr. Speaker, I ask for the regular order.

The SPEAKER. This debate does not seem to be germane to the question before the House. [Laughter.]

PUBLIC BUILDING AT DETROIT, MICH.

Mr. CORLISS. Mr. Speaker, I move to suspend the rules and pass the joint resolution (S. R. 161) authorizing the Secretary of the Treasury to place a bronze tablet or inscription on the Government building now being erected in Detroit, Mich.

The joint resolution was read, as follows:

Resolved 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 cause to be prepared and placed in some suitable position on the Government building now being erected in the city of Detroit, Mich., a bronze tablet or an inscription commemorative of the fact that the said public building is erected on the site of the British Fort Lernout, which was surrendered to the United States in 1796; and is also on the site of the American Fort Shelby, which was demolished in 1830: *Provided*, That the cost of such tablet shall be paid from the appropriation already made for the said building.

Mr. CORLISS. I ask that a second be considered as ordered.

Mr. DINGLEY. Mr. Speaker, as I understand it, this simply gives permission to private individuals to place on this building a tablet commemorative of an historical event.

Mr. CORLISS. This building is erected on the site of an old fort, evacuated by the British one hundred years ago, and this authorizes the placing on the building of a tablet containing an appropriate inscription commemorative of that event, without any additional expense to the Government.

Two-thirds voting in favor thereof, the rules were suspended and the joint resolution was passed.

SUBMARINE CABLES.

Mr. BINGHAM. I move to suspend the rules and pass the bill (H. R. 9149) to regulate the establishment of submarine telegraphic cable lines or systems of the United States.

The bill was read, as follows:

Be it enacted, etc., That the shore end of any new submarine telegraphic cable line or system that shall be established after the passage of this act, which line or system shall be protected in any foreign country by exclusive landing rights or by any other special privileges or franchises, shall not be permitted to be landed or operated on the territory of the United States until the consent of the Congress of the United States shall have been obtained therefor. But this prohibition shall not apply to the renewal or renewals of any submarine telegraphic cable or cables now in operation.

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. RICHARDSON. Mr. Speaker, I demand a second, in order to have some explanation of this matter.

Mr. BINGHAM. The bill comes from the Committee on Interstate and Foreign Commerce, and is unanimously reported. Heretofore the permission for the landing of submarine cables has been granted by the State Department. Under date of December 21, 1893, the late Secretary Gresham stated that since March 1, 1893, no permission had been given by the Department of State to any foreign cable company to land its line on the coast of the United States, and that he knew of no law of Congress authorizing him or any other executive officer to grant such permission. That emphasized the necessity of this legislation. This bill vests the granting of the permission in Congress.

Two-thirds voting in favor thereof, the rules were suspended and the bill passed.

STRATTON H. BENSCHOTER.

The SPEAKER laid before the House the bill (H. R. 3771) for the relief of Stratton H. Benschoter, with Senate amendments thereto. The Senate amendments were read.

Mr. LACEY. I move to nonconcur in the Senate amendments, and ask for a conference.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. HULL, Mr. FENTON, and Mr. McCLELLAN.

JAMES A. MOORE.

Mr. NEWLANDS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 768) for the relief of James A. Moore.

The bill was read, as follows:

Be it enacted, etc., That the proper accounting officers of the Treasury are hereby authorized and directed to settle the accounts of James A. Moore for services rendered and expenses incurred as United States marshal for the district of Nevada from October 12, 1892, the date of the expiration of his commission, until May 15, 1893, the date when his successor qualified, in the same manner as if section 793 of the Revised Statutes of the United States, providing for ad interim appointments, had been complied with.

Mr. LOUD. I demand a second, in order that the gentleman may make some explanation. I am willing to have a second considered as ordered.

Mr. NEWLANDS. I ask unanimous consent that a second be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Nevada [Mr. NEWLANDS] has twenty minutes and the gentleman from California [Mr. LOUD] twenty minutes.

Mr. NEWLANDS. I wish to say with reference to this bill that it simply authorizes the accounting officers of the Treasury to audit the account of a man who served as United States marshal for some few months after the expiration of his term. There was some informality in his appointment. Mr. Bowler, the Comptroller of the Treasury, admits the equity of the claim, but insists that he must have authority from Congress to audit it. The letter of the Comptroller of the Treasury appears in the report. The bill has been passed by the Senate and favorably reported by the Committee on Claims of the House. It involves only a matter of ten or twelve hundred dollars. It makes no appropriation, but simply authorizes the accounting officers to audit the claim.

Mr. LOUD. I would like to state that passage by the Senate is no recommendation of a bill, Mr. Speaker, especially if it carries an appropriation.

Mr. NEWLANDS. This bill carries no appropriation.

Mr. LOUD. Is not there some money involved in this bill?

Mr. NEWLANDS. It authorizes the Comptroller of the Treasury to audit these accounts.

Mr. LOUD. Has it been reported by a House committee?

Mr. NEWLANDS. It has been reported by a House committee. This man actually served under the orders of the judge of the United States circuit court there, rendered the services, presented his accounts, which have not been audited, on the presumption that there was some informality in the appointment. The Comptroller of the Treasury recommends the passage of the bill.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

WASHINGTON NATIONAL PARK.

Mr. DOOLITTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 4058) to set apart certain lands now known as the Pacific Forest Reserve as a public park, to be known as the Washington National Park. I ask that the bill be passed with the amendments recommended by the committee.

The bill was read, as follows:

Be it enacted, etc., That all those certain tracts, pieces, or parcels of land lying and being situate in the State of Washington, and within the boundaries particularly described as follows, to wit: Beginning at a point 3 miles east of the northeast corner of township No. 17 north, of range 6 east, of the Willamette meridian; thence southerly through the central parts of townships Nos. 17, 16, and 15 north, of range 7 east, of the Willamette meridian, 18 miles more or less, subject to the proper easterly or westerly offsets, to a point 3 miles east of the northeast corner of township No. 14 north, of range 6 east, of the Willamette meridian; thence east on the township line, between townships Nos. 14 and 15 north, 18 miles more or less, to a point 3 miles west of the northeast corner of township 14 north, of range 10 east, of the Willamette meridian; thence northerly, subject to the proper easterly or westerly offsets, 18 miles more or less, to a point 3 miles west of the northeast corner of township No. 17 north, of range 10 east, of the Willamette meridian (but in locating said easterly boundary line, wherever the summit of the Cascade Mountains is sharply and well defined, the said line shall follow the said summit, where the said summit line bears west of the easterly line as herein determined); thence westerly along the township line between said townships Nos. 17 and 18 to the place of beginning, the same being a portion of the lands which were reserved from entry or settlement and set apart as a public reservation by proclamation of the President on the 20th day of February, in the year of our Lord 1893, and of the independence of the United States the one hundred and seventeenth, are hereby dedicated and set apart as a public park, to be known and designated as the Washington National Park, for the benefit and enjoyment of the people; and all persons who shall locate or settle upon or occupy the same, or any part thereof, except as hereafter provided, shall be considered trespassers and be removed therefrom.

SEC. 2. That said public park shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be to make and publish, as soon as practicable, such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonders within said park, and their retention in their natural condition. The Secretary may, in his discretion, grant leases for building purposes, for terms not exceeding twenty-five years, of small parcels of ground at such places in said park as shall require the erection of buildings for the accommodation of visitors, all of the proceeds of said leases, and all other revenues that may be derived from any source connected with said park, to be expended under his direction in the management of the same and the construction of roads and bridle paths therein. And through the lands of the Pacific Forest Reserve adjoining said park rights of way are hereby granted, under such restrictions and regulations as the Secretary of the Interior may establish, to any railway or tramway company or companies, through the lands of said Pacific Forest Reserve, and also into said

park hereby created, for the purpose of building, constructing, and operating a railway or tramway line or lines through said lands, also into said park. He shall provide against the wanton destruction of the fish and game found within said park, and against their capture or destruction for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same after the passage of this act to be removed therefrom, and generally shall be authorized to take all such measures as shall be necessary or proper to fully carry out the objects and purposes of this act.

SEC. 3. That upon execution and filing with the Secretary of the Interior, by the Northern Pacific Railroad Company, of proper deed releasing and reconveying to the United States the lands in the reservation hereby created, also the lands in the Pacific Forest Reserve, which have been heretofore granted by the United States to said company, whether surveyed or unsurveyed, and which lie opposite said company's constructed road, said company is hereby authorized to select an equal quantity of nonmineral public land, so classified as nonmineral at the time of actual Government survey which has been or shall be made, of the United States not reserved, and to which no adverse right or claim shall have attached or have been initiated at the time of the making of such selection, lying within any State into or through which the railroad of said Northern Pacific Railroad Company runs, to the extent of the lands so relinquished and released to the United States.

SEC. 4. That upon the filing by the said railroad company at the local land office of the land district in which any tract of land selected in pursuance of this act shall lie, a list describing the tract or tracts selected and the payment of the fees prescribed by law in analogous cases, and the approval of the Secretary of the Interior, he shall cause to be executed, in due form of law, and deliver to said company a patent of the United States conveying to it the lands so selected. In case the tract so selected shall at the time of selection be unsurveyed, the list filed by the company at the local land office shall describe such tract in such manner as to designate the same with a reasonable degree of certainty; and within the period of three months after the lands including such tract shall have been surveyed and the plats thereof filed in the local land office, a new selection list shall be filed by said company describing such tract according to such survey; and in case such tract, as originally selected and described in the lists filed in the local land office, shall not precisely conform with the lines of the official survey, the said company shall be permitted to describe such tract anew, so as to secure such conformity.

SEC. 5. That the mineral laws of the United States are hereby extended to the lands lying within the said reserve and said park.

Amend the title so as to read: "A bill to set apart a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Washington National Park."

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. BAILEY. I demand a second on that.

Mr. DOOLITTLE. I ask that a second be considered as ordered.

Mr. BAILEY. I object.

The SPEAKER. Objection is made. The gentleman from Texas and the gentleman from Washington will take their places as tellers.

Mr. BAILEY. If the gentleman will permit me, I am entirely willing that the United States Government shall cede this land to the State of Washington to be made a park. The matter I am objecting to is that the Federal Government undertakes to maintain this park after it is made.

Mr. DOOLITTLE. I would like to say to the gentleman from Texas that all we are asking for in this bill is for three sections square of mountain land about the foot of this mountain, which is 16,000 feet above the sea level, snow-capped with eternal snow and ice fields. We ask that it be set aside, and that the people of my State be permitted to improve that as a park. Many people travel across the continent and from foreign lands to view the grandeur of that mountain scenery. We are simply asking that this matter be placed under the authority of the Secretary of the Interior—

Mr. LACEY. The land has already been withdrawn as a forest reservation.

Mr. DOOLITTLE. The land has already been withdrawn as a forest reservation, and we ask that the Secretary of the Interior be given authority to formulate regulations as to what shall be done in the park in the way of its improvement, and so on.

Mr. BAILEY. I thoroughly sympathize in the desire of the gentleman to obtain this land for his State, and I am more than willing that he should have double the amount; but—

Mr. DOOLITTLE. We do not ask a nickel of appropriation.

Mr. BAILEY (continuing). I object to the Secretary of the Interior becoming the keeper of a park; and I object to taxing all the people of the United States to maintain a park in the State of Washington. If the gentleman will prepare an amendment that gives this land absolutely to the State of Washington I will support it.

Mr. DOOLITTLE. You understand that we are not asking for an appropriation, and do not intend to ask for a nickel from this Government. We propose to make the necessary improvements, for the benefit of all the people of this country, out of our own pockets, every dollar of it, and are asking nothing in the way of appropriation. It seems to me that no fairer proposition has ever been made to Congress than this.

Mr. BAILEY. The difficulty I have is that I have not learned how it is possible to maintain a park by any government without expense.

Mr. DOOLITTLE. I will explain—

Mr. BAILEY. If the gentleman will excuse me, this Congress ought to be advised by what has been the result in the Yellowstone Park. Annually we are called upon to make appropriations to maintain it. I will, however, accept the assurance of the gentleman from Washington that they do not intend to ask a dollar

from the Government in the way of an appropriation; but I am willing to put it in the RECORD now that I will, in less than two years, remind him of it; and he agrees to have it stricken out.

Mr. DOOLITTLE. Why, most assuredly.

Mr. BAILEY. Then I withdraw the demand for a second.

Mr. DOOLITTLE. I ask for a vote, Mr. Speaker.

Mr. LACEY. There were amendments reported by the committee.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill with the amendments as reported by the committee.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

UNITED STATES COURTS—TEXAS.

Mr. BELL of Texas. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the desk, being a bill (H. R. 9226) to change the time and places for holding the district and circuit courts of the northern district of Texas.

The bill was read, as follows:

Be it enacted, etc., That the United States circuit and district courts for the northern district of Texas shall be composed of the counties hereinafter named, and the terms of the said courts shall be held in each year at the time and places as follows:

At Dallas, in the county of Dallas, on the second Monday of January and the third Monday of May.

At Waco, in the county of McLennan, on the second Monday of April and the third Monday of November.

At Fort Worth, in the county of Tarrant, on the first Monday of March and the third Monday in September.

At Abilene, in the county of Taylor, on the third Monday of March and the third Monday in October.

At San Angelo, in the county of Tom Green, on the fourth Monday of March and the first Monday in November.

SEC. 2. That all process issued against defendants residing in the counties of Brazos, Robertson, Leon, Limestone, Freestone, McLennan, Falls, Bell, Coryell, Hamilton, Bosque, Somervell, and Hill shall be returned to Waco. All process issued against defendants residing in the counties of Navarro, Johnson, Ellis, Kaufman, Dallas, Rockwall, Hunt, Collin, Denton, Cooke, and Montague shall be returned to Dallas. All process issued against defendants residing in the counties of Comanche, Hood, Erath, Tarrant, Parker, Palo Pinto, Wise, Clay, Jack, Young, Archer, Wichita, Wilbarger, Baylor, Hardeman, Cottle, Motley, Briscoe, Hall, Childress, Collingsworth, Donley, Armstrong, Randall, Deaf Smith, Oldham, Potter, Carson, Gray, Wheeler, Hemphill, Lipscomb, Ochiltree, Roberts, Hutchinson, Hansford, Sherman, Moore, Hartley, and Dallam shall be returned to Fort Worth. All process issued against defendants residing in the counties of Eastland, Stephens, Throckmorton, Shackelford, Callahan, Taylor, Jones, Haskell, Knox, Nolan, Fisher, Stonewall, Kent, Dickens, King, Crosby, Garza, Lubbock, Gaines, Andrews, Mitchell, Scurry, Borden, Howard, Martin, and Midland shall be returned to Abilene. All process issued against defendants residing in the counties of Glasscock, Sterling, Coke, Tom Green, Crockett, Schleicher, Sutton, Irion, Mills, Runnels, Coleman, and Brown shall be returned to San Angelo.

SEC. 3. That all actions or proceedings now pending in the courts of said district against parties residing in either of the counties from which process is made returnable to the courts to be held at Fort Worth, San Angelo, and Abilene, respectively, may, on the application of either party to such actions or proceedings, be transferred to the court at which the said proceedings would be returnable as provided in this act; and in case of such transfer all papers and files therein, with copies of all journal entries, shall be transferred to the office of the deputy clerk of the said court, and the same shall proceed in all respects as if originally commenced in said court.

SEC. 4. That there shall be appointed, in the manner required by law, a deputy clerk, who shall keep his office at the city of Fort Worth, and also one who shall keep his office at the city of Abilene, and also one who shall keep his office at the city of San Angelo.

SEC. 5. That no session of the said circuit court and district court of the northern district of the State of Texas shall be held at the city of Graham after this law shall take effect, and the records of said courts shall be removed from said town of Graham to the said town of Abilene, and the change of the places of holding the terms of the said courts as herein provided shall not affect the validity of any process or any bond or other obligation heretofore issued or made, and the same shall be held and taken as returnable and otherwise to the respective courts to which they would be returnable as provided after this law takes effect.

The rules were suspended and the bill was passed.

JOHN KEEFE.

Mr. POOLE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 4538) which I send to the desk.

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 pay, out of any money in the Treasury not otherwise appropriated, to John Keefe, of Syracuse, N. Y., the sum of \$20, in full compensation for his services as engineer in the United States court-house and post-office building in Syracuse, N. Y., for the months of July and August, 1888, and from June 1 to August 17, 1889.

The rules were suspended and the bill was passed.

FORT BLISS MILITARY RESERVATION.

Mr. CATRON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3206) to grant a right of way through the new Fort Bliss Military Reservation to the El Paso and Northeastern Railroad Company.

The bill was read, as follows:

Be it enacted, etc., That there is hereby granted to the El Paso and Northeastern Railroad Company a right of way 100 feet wide, on such route as the Secretary of War may designate, through the new Fort Bliss Military Reservation, Tex. If said railroad shall not be built across said reservation within three years next after the passage of this act, this grant shall absolutely cease and determine.

The rules were suspended and the bill was passed.

JAMES P. VEACH.

Mr. FARIS. Mr. Speaker, I move that the Committee on Military Affairs be discharged from further consideration of Senate joint resolution No. 138, for the relief of James P. Veach, and that the rules be suspended and the joint resolution be passed.

The joint resolution was read, as follows:

Resolved, etc., That the Secretary of War be, and he hereby is, empowered, authorized, and directed to cause record to be made in the military history of James P. Veach, a private of Company I of the One hundred and nineteenth (Seventh Cavalry) Regiment of Indiana Volunteers, in the service of the United States, that the said James P. Veach, having received from the President of the United States a full and unconditional pardon of all military offenses for which he was tried and convicted by court-martial, and sentence of which court was promulgated January 8, 1866, in General Orders No. 6, Department of Texas, is thereby absolved from said offenses and from all the penalties of such offense and sentence, and is therefore entitled to an honorable discharge; and thereupon to discharge said Veach as of the date October 8, 1865.

The SPEAKER. The question is on discharging the Committee on Military Affairs from further consideration of the joint resolution and suspending the rules and passing the resolution.

Mr. TALBERT. Mr. Speaker, I demand a second, in order that we may have some explanation of the resolution.

Mr. PAYNE. I ask unanimous consent that a second be considered as ordered.

There was no objection.

Mr. FARIS. Mr. Speaker, in response to the gentleman from South Carolina [Mr. TALBERT], I desire to say that this resolution was passed by the Senate at a former session of Congress. Its object is simply to make effective the pardon by President Harrison of this soldier, who was resting under a military sentence. This soldier enlisted in 1863 when he was 15 years old. After about two years of honorable service he fell sick and left his command, and in a short time, being recovered, he voluntarily returned to it, there being no record of his arrest. This was in October, 1865, when the soldier believed the war was over, and when it was actually ended. He was court-martialed, however, and sentenced to two years' confinement and served a part of his sentence, and in December, 1866, escaped and went home in Indiana. This was when he was about 18 years old. He was a good soldier and he is a very reputable man. The records will bear out the statements which I make in relation to him as a soldier in the service, and subsequently as a citizen. This joint resolution carries no appropriation whatever. It simply authorizes the Secretary of War to make effective the President's pardon and issue to this soldier an honorable discharge.

Mr. LOUD. Mr. Speaker, I wonder what this soldier's meritorious services were and where they were performed in 1866.

Mr. BISHOP. He had been for some years in the Army.

Mr. LOUD. He could not have been many years in the Army, if he was only 18 years of age when this trial took place, unless he was born there. [Laughter.]

Mr. FARIS. The report shows that he enlisted in September, 1863.

Mr. LOUD. And he was only 18 years of age at the time of the trial?

Mr. FARIS. He was only 15 when he enlisted, and he was about 18 at the time of the court-martial.

Mr. LOUD. This court-martial was in 1866.

Mr. FARIS. It may have been early in that year, but it was long after the offense was committed. He was down in Texas in the service before that.

Mr. LOUD. Permit me to say that soldiers who deserted during the war were not tried in 1866. The President's proclamation pardoned them all.

Mr. BISHOP. Mr. Speaker, if I remember the case correctly, this soldier enlisted as a recruit some time about 1863 or 1864, with the expectation of serving only until the end of the term of service of the regiment in which he was placed as a recruit. When the war was over they took him, with some others, and sent them down on the Mexican border. He remained there until 1866, when he got sick and went to New Orleans. He then went back, and some time afterwards he was tried for going to New Orleans when he was sick. Upon that trial he was convicted and sentenced. The President of the United States thought an injustice had been done him and granted him a pardon, but that does not give him an honorable discharge, and this joint resolution simply directs that he be given an honorable discharge.

Mr. LOUD. Why not bring in a bill at once granting a pension to this man? That is evidently what he wants.

Mr. BISHOP. Well, I think his service in the Army from the time he was 16 until he was 18 years old, two years, would probably entitle him to a pension; and for one I should be perfectly willing to give it to him.

Mr. LOUD. Why not be consistent and go right at it at once?

Mr. PAYNE. We can not do it all in so short a time. The gentleman wants us to work too fast. [Laughter.]

Mr. LOUD. That course would save time.

Mr. FARIS. Mr. Speaker, I ask for a vote.

The question being taken, the motion of Mr. FARIS to suspend the rules, discharge the Committee on Military Affairs from further consideration thereof, and pass the joint resolution was agreed to, two-thirds voting in favor thereof.

Mr. FARIS. Mr. Speaker, there is on the House Calendar a resolution (H. Res. 161) which has been favorably reported by the House Committee on Military Affairs. As it is exactly similar in its provisions to the Senate joint resolution just passed, I move that it be laid on the table.

There being no objection, it was so ordered.

BRIDGE ACROSS ST. LOUIS RIVER.

Mr. HARTMAN. I move to suspend the rules and pass the bill which I send to the desk.

The bill (H. R. 8321) to authorize the county of St. Louis, in the State of Minnesota, to build or authorize the building of a foot and wagon bridge across the St. Louis River between Minnesota and Wisconsin, at a point near Fond du Lac, in said State of Minnesota, was read.

The question being taken, the motion to suspend the rules and pass the bill was agreed to, two-thirds voting in favor thereof.

BURIALS AT NATIONAL CEMETERIES.

Mr. BAKER of New Hampshire. I move to suspend the rules and pass the bill (H. R. 8443) to amend section 4878 of the Revised Statutes, relating to burials in national cemeteries.

The bill was read, as follows:

Be it enacted, etc., That section 4878 of the Revised Statutes be amended so as to read as follows:

"SEC. 4878. All soldiers, sailors, or marines dying in the service of the United States, or dying in a destitute condition after having been honorably discharged from the service, or who served during the late war, either in the regular or volunteer forces, may be buried in any national cemetery free of cost. The production of the honorable discharge of a deceased man shall be sufficient authority for the superintendent of any cemetery to permit the interment. Army nurses honorably discharged from their service as such may be buried in any national cemetery; and if in a destitute condition, free of cost. The Secretary of War is authorized to issue certificates to those army nurses entitled to such burial."

Mr. BAKER of New Hampshire. The only change which this bill proposes to make in existing law is to permit army nurses regularly discharged and so certified by the Secretary of War to be buried in national cemeteries.

Mr. HULICK. Does the bill require the presentation of the discharge before authority is granted for burial in a national cemetery?

Mr. BAKER of New Hampshire. There must be a certificate from the Secretary of War.

Mr. HULICK. Suppose there is other authority.

Mr. BAKER of New Hampshire. The other evidence, whatever it may be, must be presented to the Secretary of War, and he will furnish the certificate. This bill applies only to army nurses.

The question being taken, the motion of Mr. BAKER of New Hampshire to suspend the rules and pass the bill was agreed to, two-thirds voting in favor thereof.

SUPPORTS OF ENTRY, ETC., IN FLORIDA.

Mr. COOPER of Florida. I move to suspend the rules, and pass the bill (S. 1767) to provide for supports of entry and delivery in the State of Florida.

The bill was read, as follows:

Be it enacted, etc., That such places in the collection districts in the State of Florida as the Secretary of the Treasury may from time to time designate shall be supports of entry and delivery, and customs officers shall be stationed at such supports, with authority to enter and clear vessels, receive duties, fees, and other moneys, and perform such other services and receive such compensation as, in the judgment of the Secretary of the Treasury, the exigencies of commerce may require.

SEC. 2. That all acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Mr. LOUD. I demand a second on this motion, in order that we may have an explanation of the measure.

Mr. COOPER of Florida. I can explain it to the gentleman in a few moments.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. COOPER of Florida. Mr. Speaker, this bill has been unanimously reported from the Committee on Ways and Means. In consequence of the extension of a railroad down the Atlantic coast of Florida there has been a development of commerce with the Bahamas, the West Indies, etc., and thus there has arisen a need for several supports of entry. This is a Senate bill, and has been passed by that body. The suggestion was made (and it was approved by the Committee on Commerce) that the shortest way of meeting the demands of the present case would be to pass this bill, which simply authorizes the Secretary of the Treasury to establish these supports at the needed points.

Mr. LOUD. I should like to ask the gentleman from Maine [Mr. DINGLEY], the chairman of the Committee on Ways and Means, whether he thinks it advisable that the Secretary of the Treasury be empowered to establish supports of entry wherever, in his judgment, he may see fit to do so.

Mr. DINGLEY. Such legislation as this is ordinarily undesirable. It has been adopted in the case of Alaska—

Mr. COOPER of Florida. And Washington.

Mr. DINGLEY. And in the case of the State of Washington. The justification for legislation of this kind arises from peculiar circumstances where the ports in a given State for the transaction of this class of business are changing in consequence of peculiar conditions. Under such circumstances measures of this kind are resorted to as a temporary expedient. In the case of Florida, the establishment of lines to Cuba and various other points brings about a continual change in the requirements of trade; so that on conference with the Treasury Department, it was thought best to give this exceptional authority in the case of Florida, which has been given in the case of Washington and Alaska, until the regular conditions of trade should settle down. Hence the Committee on Ways and Means believed it justifiable to give this authority, which is exceptional, of course, and ought not ordinarily to be given.

Mr. LOUD. Would it not be wise to insert in the bill a proviso that the number of officials shall not be increased? Surely the commerce of Florida is not growing so rapidly as to require the appointment of new officials. If the current of business is changing, I realize that there may be need for new subports of entry and delivery. But this is a great discretionary power which it is proposed to lodge in the hands of the Secretary of the Treasury.

Mr. DINGLEY. Under existing law the Secretary of the Treasury has authority to appoint as many of these subordinate officials as may be necessary for the transaction of the public business, so that as far as that matter is concerned this bill confers no additional power. On the whole, under the peculiar circumstances, the committee thought it advisable to give the authority contemplated by the bill.

Mr. LOUD. If the gentleman from Maine can stand it I can. He is going to stay here longer than I am.

Mr. DINGLEY. In that respect there is no change in existing law. There is no limit now.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill passed.

LOSSES BY POSTMASTERS, ETC.

Mr. CONNOLLY. Mr. Speaker, I move to suspend the rules and pass the bill I send to the desk.

The SPEAKER. The bill will be read.

The Clerk read as follows:

A bill (H. R. 9447) to amend section 1 of an act entitled "An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglaries, fire, or other unavoidable casualties," approved May 9, 1888.

Be it enacted, etc., That the first proviso in section 1 of said act be so amended as to read as follows:

"Provided, That no claim exceeding the sum of \$10,000 shall be paid or credited until after the facts shall have been ascertained by the Postmaster-General and reported to Congress, together with his recommendation thereon, and an appropriation made therefor."

Mr. LOUD. Mr. Speaker, I demand a second.

Mr. CONNOLLY. I ask that a second be considered as ordered.

Mr. LOUD. I have no objection to that.

A second was ordered.

Mr. CONNOLLY. Mr. Speaker, this bill simply amends the section of the statute which now authorizes the settlement of that kind of claims in the Post-Office Department where the amount involved does not exceed \$2,000. As a result, every burglary of a post-office, which has been investigated by the Department, or loss of any kind arising in the post-offices without fault on the part of the postmaster, if the amount stolen is less than \$2,000, is settled at the Department at once; but if it exceeds that sum, say \$2,001, the postmaster must come to Congress and wait until a bill is passed for his relief. As a result of that, there are not less than a dozen or fifteen bills now pending for such claims, that have been recommended by the Department.

The purpose of this act is to change the limit fixed by the law from \$2,000 to \$10,000, so that the great bulk of the claims investigated by the Department, which they would settle if they had authority, may be settled when the limit is so raised.

The chairman of the Post-Office Committee understands the situation; he has examined the amendment to the law, and other gentlemen who are interested in it have also examined it, and there seems to be no objection to it so far as I am aware.

Mr. COOKE of Illinois. Mr. Speaker, I desire to say in favor of the passage of this bill that I have a case coming directly under the provision of the proposed amendment, in which case the committee have reported favorably upon a bill for the allowance to Mr. James A. Sexton, the late postmaster of Chicago, of the sum of \$3,757.05 on account of funds stolen from his office in 1893. The report of Mr. Bissell, the Postmaster-General, which was made in 1894, uses this language:

Being satisfied from the evidence that the loss resulted from no fault or negligence on the part of said postmaster, I respectfully recommend the passage of a bill authorizing the credit claimed and making appropriation of said amount.

A complete examination and investigation of the case was made by the inspectors of the Post-Office Department, and the postmaster having gone out of office there is no way in which he can settle his final accounts aside from a special act for his relief, unless some such provision as this is adopted, whereby the limit shall be raised above the amount now fixed by law to such an extent as to cover the amount of his loss.

I heartily approve of the bill, as it simply places it in the power of the Postmaster-General to pass on such cases promptly when on a thorough investigation he ascertains that there is no fault resting upon the postmaster whereby the funds are lost, stolen, or otherwise destroyed.

Mr. BINGHAM. Will the gentleman from Illinois allow an inquiry?

Mr. CONNOLLY. Certainly.

Mr. BINGHAM. In this proposed change of the statute is it simply a change of the limit from two to ten thousand dollars, the wording of the statute in other respects remaining the same?

Mr. CONNOLLY. Precisely. The word "two" is stricken out and "ten" inserted. That is the only change.

Mr. LOUD. Mr. Speaker, just a word on this matter. While I demanded a second, I have no objection to the bill proposed by the gentleman from Illinois, and think it ought to pass. But still the House should know before it is passed exactly what is contained therein. This bill, of course, will extend the law or make it retroactive for fifteen years. I think the House should be in possession of the facts. It will take every claim that is now pending before Congress, or that is not pending before Congress, back for fifteen years preceding 1882. Not fifteen years back of the present date, but, as I understand, in amending the act of 1882, which this does, that act extends back a period of fifteen years, and this act passed in 1896, as we passed it, of course, would extend it back, I think, fifteen years prior to 1882.

Mr. HILL. Why should it not?

Mr. COOKE of Illinois. Mr. Speaker, I desire to call the attention of the gentleman from California [Mr. LOUD] to the fact that the act which is amended by the pending bill provides, it is true, that only those claims which accrued within fifteen years prior to March 17, 1882, should be covered by the act, but it also contains a proviso which is not disturbed by the bill now pending, which proviso is as follows:

And no claims for losses which may hereafter accrue shall be allowed unless presented within six months from the time the loss occurred.

It seems to me that is an ample provision for the protection of the Post-Office Department concerning any old claims which have not been presented.

Mr. LOUD. Possibly it is. There is a question about it. As I said, Mr. Speaker, I do not propose to oppose the bill. I think it is a meritorious one, because I am satisfied that the Post-Office Department is more competent to investigate these claims, and to judge as to whether they ought to be paid, than Congress is. I am perfectly willing to allow the Department to investigate those cases. But while I am on my feet I can not refrain from offering this suggestion, that there are a great many laws that need amending, but there is one in particular, and that is the law relating to lost checks. The limit, as I understand it, is now \$2,500, and that law needs amendment more than this one does. I will say that there are several other bills amending the postal laws which, in my opinion, will be of great benefit to the Government. This bill of course can only be of great benefit to the claimants. There are a great many bills before Congress which would aid very materially the better management of the Post-Office Department, and while I congratulate the gentleman from Illinois [Mr. COOKE] who has written this bill within the last hour, on the alacrity with which he has brought it before the House, and on the alacrity with which he has gained recognition, I do still feel that if bills of this character, where there is no one especially interested except the claimants, can receive the attention of Congress, it would have been better for Congress to have turned its attention to such matters of legislation as would have improved the service.

I hope this bill will pass.

Two-thirds voting in favor thereof, the rules were suspended and the bill passed.

BRIDGE ACROSS THE ARKANSAS RIVER.

Mr. SHERMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 5482) authorizing the Cleveland Bridge Company to construct a bridge across the Arkansas River between Pawnee County, Okla., and the Osage Indian Reservation.

The bill was read. It provides that the Cleveland Bridge Company, a corporation duly organized and existing under the laws of the Territory of Oklahoma, and its successors or assigns, be, and is hereby, authorized to construct and maintain a bridge and approaches thereto across the Arkansas River between a point in Pawnee County and the Osage Indian Reservation, in the Territory of Oklahoma, on section 9, township 21 east, of range 8 east. Said bridge shall be constructed to provide for the passage of

wagons and vehicles of all kinds, for the transit of animals, foot passengers, and all kinds of commerce, travel, and communications, and said corporation may charge and receive such reasonable tolls therefor as may be permitted by the laws of the Territory of Oklahoma.

Two-thirds voting in favor thereof, the rules were suspended and the bill passed.

ARTHUR P. SELBY.

Mr. JOY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 261) for the relief of Arthur P. Selby.

The bill was read, as follows:

Be it enacted, etc. That the Secretary of the Treasury is hereby directed to pay to Arthur P. Selby the sum of \$946, being an amount paid into the Treasury by said Selby, as clerk of the United States circuit court of the eastern district of Missouri, by mistake on his part and on the part of the accounting officers of the Government.

Mr. DINGLEY. I understand that there is a letter from the Comptroller stating the facts in this case.

Mr. JOY. Yes.

Mr. DINGLEY. I suggest that that letter be put in the RECORD. The SPEAKER. The Clerk will read.

The Clerk read as follows:

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE TREASURY,
Washington, D. C., December 6, 1895.

SIR: I am in receipt of your letter of the 3d instant inclosing a copy of the report of the Committee on Claims of the House of Representatives (Fifty-second Congress, first session, Report 1069, April 13, 1892), on the claim of Arthur P. Selby, late clerk of the United States circuit court for the eastern district of Missouri. You ask whether said report states the facts of said claim and whether there is any appropriation from which it can be refunded.

On March 6, 1886, the First Comptroller stated the emolument account of the clerk for the calendar year 1885 by report \$9797, and found that a balance of \$2,400.70 was due to the United States, arising principally from the fact that the Attorney-General had approved his expenditures for clerk hire in the sum of \$3,000 for the year when, according to his vouchers, he had expended \$4,946. In his letter of June 2, 1886, to the First Comptroller, the Attorney-General stated that Mr. Selby's allowance for clerk hire is \$4,000 instead of \$3,000, as the Department of Justice had authorized the former amount by letter of August 4, 1885. Thereupon the First Comptroller stated a supplemental emolument account (No. 97571) allowing Mr. Selby the additional credit, reducing his balance to \$1,400.70. This latter balance was deposited by Mr. Selby June 29, 1886, and covered into the Treasury, and his account of emoluments for calendar year 1885 was closed by First Comptroller's report 98926.

So far as the records of this Department show, the facts in the case are as stated in the committee's report.

There is now no appropriation from which said claim, amounting to \$946, could be paid.

Respectfully, yours,

R. B. BOWLER, Comptroller.

Mr. THO. C. FLITCHER,

Attorney for estate of Arthur P. Selby, deceased,
11 Sun Building, Washington, D. C.

Two-thirds voting in favor thereof, the rules were suspended and the bill passed.

PRINTING OF NICARAGUA CANAL REPORT.

Mr. CHICKERING. Mr. Speaker, I wish to present a privileged report from the Committee on Printing.

The Clerk read as follows:

Your committee, having had under consideration the resolution for printing 10,000 copies of the hearings before the Interstate and Foreign Commerce Committee upon the Nicaragua Canal, report in favor of the passage of the same.

Resolved, That there be printed 10,000 copies of the hearings before the Interstate and Foreign Commerce Committee upon the Nicaragua Canal, 3,000 copies for the use of the Senate and 7,000 for the use of the House.

The resolution was agreed to.

PROTECTION OF FOREST RESERVATIONS.

Mr. BELL of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 119) to protect forest reservations. The bill was read, as follows:

Be it enacted, etc. That the objects for which public forest reservations shall be established under the provisions of the act approved March 3, 1891, shall be to protect and improve the forests for the purpose of securing a continuous supply of timber for the people and insuring conditions favorable to water flow. And it is not the purpose of this act to authorize the inclusion within such forest reservations of lands more valuable for mining or agricultural purposes than for the timber thereon.

SEC. 2. That the Secretary of the Interior shall make such rules and regulations and shall establish such service as shall be required to regulate the occupancy and use of forest reservations which have been heretofore, or shall be hereafter, created under the said act of March 3, 1891, and to preserve the timber and other natural resources, and such natural wonders and curiosities and game as may be therein, from injury, waste, fire, spoliation, or other destruction: *Provided*, That all such forest reservations shall be controlled and administered in accordance with the provisions of this act and the rules and regulations so prescribed hereunder; and all acts and parts of acts inconsistent with the provisions of this act and the rules and regulations prescribed thereunder are hereby repealed in so far as the same relate to public lands embraced within such forest reservations.

SEC. 3. That for the purpose of preserving a sufficient supply of living and growing timber and facilitating its growth, and with a view to proper utilization of same, the Secretary of the Interior may, under rules and regulations prescribed by him, permit the cutting, removal, and disposal of so much of the dead or mature timber on such reservations as may, in his judgment, be expedient. That in disposing of such timber the Secretary of the Interior shall cause the same to be properly marked and designated, and thereafter appraised and advertised for sale to residents of the State or Territory in which the lands to be cut upon are situated. Such advertisement shall be made for not less than thirty days in a newspaper of general circulation

throughout the State or Territory in which the said lands are situated, and like publication shall also be made, for the same period, in a newspaper published in the county or counties in which the lands lie. Such advertisement shall offer the timber for sale at not less than the appraised value and in limited quantities to each purchaser, specifying that payments therefor shall be made to the receiver of public moneys of the local land office of the district wherein the said timber is situated, subject to conditions prescribed by the Secretary of the Interior. No timber so purchased shall be removed until payment in full therefor has been made and receipt for such payment has issued by the receiver of public moneys. And no timber shall be either cut or removed under the foregoing provisions of this section except under such rules and regulations as the Secretary of the Interior may prescribe. The proceeds of all such sales shall be accounted for by the receiver of public moneys in a separate account, and shall be covered into the Treasury of the United States as a special fund, to be expended in the care and management of public forest reservations under the direction of the Secretary of the Interior or as Congress may provide.

SEC. 4. That in behalf of miners, prospectors, agriculturists, and other bona fide settlers occupying lands within or near forest reservations, who have not a sufficient amount of timber on their own claims or lands for use in developing the natural resources of same or for firewood, fencing, or building purposes, that the Secretary of the Interior may permit such parties, under rules and regulations prescribed by him, to procure from the public lands within such reservations, free of charge, so much timber as may be needed for their own individual use in developing the natural resources of their own claims or lands, or for firewood, fencing, and building purposes.

SEC. 5. That nothing herein shall be construed to prohibit in any wise any person or persons from free ingress and egress in respect to such reservations, or from crossing the same, or from constructing through the same necessary wagon roads: *Provided further*, That a strict compliance with the statutes and rules and regulations thereunder governing such reservations is observed.

SEC. 6. That the settlers and other residents within the boundaries of such reservations or in the vicinity thereof may maintain schools, churches, and cemeteries within such reservations; and for that purpose may occupy any of the unappropriated and unoccupied lands in said reservations, not exceeding 10 acres for each school building and for each cemetery.

SEC. 7. That nothing herein shall be construed to prohibit the use of any and all water on such reservations for power, domestic purposes, or for general irrigation purposes, under the laws of the State or Territory wherein such reservations are situated.

SEC. 8. That in cases in which a tract covered by an unperfected bona fide claim or by a patent is included within the limits of a public forest reservation, the settler or owner thereof may, if he desires to do so, relinquish the tract to the Government, and may select in lieu thereof a tract of vacant land open to settlement not exceeding in area the tract covered by his claim or patent; and no charge shall be made in such cases for making the entry of record or issuing the patent to cover the tract selected: *Provided further*, That in cases of unperfected claims the requirements of the laws respecting settlement, residence, improvements, etc., are complied with on the new claims, credit being allowed for the time spent on the relinquished claims.

SEC. 9. That all public lands withdrawn from settlement and entry for such forest reservations which, upon due examination by personal inspection on the part of a competent person or persons, appointed or detailed for that purpose by the Secretary of the Interior, shall be found to be more valuable for mining or agricultural purposes than for forest uses, shall be duly restored to entry under the general mining or settlement laws. The restoration to entry of such withdrawn lands shall be made only after due publication or proclamation of restoration by the President, based upon recommendation by the Secretary of the Interior. Publication in such cases shall be made for not less than sixty days in two papers published nearest the lands in question, and which are of daily issue and of general circulation in the State or Territory wherein the said lands lie: *Provided further*, That prospectors and mineral claimants shall have free access to such forest reservations for the purpose of prospecting, locating, and developing the mineral resources thereof, and that title to mineral claims may be acquired in the same manner as upon other mineral lands of the United States.

SEC. 10. That any person who shall willfully set fire or cause to be set fire to any timber upon any public forest reservation, or shall negligently leave or suffer fire to burn unattended near any such reservation, shall be deemed guilty of a misdemeanor, and, upon conviction, be fined in a sum not less than \$50 nor more than \$5,000, or be imprisoned not more than two years, or both.

SEC. 11. That any person who shall build a camp fire other fire in any public forest reservation shall, before breaking camp or leaving the same, totally extinguish such fire. Any person failing to do so shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than \$25 or more than \$1,000, or imprisoned not more than one year, or by both such fine and imprisonment.

SEC. 12. That the State or Territory wherein such forest reservations are situated shall have civil and criminal jurisdiction over persons within such reservations.

Amend the title so as to read: "A bill to protect and administer public forest reservations."

The SPEAKER. The question is on suspending the rules and passing the bill as read.

Mr. TERRY. For the purpose of obtaining information, I demand a second.

Mr. LACEY. I ask that a second be considered as ordered.

The SPEAKER. Without objection, a second will be considered as ordered. [After a pause.] The Chair hears none.

Mr. TERRY. I would like to ask the gentleman from Colorado if this is the bill that was prepared or revised by my colleague, Mr. McRAE?

Mr. BELL of Colorado. Yes, sir; it is.

Mr. LACEY. The bill is the joint work of Mr. McRAE, the Forestry Commission, the Land Office, and the Committee on Public Lands. It is a bill that has been prepared with a great deal of labor, and covers the question of the preservation and management of the forest reservations.

Mr. ELLIS. And has the approval of all the members of the committee and members from the public-land States.

Mr. HERMANN. It embraces the Senate amendments prepared at the last session.

Mr. SHAFROTH. It is the same bill that passed the Senate last session, but failed to pass the House.

Mr. HERMANN. It meets the approval of all the members from the public-land States.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

INTERNATIONAL EXPOSITION AT OMAHA, NEBR.

Mr. MERCER. Mr. Speaker, I move to suspend the rules and pass the bill S. 1306. Inasmuch as the bill has been read once in this legislative day, I ask unanimous consent that the reading be dispensed with.

The SPEAKER. The gentleman asks unanimous consent to dispense with the reading of the bill. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (S. 1306) to authorize and encourage the holding of a transmississippi and international exposition at the city of Omaha, in the State of Nebraska, in the year 1898.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

LAYING SUBWAYS IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I move to suspend the rules and pass the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That a subcommittee consisting of three members of the Committee on the District of Columbia, to be appointed by the Speaker, be, and they are hereby, authorized to sit during the recess of Congress, at such times and places as they may deem advisable, for the purpose of investigating the subject of the laying of subways in the streets, roads, avenues, and alleys of the District of Columbia, as recommended by the Commissioners of said District in the letter of the president of the Board of District Commissioners transmitted to the chairman of the Committee on the District of Columbia, under date of February 8, 1896, and as provided for by the bill (H. R. 5620) accompanying said letter, with authority to summon witnesses, to send for persons and papers, to administer oaths, to employ a stenographer, and such clerical and other assistants as may be necessary, the expense of such investigation to be paid from the contingent fund of the House, but not to exceed the sum of \$2,000, said committee to make a full report of the proceedings of such investigation and their opinions thereon to the House of Representatives on the 1st day of December, 1896.

The SPEAKER. The question is on suspending the rules and agreeing to the resolution.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the resolution was agreed to.

MOBILE AND OHIO RAILROAD COMPANY.

Mr. WHEELER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2943) to authorize the construction of a bridge across the Warrior River by the Mobile and Ohio Railroad Company.

The bill was read at length.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

BRIDGE ACROSS THE ALABAMA RIVER.

Mr. STALLINGS. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the desk, being the bill (S. 2945) to amend an act approved August 6, 1888, entitled "An act to authorize the construction of a bridge across the Alabama River."

The bill was read, as follows:

Be it enacted, etc., That the rights, powers, and privileges granted to the Alabama Great Northwestern Railway Company by the act of Congress entitled "An act to authorize the construction of a bridge across the Alabama River," and approved August 6, 1888, be, and the same are hereby, in all respects extended to and vested in the Mobile and Ohio Railroad Company.

Sec. 2. That the time within which said railway company was authorized to complete the construction of said bridge, which construction has already been begun in accordance with the provisions of said act, be, and the same is hereby, extended for three years from the date of the passage of this act.

The rules were suspended and the bill was passed.

BRIDGE ACROSS THE CAHABA RIVER.

Mr. STALLINGS. Mr. Speaker, I move to suspend the rules and pass the bill which I send to the desk, being the bill (S. 2944) to authorize the construction of a bridge across the Cahaba River, in Bibb County, Ala., by the Mobile and Ohio Railroad Company.

The bill was read at length.

The rules were suspended and the bill was passed.

CAPT. JAMES REGAN.

Mr. FISCHER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1011) for the relief of Capt. James Regan, United States Army.

The bill was read, as follows:

Be it enacted, etc., That the proper accounting officers of the Treasury are hereby authorized and directed to credit the account of Capt. James Regan, Ninth United States Infantry, as first lieutenant and regimental quartermaster of said regiment, for a shortage of subsistence stores at Fort D. A. Russell,

occasioned by the dishonesty of Com. Sergt. James Boling, without misconduct on the part of said Regan, with the sum of \$2,455.82, and said Regan is discharged from paying the same.

The SPEAKER. The question is on the motion to suspend the rules and pass the bill.

Mr. BLUE. Mr. Speaker, I ask for a second, in order that we may have some explanation of this bill.

By unanimous consent, a second was considered as ordered.

Mr. FISCHER. The case in brief is this: Captain Regan was commissary of stores at the point mentioned in the bill, Fort D. A. Russell. He was detailed by the War Department to act on a court-martial which took him a long distance from his post, some 300 miles, which he was compelled to travel on horseback. He was absent for about a month, and when he returned he found this sergeant had absconded and had left this shortage. Legally and technically Captain Regan was responsible, but the loss was not due in any degree to his dishonesty, but to that of the sergeant, who has ever since evaded justice. Captain Regan is now an old man, without means to make good this money, and the claim is a cloud upon his life and his record.

Mr. LITTLE. I will ask the gentleman whether this bill provides for a pension? [Laughter.]

Mr. FISCHER. No, sir. Captain Regan is already on the Army roll. He is an old man and desires to be retired. He has not a dollar and can not possibly make good this shortage.

Mr. BLUE. Was there any other commissioned officer at that post who could have been detailed to this duty when Captain Regan was absent?

Mr. FISCHER. The War Department ordered him away from his post on court-martial duty.

Mr. BLUE. That does not answer my question.

Mr. FISCHER. The commandant of the post was there.

Mr. BLUE. Why was not some commissioned officer detailed to take this captain's place while he was absent?

Mr. FISCHER. That I do not know. He was not responsible for it, however. He was only a junior officer himself.

A MEMBER. What committee has reported this bill?

Mr. FISCHER. The Committee on Military Affairs of the Senate. Captain Regan was certainly entirely innocent in the premises. As I have stated, he was away when this sergeant absconded.

Mr. LOUD. Has this bill been up for consideration before?

Mr. FISCHER. Yes, sir; and it has passed two Congresses, and has been reported favorably by the subcommittee No. 5 of the Committee on Military Affairs. I ask for a vote.

The rules were suspended and the bill was passed.

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess until 3 o'clock p. m.

The motion was agreed to; and the House accordingly (at 1 o'clock and 54 minutes) took a recess until 3 p. m.

The recess having expired, the House resumed its session.

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. 525) for the relief of Thomas Guinean, of Oregon;

A bill (S. 2054) for the relief of Rinaldo P. Smith, of Baltimore, Md.; and

A bill (S. 2840) to incorporate the East Washington Heights Traction Railway Company, of the District of Columbia.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 9253) to amend an act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea."

The message also announced that the Senate had passed resolutions of the following titles; in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 60,000 extra copies of the report of the Joint Committee on the Dedication of the Chickamauga and Chattanooga National Park; 18,000 copies shall be for the use of the House of Representatives, 6,000 copies for the Senate, 1,000 copies for the National Park Commission to supply the twenty-eight State commissions, and 500 copies for the Secretary of War to supply the governors of the States, and 100 copies for each speaker at the dedication.

Also:

Resolved by the Senate (the House of Representatives concurring), That there be printed 5,000 copies of Senate Miscellaneous Document No. 274, Fifty-third Congress, second session, Proceedings of the Berlin Silver Commission of 1894, with index, 3,000 to be for the use of the House of Representatives and 2,000 for the use of the Senate.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of the Interior be, and he hereby is, authorized and directed to resume work upon and to issue patents to the Union Pacific Railway Company without delay to all lands which have been sold by said company to bona fide purchasers: *Provided*, That nothing herein contained shall be construed as waiving any right that the United States may have to declare a forfeiture as to the lands which have not been so sold by said company: *Provided*, That the words "bona fide purchasers" herein contained shall not be held to include the holders of lands secured by mortgage on such land grant.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for expenses of the House of Representatives, and for other purposes, for the fiscal year 1896, numbered 2, disagreed to by the House of Representatives, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. ALLISON, and Mr. COCKRELL as the conferees on the part of the Senate.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 180) to make the city of Erie, Pa., a port of immediate transportation.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes, had disagreed to the amendment of the House to the amendment of the Senate numbered 99; had still further insisted upon its amendments numbered 99, 100, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, 195, disagreed to by the House of Representatives; had agreed to the further conference asked by the House of Representatives on the disagreeing votes of the two Houses thereon, and had appointed Mr. TELLER, Mr. ALLISON, and Mr. COCKRELL as the conferees on the part of the Senate.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the bill (S. 3058) to increase the pay of letter carriers; in which the concurrence of the House was requested.

The message also announced that the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, was unable to agree.

The message also announced that the Senate had passed joint resolution (S. R. 161) authorizing the Secretary of the Treasury to place a bronze tablet or inscription on the Government building erected in Detroit; in which the concurrence of the House was requested.

ELECTION CONTEST—MARTIN VS. LOCKHART.

Mr. BAILEY. I ask unanimous consent that the views of the minority of the Committee on Elections on the contested election case of Martin against Lockhart may be printed as a public document, as they would have been—

The SPEAKER. Does the gentleman ask that they be printed in the usual form?

Mr. BAILEY. In the usual form.

The SPEAKER. The gentleman from Texas asks unanimous consent that the views of the minority of the Committee on Elections in the case of Martin against Lockhart may be printed in the usual form. Is there objection? The Chair hears none, and it is so ordered.

MARTHA M. GIBSON.

Mr. STRONG. I move to suspend the rules and pass the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 8159) to pension Mrs. Martha M. Gibson.

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha M. Gibson, widow of William H. Gibson, late colonel of the Forty-ninth Regiment Ohio Volunteer Infantry and brevet brigadier-general United States Volunteers, and pay her a pension at the rate of \$50 per month.

The question being taken, the rules were suspended and the bill was passed, two-thirds voting in favor thereof.

HIRAM T. CORUM AND SILAS W. DAVIS.

Mr. ELLIS. I move to suspend the rules and pass the bill (H. R. 8886) for the relief of Hiram T. Corum and Silas W. Davis, of Oregon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to Hiram T. Corum and Silas W. Davis, of Wapinitia, Oreg., out of any money in the Treasury not otherwise appropriated, the sum of \$900, being in full of a claim for seed wheat and potatoes furnished the Indians on the Warm Springs Indian Agency in Oregon, which said claim was allowed by the Commissioner of Indian Affairs December 15, 1894, as "F, No. 80960."

The question being taken, the rules were suspended and the bill was passed, two-thirds voting in favor thereof.

SETTLERS ON INDIAN RESERVATIONS.

Mr. SHERMAN. I move to suspend the rules and pass the joint resolution which I send to the desk.

The Clerk read as follows:

Joint resolution extending the time of payments due from settlers and purchasers on all ceded Indian reservations.

Resolved by the Senate and House of Representatives, etc., That the homestead settlers and settlers who purchased with the condition precedent of actual settlement on all ceded Indian reservations be, and they are hereby, granted an extension of one year in which to make payments as now provided by law.

Mr. RICHARDSON. What committee has reported this resolution?

Mr. SHERMAN. A provision similar to this is contained in the Indian appropriation bill of this year; but that provision does not cover certain persons who have taken out homestead reservations under a special act passed, I think, in 1881. This affects a comparatively few people who are in a similar condition to those covered by the provision in the Indian appropriation bill. This involves no appropriation.

Mr. LACEY. Does this affect only the lands being sold for the benefit of the Indians, or does it affect also lands which have been sold and the proceeds covered into the Treasury?

Mr. SHERMAN. Both, as I understand.

Mr. LACEY. What committee has examined this joint resolution?

Mr. SHERMAN. This particular resolution has not been examined by any committee; but the subject has been examined by the Committee on Indian Affairs; and, as I have stated, a provision similar to this is contained in the general appropriation bill.

Mr. LACEY. Then it involves two classes of lands, a part of which would come within the jurisdiction of the Committee on Public Lands and another part under the jurisdiction of the Committee on Indian Affairs?

Mr. SHERMAN. It covers both questions, as I understand.

The question being taken, the rules were suspended and the joint resolution was passed, two-thirds voting in favor thereof.

SILAS P. KELLER.

Mr. VAN HORN. I move to suspend the rules and pass the bill (S. 361) for the relief of Silas P. Keller, with an amendment reported by the Committee on Indian Affairs.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to examine and adjudicate the claim of Silas P. Keller, late licensed Indian trader with the Pottawatomie Indians in Kansas, for supplies furnished said Indians for their subsistence, and to determine the amount thereof justly due said Silas P. Keller, and whether there is any fund belonging to said Indians which can be applied to the payment of such claim, and if so determined, then to report and certify the amount found due to said Silas P. Keller, without interest, to be paid from the funds of said Indians to the Secretary of the Treasury, to be so paid by him.

The amendment reported by the Committee on Indian Affairs was read, as follows:

In line 6, strike out "Indians" and insert "Indian band."

Mr. RICHARDSON. I was unable from the reading to catch fully the purport of this bill. I should be very glad if the gentleman from Missouri would make some explanation.

Mr. VAN HORN. A bill similar to this was passed at the last Congress but did not reach the President in time for his signature. This bill has passed the Senate at this session and has been favorably reported by the Committee on Indian Affairs of this House. It proposes simply an inquiry into a personal account. It does not take any money from the Treasury.

Mr. RICHARDSON. Has the bill been reported by the Committee on Indian Affairs at this session?

Mr. VAN HORN. It has been.

Mr. RICHARDSON. Is there a unanimous report from that committee?

Mr. VAN HORN. I do not know whether the report is unanimous or not. I know the bill has been regularly reported.

Mr. RICHARDSON. I will ask that the report be read in my time.

The Clerk proceeded to read the following report by Mr. STEWART of Wisconsin:

The Committee on Indian Affairs, to whom was referred the bill (S. 361) for the relief of Silas P. Keller, report it back favorably with an amendment.

The subjoined letters from the Secretary of the Interior and Commissioner of Indian Affairs are made part of this report.

DEPARTMENT OF THE INTERIOR, Washington, December 20, 1894.

SIR: I have the honor to be in receipt of your communication of 10th instant, requesting the opinion of the Department on bills (S. 2364 and S. 2365) for the relief of Silas P. Keller and Northrup & Chick, late licensed traders with the Pottawatomie Indians, for supplies alleged to have been furnished the said Indians.

In reply I beg to hand you herewith a copy of a letter, dated 18th instant, from the Commissioner of Indian Affairs, wherein report is made of the facts and circumstances under which the liabilities referred to were incurred by the said Indians and the steps that have since been taken to secure payment therefor by the claimants.

As suggested by the Commissioner, I see no objection to the proposed legislation, providing the adjudication of said claims be left to the Department, as indicated in the bills referred to.

Very respectfully,

HOKE SMITH, Secretary.

HON. JAMES K. JONES,

Chairman Committee on Indian Affairs, United States Senate.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS, Washington, December 18, 1894.

SIR: I have the honor to acknowledge the receipt, by your reference of the 11th instant, for report, of Senate bill 2364, for the relief of Silas P. Keller, late licensed trader with the Pottawatomie Indians of Kansas, for supplies furnished said Indians, and Senate bill 2365, for the relief of Northrup & Chick, late licensed Indian traders with the Pottawatomie Indians in Kansas, for supplies furnished said Indians; also by your reference of the 13th instant, for consideration in connection with the two above-named bills, of a communication from the clerk of the Senate Committee on Indian Affairs, in which

he refers to the above bills submitted for the opinion of the Department and states that Senator JONES had just directed him to request that the Senate committee be furnished, in the report of the Department thereon, with a full and complete history of these transactions, and that such suggestions and opinions as the Department may have on the subject be given the committee as early as practicable.

Senate bill 2364 provides "that the Secretary of the Interior be, and hereby is, authorized and directed to examine and adjudicate the claim of Silas P. Keller, late licensed Indian trader with the Pottawatomie Indians in Kansas, for supplies furnished said Indians for their subsistence and to determine the amount thereof justly due said Keller, and whether there are any funds belonging to said Indians which can be applied to the payment of such claims, and if so determined, then to report and certify the amount found due to said Keller, to be paid from the funds of said Indians, to the Secretary of the Treasury, to be so paid by him."

Senate bill 2365 provides that the same course be pursued in the matter of the claim of Messrs. Northrup & Chick.

The following is a history of the claims, as ascertained from the records and files of this office: Prior to 1864 Pottawatomie Indians residing in Kansas were largely indebted to traders and others for supplies furnished them for some years previous, and at the urgent request of the said Indians, through their business committee, and upon the recommendation of their agent, Mr. W. W. Ross, this office determined to appoint a commission to examine and report upon the merits of said claims. Accordingly a committee of two was appointed, one of whom was the Pottawatomie agent, W. W. Ross, and the other Mr. J. A. Steele. On the 13th of January, 1864, the committee rendered its report to this office, in which it stated that claims to the amount of \$98,601.11 were examined, and recommended to be allowed \$43,365.91.

On the 14th day of March, 1863, the Pottawatomie business committee addressed a letter to Mr. Ross, in which they stated that they desired to have him pay \$15,000, or as much as might be necessary, out of their funds upon their national debts at the rate of 50 cents on the dollar, for all accounts that are approved and recommended to be paid by the commission appointed by the Department to investigate the same.

A great many of the claimants accepted 50 cents on the dollar for their claims and were paid, but others objected to this mode of settlement and demanded payment in full, among whom were Messrs. Northrup & Chick, named in Senate bill 2365, whose claim had been approved in part.

The claim of Mr. Keller was disallowed in toto by the commission, the said commission having attached a certificate to the claim, in which is set forth the statement that evidence of fraud or dishonesty appeared in making up the account, and recommended the rejection of the whole claim, amounting to \$11,189.33, it being impossible for them or anyone else to determine what parts of said claim, if any, are paid or unpaid.

On the 31st of October, 1864, Mr. Keller filed in this office his protest against the report of Agents Ross and Steele against his claim, and filed an affidavit of his clerk, Mr. Ewing M. Sloan, who swears that during the years of 1853, 1854, 1855, and 1856 he was a clerk in the employ of Silas P. Keller; that in 1854 and 1855 S. P. Keller kept a larger stock of goods in the Pottawatomie Reservation than any other trader there, save during payment, at which time others, perhaps, had stocks as large as Keller's, but that he resided continually on the reservation during the years named, and he knew positively that Keller kept a large, well-assorted stock of such goods as the Indians most needed, and when the tribe was in need of credit, that the credit extended them by said Keller through him was larger, and for such articles as the Indians most needed, than any other trader there. Mr. Sloan answers in detail every point made against the claim by the commission, and in closing his affidavit states that the claim of Mr. Keller having been made and filed by him, it was proper for him to state that the goods charged in the accounts against the different Indians were all actually sold and delivered to parties to whom they are charged, and that the prices at which they were sold were the fair market price for the goods at the time they were sold and delivered, and that he believes the amount claimed by said Keller is justly due him, of course allowing for such clerical errors as will be found upon careful examination to have been made.

On the 24th day of April, 1865, the then Commissioner of Indian Affairs, W. P. Dole, submitted a report to the Secretary of the Interior, in which he stated that several claimants against the Pottawatomie Indians, whose books, transcript, and testimony relative thereto were examined and reported upon by W. W. Ross and J. A. Steele, commissioners, June 13, 1864, having through their attorney protested against the decision of said commission, he had at his earnest repeated requests caused the same to be reexamined in this office in connection with new testimony filed by some of the parties interested, viz:

Claim No. 40, Northrup & Chick, called for \$5,522.68; \$3,529.98 allowed.

Claim No. 47, S. P. Keller, \$11,189.33, rejected by commission.

In this report the Commissioner states in regard to claim No. 40 as follows: "This claim was allowed by the commissioners to the extent of \$3,529.98, but Messrs. Northrup & Chick protest against the finding—both, I presume, against the reduction and the taking of the pro rata.

"The claim is badly prepared, and I do not see how the commission could make an intelligent examination. They seem, however, by some process to have arrived at the conclusion that there was due, after deduction for errors, etc., \$4,011.34, from which amount they deduct 12 per cent, and arbitrarily, as I think, take \$481.36 from the \$4,011.34. After a consideration of the claim, I think it should have been allowed for \$4,011.34.

"Claim No. 47, S. P. Keller; amount claimed, \$11,189.33. This claim was rejected by the commission in toto. It was the largest one examined by the commission, and perhaps for that reason and the fact that it was known that only a 'pro rata' was to be paid the traders it was attacked by some of the other claimants. In this connection I would respectfully refer you to the affidavit of Lewis Ogee and E. G. Nadean, with the explanation that when Mr. Keller's late clerk was in this city for the purpose of making his explanatory affidavits those affidavits were not observed, but were afterwards found folded in the leaves of the transcript; besides by consulting the schedule you will find that the parties named are themselves claimants.

"I consider that Mr. E. M. Sloan's testimony in the above case, he being a reliable gentleman, as appears from the affidavit of A. S. Johnson, filed by S. N. Blackledge on the 15th instant, removes all the aspersions cast upon the claimant; and I can not see that any deduction should be made, except of the individual accounts of Lewis Ogee and E. G. Nadean."

The Secretary of the Interior, under date of May 5, 1865, in reply to the above report of April 26, 1865, returned the claims, books, etc., with the statement that, as there was no appropriation for paying these debts and no express authority for their examination and adjudication, he was of the opinion that all attempts to adjust them would be unavailing to the claimants, concluding no one, and that the books, etc., might be filed for future reference, it being possible that Congress will provide for their settlement. Mr. Keller states that since 1865 he has several times called up his claim for examination and settlement, but that until recently the papers could not be found.

Since the date of the reports referred to 1,400 Indians of the Pottawatomie Nation have become citizens of the United States and received their pro rata share of the assets of the tribe, and 780 preserved their tribal relations and are now residing upon their reservation in Kansas; consequently, if these claims should be paid, 44% thereof would be chargeable to the Citizen Band and 56% thereof to the Prairie Band, or Indian class. Within the last five

years large sums of money have been appropriated for the Pottawatomie Nation on account of annuities growing out of various unfulfilled treaty stipulations, which money has been distributed among the two classes named upon the above basis.

The citizen class has now to its credit in the Treasury the sum of \$61,123.32, being the aggregate of unexpended balances of the appropriations made for said class, and the Prairie Band receive an annual appropriation of \$30,647.65 under treaties, besides trust-fund interest amounting annually to \$9,204.72, the principal being \$184,094.57.

The papers referred are respectfully returned herewith, with the above statement of facts, and with the remark that I can see no objection to the legislation proposed by the two bills named.

Very respectfully, your obedient servant,

D. M. BROWNING, Commissioner.

THE SECRETARY OF THE INTERIOR.

Mr. RICHARDSON (before the reading of the report was concluded). Mr. Speaker, I do not ask for the further reading of the report; let the residue be printed.

The SPEAKER. Without objection, the complete report will be printed in the RECORD.

There was no objection.

The question being taken, the motion to suspend the rules was agreed to, two-thirds voting in favor thereof, and the bill was passed.

KETURAH WILSON.

Mr. MCCREARY of Kentucky. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 7500) granting a pension to Mrs. Keturah Wilson, widow of James Wilson, deceased.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Mrs. Keturah Wilson, formerly of Madison County, Ky., and widow of James Wilson, deceased, late a private in Captain Stone's company Mounted Volunteers, First Kentucky Regiment, Mexican war, and allow her a pension at the rate of \$8 per month.

Mr. THOMAS. Mr. Speaker, I would like to have the report read in that case.

Mr. MCCREARY of Kentucky. I ask unanimous consent that a second be considered as ordered.

There was no objection.

The SPEAKER. The Clerk will read the report.

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

The Committee on Pensions, to whom was referred the bill (H. R. 7500) entitled "A bill to grant a pension to Mrs. Keturah Wilson," submit the following report, and recommend that said bill do pass:

The claimant herein is the widow of James Wilson, deceased, who served from June 8, 1846, to January 1, 1847, in the Mexican war. He was pensioned at \$8 per month under the act of January 29, 1887, and this was subsequently increased to \$12 per month under the act of January 5, 1893, upon his proving his indigent circumstances and his inability to earn a support by manual labor.

The said soldier, James Wilson, died April 10, 1894, and his widow, the beneficiary, filed an application for pension, which was rejected because he did not serve sixty days in Mexico, etc., the said soldier having been prostrated by typhoid fever for months in Louisville, Ky., while en route to Mexico with Captain Stowe's company, First Kentucky Cavalry, in which he had enlisted. The report at the War Department shows his discharge on account of disability.

Mrs. Keturah Wilson is 62 years old and is very poor and physically feeble, has no property and is dependent for support on her children, who are all very poor. Her statement is in writing, regularly signed and verified, and is filed with the Committee on Pensions.

Under the original ruling of the Department claimant would have been granted a pension, but on account of a new ruling made since the pension was granted to her husband, her application was rejected.

The committee recommend the passage of the bill.

Mr. TALBERT. I would like to ask if that bill has been considered in Committee of the Whole?

Mr. MCCREARY of Kentucky. It was considered by the Committee on Pensions and unanimously reported to the House. My motion is to suspend the rules and pass the bill, and that will suspend any rule requiring its consideration in Committee of the Whole.

Mr. TALBERT. I am not objecting to the bill, but I just came in, and I did not know but that we were passing a bill for some more "coffee coolers."

Mr. MCCREARY of Kentucky. This bill is all right.

The motion to suspend the rules and pass the bill was agreed to, two-thirds having voted in favor thereof.

LAWS RELATING TO NAVIGATION.

Mr. PAYNE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 2663) to amend the laws relating to navigation as amended by the Committee on Merchant Marine and Fisheries.

The bill was read, as follows:

Be it enacted, etc., That section 4507 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4507. The Secretary of the Treasury shall assign in public buildings or otherwise procure suitable offices and rooms for the shipment and discharge of seamen, to be known as shipping commissioners' offices, and shall procure furniture, stationery, printing, and other requisites for the transaction of the business of such offices."

SEC. 2. That on and after June 30, 1898, every place appropriated to the crew of a seagoing vessel of the United States except a fishing vessel, yacht, or pilot boat, and all vessels under 100 tons register, shall have a space of not less than 72 cubic feet and not less than 12 square feet measured on the deck or floor of that place for each seaman or apprentice lodged therein: *Provided*, That any such seagoing vessel built or rebuilt after June 30, 1898, shall have a space of not less than 108 cubic feet and not less than 18 square feet measured on the deck or floor of that place for each seaman or apprentice lodged

therein. Such place shall be securely constructed, properly lighted, drained, heated, and ventilated, properly protected from weather and sea, and, as far as practicable, properly shut off and protected from the effluvia of cargo or bilge water; and failure to comply with this provision shall subject the owner and vessel to a penalty of \$500.

Fishing vessels, yachts, and pilot boats are hereby exempted from the provisions of section 1 of chapter 173 of the laws of 1895, entitled "An act to amend section 1 of chapter 398 of the laws of 1882, entitled 'An act to provide for deductions from the gross tonnage of vessels of the United States,'" so far as said section prescribes the amount of space which shall be appropriated to the crew and provides that said space shall be kept free from goods or stores not being the personal property of the crew in use during the voyage.

SEC. 3. That section 4576 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4576. The master of every vessel bound on a foreign voyage or engaged in the whale fishery shall exhibit the certified copy of the list of the crew to the first boarding officer at the first port in the United States at which he shall arrive on his return, and also produce the persons named therein to the boarding officer, whose duty it shall be to examine the men with such list and to report the same to the collector; and it shall be the duty of the collector at the port of arrival, where the same is different from the port from which the vessel originally sailed, to transmit a copy of the list so reported to him to the collector of the port from which such vessel originally sailed. For each failure to produce any person on the certified copy of the list of the crew the master and vessel shall be severally liable to a penalty of \$400, to be sued for, prosecuted, and disposed of in such manner as penalties and forfeitures which may be incurred for offenses against the laws relating to the collection of duties. But such penalties shall not be incurred on account of the master not producing to the first boarding officer any of the persons contained in the list who may have been discharged in a foreign country with the consent of the consul, vice-consul, commercial agent, or vice-commercial agent there residing, certified in writing, under his hand and official seal, to be produced to the collector with the other persons composing the crew, nor on account of any such person dying or absconding or being forcibly impressed into other service, of which satisfactory proof shall then also be exhibited to the collector."

SEC. 4. That section 4541 of the Revised Statutes be, and is hereby, amended by striking out the words "district judge for the district," in the seventh line of said section, and substituting in place thereof the words "circuit court of the circuit"; and that said section be, and is hereby, further amended by striking out the words "district judge" where they occur in the eleventh and twelfth lines of said section and substituting in place thereof the words "circuit court."

SEC. 5. That rule 11 of section 4233 of the Revised Statutes, relating to pilot boats, be amended by adding thereto a paragraph as follows:

"Steam pilot boats shall, in addition to the masthead light and green and red side lights required for ocean steam vessels, carry a red light hung vertically from 3 to 5 feet above the foremast headlight, for the purpose of distinguishing such steam pilot boats from other steam vessels."

SEC. 6. That section 4542 of the Revised Statutes be, and hereby is, amended by adding thereto the words "or where he died."

SEC. 7. That section 4545 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4545. A circuit court, in its discretion, may at any time after the expiration of three months from the receipt thereof direct the sale of the whole or any part of the effects of a deceased seaman or apprentice which it has received or may hereafter receive, and shall hold the proceeds of such sale as the wages of deceased seamen are held. When no claim to the wages or effects or proceeds of the sale of the effects of a deceased seaman or apprentice, received by a circuit court, is substantiated within six years after the receipt thereof by the court it shall be in the absolute discretion of the court, if any subsequent claim is made, either to allow or refuse the same. Such court shall, from time to time, pay any moneys arising from the unclaimed wages and effects of deceased seamen, which, in their opinion it is not necessary to retain for the purpose of satisfying claims, into the Treasury of the United States; and such moneys shall form a fund for, and be appropriated to, the relief of sick and disabled and destitute seamen belonging to the United States merchant-marine service."

SEC. 8. That chapter 97 of the laws of 1895, entitled "An act to amend an act entitled 'An act to amend the laws relative to shipping commissioners,' approved August 19, 1890," be, and is hereby, amended by striking out the word "seventh" where it occurs in the twelfth line of said act; and that said act be, and is hereby, further amended by inserting therein the words "and forty-six hundred and two" after the words "forty-five hundred and fifty-four" where they occur in the twenty-eighth line of said act.

SEC. 9. That fees for the entry direct from a foreign port and for the clearance direct to a foreign port of a vessel navigating the waters of the northern, northeastern, and northwestern frontiers of the United States otherwise than by sea, prescribed by section 4382 of the Revised Statutes, are abolished. Where such fees, under existing laws, constitute in whole or in part the compensation of a collector of customs, such officer shall hereafter receive a fixed sum for each year equal to the amount which he would have been entitled to receive as fees for such services during said year.

SEC. 10. That section 4165 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 4165. A vessel registered pursuant to law which by sale has become the property of a foreigner shall be entitled to a new register upon afterwards becoming American property, unless it has been enlarged or undergone change in build outside of the United States."

SEC. 11. That section 13 of chapter 344 of the laws of 1874 be, and is hereby, amended to read as follows:

"SEC. 13. The Secretary of the Treasury may, upon application therefor, remit or mitigate any penalty provided for in this act, or discontinue any prosecution to recover the same, upon such terms as he, in his discretion, shall think proper, and shall have authority to ascertain the facts upon all such applications in such manner and under such regulations as he may think proper. All penalties herein provided may be sued for, prosecuted, recovered, and disposed of in the manner prescribed by section 4305 of the Revised Statutes."

SEC. 12. That rule 14 of section 4233 of the Revised Statutes be, and is hereby, amended to read as follows:

"Rule 14. The exhibition of any light on board of a vessel of war of the United States may be suspended whenever, in the opinion of the Secretary of the Navy, the commander in chief of a squadron, or the commander of a vessel acting singly, the special character of the service may require it. The exhibition of any light on board of a revenue cutter of the United States may be suspended whenever, in the opinion of the commander of the vessel, the special character of the service may require it."

SEC. 13. That section 4233 of the Revised Statutes be, and is hereby, amended by adding thereto:

"Rule 25. A sail vessel which is being overtaken by another vessel during the night shall show from her stern to such last-mentioned vessel a torch or a flare-up light."

"Rule 26. Nothing in these rules shall exonerate any ship, or the owner or master or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper lookout, or of the neglect of any

precaution which may be required by the ordinary practice of seamen or by the special circumstances of the case."

SEC. 14. That the Secretary of the Treasury be, and he is hereby, authorized to direct the inspection of any foreign vessel admitted to American registry, its steam boilers, steam pipes, and appurtenances, and to direct the issue of the usual certificate of inspection, whether said boilers, steam pipes, and appurtenances are or are not constructed pursuant to the laws of the United States, or whether they are or are not constructed of iron stamped pursuant to said laws. The tests in the inspection of such 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.

SEC. 15. That section 2834 of the Revised Statutes be, and is hereby, amended by repealing the following words therein:

"The master of any vessel bound to any district in Connecticut, through or by the way of Sandy Hook, shall, before he passes the port of New York and immediately after his arrival, deposit with the collector for the district of New York a true manifest of the cargo on board such vessel. The master of any vessel bound to the district of Burlington shall, before he passes the port of Philadelphia and immediately after his arrival, deposit with the collector thereof a like manifest; and the collector shall, after registering the manifest, transmit the same, duly certified to have been so deposited, to the officer with whom the entries are to be made; and the."

SEC. 16. That sections 2570, 2571, 2572, 2573, 2574, 2575, 2584, 2585, 2824, 2835, 2897, 4133, 4134, 4234, 4306, 4307, 4589, and 4590 of the Revised Statutes are repealed.

SEC. 17. That section 2797 of the Revised Statutes be, and is hereby, amended by adding thereto the following words:

"Sea stores and the legitimate equipment of vessels belonging to regular lines plying between foreign ports and the United States, delayed in port for any cause, may be transferred in such port of the United States under the supervision of customs officers from one vessel to another vessel of the same owner without payment of duties, but duties must be paid on such stores or equipments landed for consumption, except American products."

SEC. 18. That section 5347 of the Revised Statutes be, and is hereby, amended to read as follows:

"SEC. 5347. Every master or other officer of any American vessel on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, who willfully beats or wounds or without justifiable cause imprisons any of the crew of such vessel or withholds from them suitable food and nourishment or inflicts upon them any cruel and unusual punishment, shall be punished by a fine of not more than \$1,000 or by imprisonment not more than five years, or both. This section shall apply to the coastwise and foreign trade."

SEC. 19. That article 7 of section 4511 of the Revised Statutes be, and is hereby, amended to read:

"Seventh. Any regulations as to conduct on board and as to fines, short allowances of provisions, or other lawful punishments for misconduct, which may be sanctioned by Congress or authorized by the Secretary of the Treasury not contrary to or not otherwise provided for by law, which the parties agree to adopt."

SEC. 20. That this act shall take effect three months after its passage.

Mr. TALBERT. I ask a second.

Mr. TERRY. I hope the gentleman will not press the consideration of so important a bill as that at this time, because I shall feel compelled to raise the point of no quorum.

Mr. PAYNE. I think if the gentleman from Arkansas will allow a second to be considered as ordered, I can explain this bill to him so that he will not insist upon his objection.

Mr. TERRY. I have no objection to a second being ordered.

Mr. TALBERT. I demand a second.

Mr. PAYNE. I ask that a second be considered as ordered.

There was no objection.

Mr. PAYNE. Mr. Speaker, this bill, I have been informed by the Commissioner of Navigation, is approved by seamen and vessel owners alike. There is no objection to it, according to his statement, from any quarter. Certainly no objection from any quarter has come to me; but, on the contrary, the bill is demanded by nearly everybody.

This bill was introduced and referred to the Committee on Merchant Marine and Fisheries, who, after a full investigation and thorough discussion of the matter, after going through the bill carefully and proposing a number of amendments which are embodied in the bill, present it to the House, make a favorable report upon the bill, and recommend its passage.

The first section of the bill simply authorizes some provision to be made for the accommodation of the shipping commissioners, to be used as offices by them for the transaction of their business. These commissioners are appointed under the authority of the Commissioner of Navigation. They receive \$1,500 per annum for their salary, and it is provided that they may have a suitable provision in the Government offices at the port, or, if necessary, they may have a rented office for that purpose.

Passing now to section 2, the act of March 2, 1895, provided that in all seagoing vessels built after June 30 of that year the crew's quarters should have a space of not less than 72 cubic feet, and not less than 12 square feet on deck or floor for each seaman. We continue that provision which gives the sailors this space allowed under that act, making it apply to all seagoing merchant vessels on and after June 30, 1898. A further provision is made that all vessels that are built or rebuilt after June 30, 1898, shall have a crew space for each seaman of not less than 182 cubic feet, and not less than 18 square feet measure on the deck or floor. Under the former regulation the floor space for sleeping quarters was 6 feet high, 6 feet long, and 2 feet wide. The provision to go into effect after 1898 gives, as will be seen, a larger space than this, namely, 6 feet high by 6 feet long and 3 feet wide. The bill exempts, however, from this provision fishing vessels, yachts, pilot boats, and all vessels under 100 tons burden, there being no demand and no need for this provision on these vessels. This provision was of course designed for the comfort and health and

well-being of the merchant seaman, and imposes no hardship on the owner of the vessel. We deemed it, therefore, a most reasonable provision to be inserted in reference to new vessels only, or vessels entirely or practically rebuilt, so that there may be no extra expense or hardship on the owners of old vessels requiring them to remodel their ships to give this space.

The abolition of the requirement of bonds upon the registering, enrollment, or license of vessels, and the substitution of a penalty in place thereof for the misuse of the ship's papers, is a provision that has given general satisfaction to shipping interests. It has also been a saving to the Government. Section 3 of this bill proposes to extend that principle to crew bonds. The present law, enacted in 1803, requires the master of every foreign-going vessel, or vessel engaged in whale fishing, to give bonds and sufficient security in the sum of \$400 for the production of all members of the crew in the return to the United States. This is known as the crew bond. We abolish this, and instead of that we enact a fine which, of course, the Secretary of the Treasury is authorized to remit or mitigate at his discretion.

Section 4 amends section 4541 of the Revised Statutes. It corrects an error in the former section. The law evidently contemplated that the custody of the wages and effects of deceased seamen shall be with the circuit courts of the United States, and not with the district judges. We make an amendment giving the custody of the effects of deceased seamen to the circuit courts, and not to the district judges. The other sections of the law show that it was intended to give it to the circuit courts.

Section 5: The pilot associations of the United States are, in many instances, substituting steam pilot boats for sailing vessels used as pilot boats. We simply propose in this section to give steam pilot boats a distinctive light. Of course this is in the interest of safety in the navigation both of the steam pilot boats and in the navigation of other vessels. This section has the approval of the Supervising Inspector-General of steam vessels.

Mr. TERRY. I will ask the gentleman at that point if that is not carrying out to some extent the principle of the bill you had up some time ago, which was defeated?

Mr. PAYNE. Oh, no; not in the least. The general law now applying to sailing pilot boats gives them a distinctive light, and this gives a distinctive light to steam pilot boats, for the safety of the boats themselves and of the vessels which they may meet. It does not in any way interfere with the compulsory pilotage system. The bill does not interfere with that in the slightest degree.

Section 6 of the bill is to protect the interest of a seaman who ships at a foreign port for a round voyage, and dies during the voyage at some point in the United States, by providing that his wages and effects shall be paid over to the commissioner of the port where he may die. The present law provides that payment shall be made only where he was discharged or was to have been discharged. It is simply for the protection of a seaman's wages in case he dies in the United States.

Section 7 makes it discretionary with the circuit court to dispose, by sale, of the effects of a deceased seaman after the expiration of three months after the receipt thereof by the circuit court. Under the present law if a seaman dies at a port his effects may be sold by the United States consul; or if he dies at sea, the effects may be sold by the master at the mast; but if he dies in the United States they must be held six years before they can be disposed of. These effects are for the most part clothing, and there is no suitable space provided in which to store them, and they are thoroughly valueless and likely to be offensive before the six years during which they must now be kept expires. Better pecuniary returns can be procured for the heirs of the deceased seaman by permitting an earlier sale of his effects. It simply authorizes the circuit court to sell his clothing after six months instead of six years.

Mr. LOUD. I should like to ask the gentleman—

Mr. PAYNE. In a moment. It is still left with the discretion of the court to retain keepsakes or articles of value to be preserved and held for those entitled to claim them.

Mr. LOUD. How are you going to provide for the shipping station down at Little Rock if you do not give them that public building?

Mr. PAYNE. I understand the gentleman from California is now trying to mix up the public building at Little Rock with this bill, and he can not do it.

Mr. LOUD. Little Rock is a great commercial port.

Mr. PAYNE. The gentleman from Arkansas [Mr. TERRY] who represents the district in which Little Rock is situated, appreciates the fact that this bill does not at all affect the question of the public building at Little Rock.

Mr. TERRY. I am afraid you are trying to interfere with my pilots, and my lodge is against that bill.

Mr. PAYNE. I am not going to interfere with your pilots at all. The gentleman from Arkansas knows that whenever I try to interfere with anybody's pilots I always do it in an open way.

Mr. TERRY. I hope so.

Mr. PAYNE. Section 8 of the bill refers to item 2 of section 4511 of the Revised Statutes. This item is as follows:

Any regulations as to conduct and as to fines, short allowance of provisions, or other lawful punishments for misconduct which may be sanctioned by Congress as proper to be adopted, and which the parties agree to adopt.

Mr. TERRY. Who wants this bill? What interest is demanding this bill?

Mr. PAYNE. The seamen are demanding it.

Mr. TERRY. The common sailors?

Mr. PAYNE. The common sailors.

Mr. TERRY. The gentleman states that as a fact?

Mr. PAYNE. Oh, yes.

Mr. MAGUIRE. They are demanding a part of it.

Mr. PAYNE. I think we can take a vote now. The gentleman from Arkansas [Mr. TERRY] seems to be satisfied.

The question was taken, and two-thirds voting in favor thereof, the rules were suspended and the bill passed.

SPECIAL DEFICIENCY BILL.

Mr. CANNON. Mr. Speaker, I desire to call up the little deficiency bill.

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

The Clerk read as follows:

A bill (H. R. 9400) making appropriations to supply deficiencies in the appropriations for the House of Representatives, and for other purposes, for the fiscal year 1896.

Mr. CANNON. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendment and assent to a conference.

Mr. RICHARDSON. I would ask the gentleman what is the only difference now between the two Houses?

Mr. CANNON. There is only one.

Mr. MILLIKEN. What is that?

Mr. CANNON. It is an amendment that the Senate put on for a month's salary to the employees of the House and Senate who were on the rolls on the 2d day of December last.

Mr. RICHARDSON. That is the amendment we voted on yesterday, as I understand?

Mr. CANNON. Oh, certainly.

Mr. RICHARDSON. Some one suggested that perhaps the members of the House conferees had yielded. [Laughter.]

Mr. CANNON. We put that out of the general deficiency bill, it being a Senate amendment.

Now, in this little deficiency bill, carrying a smaller amount for the pay of members, the Senate put this amendment on, and we disagreed to it. The Senate insists on the amendment, and has sent it back. I want to say to the House, in all fairness, that in my judgment when it goes back the Senate will give way. If it does not, so far as I am concerned, the bill can be lost.

The SPEAKER. The question is on agreeing to the motion insisting on the disagreement to the Senate amendment and agreeing to the conference.

The question was put; and the motion was agreed to.

The SPEAKER. The Chair will appoint the following conference committee: Mr. CANNON, Mr. HAINER of Nebraska, and Mr. SAYERS.

EDWARD RICE.

Mr. SPERRY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1353) for the relief of Edward Rice.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward Rice, of Denver, in the State of Colorado, formerly of Worcester, in the State of Massachusetts, the sum of \$2,700, in full for the following coupon bonds issued under the act of March 3, A. D. 1865, known as consols of 1867, namely: Nos. 104568 and 104569, of \$100 each; Nos. 61857, 61858, 61859, of \$500 each, and No. 101302, of \$1,000, and, in addition thereto, the interest maturing on said bonds after July 1, A. D. 1868, to the date when said bonds ceased to bear interest: *Provided,* That said Edward Rice shall first give bond, with sureties to the satisfaction of the Secretary of the Treasury, in a sum double the amount of said bonds, conditioned to secure the United States harmless against said bonds and coupons, said bonds having been lost by said Edward Rice on the 19th day of July, A. D. 1868.

Mr. BAILEY. I demand a second.

The SPEAKER. A second is demanded.

Mr. BAILEY. I am willing that it should be considered as ordered.

The SPEAKER. Is there objection to a second being considered as ordered? [After a pause.] The Chair hears none.

Mr. BAILEY. I desire to ask the gentleman from Connecticut why it is necessary to come to Congress for this relief?

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

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

The Committee on Claims, to whom was referred the bill (S. 1353) for the relief of Edward Rice, have examined the same and respectfully report:

Edward Rice was, on the 19th day of July, 1868, the owner of the certain described bonds set forth in the bill; but on that day said bonds, with the coupons attached thereto, were lost. Every means was taken to regain possession of them, but up to the present time no trace of them has been discovered; neither have the bonds been presented to the Treasury for payment, although they were long since called in for redemption.

Your committee are of opinion that, from the lapse of time (twenty years),

the destruction of the bonds is fully established. They therefore recommend the passage of the bill, which authorizes the Secretary of the Treasury, after securing a proper bond for indemnity, to pay the said claimant the amount of the bonds, with interest to date when the bonds ceased to bear interest.

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. BAILEY. Mr. Speaker, I desire to ask why it was necessary to come to Congress in this matter, my understanding being that where the proper proof can be made the Treasury Department is itself, without the enactment of a special law, allowed to duplicate lost or destroyed bonds?

Mr. SPERRY. That is not so. I have tried it, and they do not do it. It has to be done by an act of Congress.

Mr. BAILEY. Then I have no further question.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

SILAS P. KELLER.

The SPEAKER. The gentleman from Kansas notified the Chair that he desires to move to reconsider a vote by which a bill was passed.

Mr. BRODERICK. I move to reconsider the vote by which the bill (S. 361) for the relief of Silas P. Keller was passed. It is a bill that passed in my absence a few minutes ago.

The SPEAKER. Was the bill passed under a suspension of the rules? [After a pause.] The Chair understands it was passed under a suspension of the rules; and it can not be reconsidered.

Mr. BRODERICK. I ask unanimous consent to make a motion to reconsider the vote by which the bill was passed.

Mr. VAN HORN. I object.

Mr. BRODERICK. The bill was wrong, and the gentleman knew that I objected to it. It affects my constituents. I have talked to the gentleman and to the parties interested a number of times about this bill, and they know I object to the passage of the bill. It is absolutely wrong. It is an old claim fifty years old. It has been passed upon by one of the Departments and has been rejected, and should not have been called up at this time.

Mr. VAN HORN. Mr. Speaker, the bill has passed two Congresses, it has passed the Senate this time, and passed through the Committee on Indian Affairs. The gentleman knows that I have tried to call it up. I have talked to him about it, and there is no reason in the world why it should not pass, except that some of his constituents object to it. That is all there is about it. No more honest claim has ever passed this House.

Mr. BRODERICK. The parties interested object; and the last talk I had with the gentleman from Missouri was that it should not come up during this session—

Mr. VAN HORN. Oh, no.

Mr. BRODERICK. While there was no stipulation that it was not to come up, that was the understanding.

Mr. VAN HORN. I told the gentleman I was trying to get it up.

Mr. BRODERICK. I was necessarily absent from the House when this bill was called up. Had I known that the parties intended to call it up I would not have been absent. It was a surprise to me, and will be a surprise to my constituents.

The SPEAKER. The gentleman asks unanimous consent to reconsider the vote by which the bill was passed. Is there objection?

Mr. VAN HORN. I object.

The SPEAKER. Objection is made by the gentleman from Missouri.

Mr. BRODERICK. I move to suspend the rules and annul the action of the House in passing that bill.

The SPEAKER. That would only be another way of accomplishing it, and would not be in order.

Mr. WALKER of Massachusetts. I suggest to the gentleman that the President has been looking anxiously for an opportunity to veto something, and if the gentleman will reveal his trials and troubles to the President he will undoubtedly veto that bill. [Laughter.]

Mr. BRODERICK. That is what I will do. [Laughter.]

Mr. WALKER of Massachusetts. Mr. Speaker, at the request of the committee, I would like to engage the attention of the House for about two minutes in relation to matters concerning the Committee on Banking and Currency. That committee has made but four reports at this session, and those, to be sure, not upon matters of the greatest magnitude. The Speaker was ready to recognize the committee for action upon them, but the committee decided they could not be enacted into law. It has diligently pursued the investigation of this subject, one of the greatest magnitude and of the most far-reaching consequences of any that can engage the attention of Congress. It has been made manifest that the conservative financiers of the Government and in Congress and in the country did not think it wise to enter upon the solution

of the financial and bank difficulty on the eve of a Presidential election; that the cool, careful, and wise decision the subject demanded might not be reached. In this opinion the committee agree. The House may rest assured that early in December that committee will bring in a bill covering the whole question of the currency and finances of the country, and give members ample opportunity to discuss and act upon it. [Applause.]

WILLIAM GEMMILL.

Mr. GAMBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 8250) for the relief of William Gemmill.

The bill was read, as follows:

Be it enacted, etc., That there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$75, to be paid to William Gemmill, of Yankton, S. Dak., in full payment for quartering and boarding United States soldiers during a terrific and protracted snowstorm in the month of April, 1873.

Mr. RICHARDSON. Mr. Speaker, I demand a second, in order that we may have some explanation of the bill.

Mr. GAMBLE. Mr. Speaker, I ask that a second be considered as ordered.

There was no objection.

Mr. GAMBLE. Mr. Speaker, I will ask for the reading of the report. It contains, I think, as condensed a statement of the facts as I could orally make to the House. The bill in every way is meritorious, and the money should have been paid long ago.

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

The Committee on Military Affairs, to whom was referred the bill (H. R. 8250) for the relief of William Gemmill, having had the same under consideration, recommend that the same do pass.

This is a claim for quartering and boarding 12 men of the Seventh United States Cavalry during a terrific snowstorm or blizzard in the month of April, 1873. A portion of this regiment was encamped in the suburbs of the city of Yankton, and during the storm, which lasted for three days and which was of extreme violence, the men were driven from their tents and took shelter in neighboring houses, and remained for two days succeeding on account of the condition of the weather and tents. Claims which grew out of this compulsory hospitality were settled and paid by the Government, but the claim of Mr. Gemmill, which he swears was filed with the proper officer, appears to have been mislaid or overlooked. The amount claimed appears to the committee to be reasonable, and should be paid. The claim was before this committee in the first session of the Forty-fourth Congress and favorably reported.

Mr. LOUD. How many men were there in the party?

Mr. GAMBLE. Fifteen, I believe.

Mr. LOUD. The report does not say 15.

Mr. GAMBLE. No; the number is 12—12 men for five days at \$1.25 a day. All the other claims of this character have long since been paid by the Government.

Mr. LOUD. I do not see how you can make \$75 out of it.

Mr. GAMBLE. I will say to the gentleman that the claimant is personally known to me and is a reputable man, and the claim is entirely just. It is for the board of 12 men for five days at the rate of \$1.25 per day.

The rules were suspended and the bill was passed.

ALBERT AUGUSTINE.

Mr. LITTLE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 1021) granting relief to Albert Augustine for property taken for the Cayuse war.

The bill was read, as follows:

Be it enacted, etc., That there is hereby appropriated, out of any moneys not otherwise appropriated, the sum of \$350, to be paid to Albert Augustine, of Rose Hill, Iowa, for property taken for use of the United States Army in the Cayuse war, in 1847 and 1848.

Mr. DALZELL. Mr. Speaker, I demand a second.

Mr. LITTLE. I ask unanimous consent that a second be considered as ordered.

There was no objection.

Mr. DALZELL. Now, Mr. Speaker, in my time, I would like to have the report on that bill read.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON (pending the reading of the report on the bill H. R. 1021). Mr. Speaker, I rise to present a conference report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to House bill 7764, making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, having met, after full and free conference have been unable to agree.

J. G. CANNON,
E. J. HAINER,
J. D. SAYERS,

Conferees on the part of the House.

W. B. ALLISON,
EUGENE HALE,

Conferees on the part of the Senate.

Mr. CANNON. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Illinois moves that the House further insist on its disagreeing votes with the Senate and ask for a conference.

Mr. WILSON of Idaho. Mr. Speaker, I move as an amendment that the House recede from its disagreement to the Senate amendments as to public buildings and concur therein.

Mr. HOPKINS. Mr. Speaker, before there is any discussion on that I would like to ask my colleague one or two questions.

The SPEAKER. Does the gentleman from Illinois [Mr. CANNON] yield?

Mr. CANNON. Yes.

Mr. HOPKINS. When was the first conference held on this bill?

Mr. CANNON. I do not recollect. I think this is the seventh, or eighth, or ninth—I am not certain; but there have been a good many.

Mr. HOPKINS. During all those conferences has the Senate insisted upon its amendments relating to public buildings?

Mr. CANNON. I do not know that it is apt for me to say what has passed in the conference room. The official statements of the House and of the Senate, insisting and re-insisting, back and forth, appear upon the respective Journals of the two Houses.

Mr. HOPKINS. They give us a bare outline of what was done; but the gentleman can perhaps tell the House whether there is any probability of the Senate receding from these amendments, or whether in the last conference they exhibited the same stubborn persistence in their wrongdoing that they had manifested in previous conferences. [Laughter.]

Mr. CANNON. I will tell my colleague, in answer to his question, what I understand to be the situation. The Senate amendments in question—it is not necessary to describe them more particularly—propose legislation. The House conferees have uniformly insisted, and the House has in effect instructed them to insist, upon its disagreement to those legislative provisions. In the last report, which was made yesterday, the House further insisted upon its disagreement to all those Senate amendments except one. My opinion is, as an individual, that if the House had on yesterday insisted upon its disagreement to all of those amendments, including the Savannah building amendment, this bill would have been before the President and signed by this time. That was my opinion then; that is my opinion now.

Now let me exhaust this subject in a minute, so far as I am concerned. These are the closing hours of the session. Here is the sundry civil bill, that carries thirty or thirty-five million dollars, in this peculiar situation: The Senate, as I am informed, with a quorum—

A MEMBER. Barely a quorum.

Mr. CANNON. Well, a quorum of the Senate are insisting on these legislative provisions. Now, the House can do and will do as it pleases. For a month past I, substantially as the messenger of the House, representing it in conference, have tried to carry out its will; and the House has exhibited great determination. Now, if the House is still of the opinion it has heretofore expressed, it can show its faith by its works. Nothing ventured, nothing gained, in individual and in parliamentary life. In my judgment this bill is not to fail. So far as my individual vote is concerned in this House touching these matters upon which the House has taken a stand, I shall vote to further insist and let this bill go back. [Applause.]

Mr. HOPKINS. Will the gentleman allow me a question right there?

Mr. CANNON. Certainly.

Mr. HOPKINS. Is it not the opinion of the gentleman in charge of this bill on the part of the House that if the House sustains him in his position the Senate will yield and we can have this bill settled?

Mr. CANNON. If I were a member of the Senate, as I do not desire to be at this time, but as possibly I may be some time [laughter], I could give a better opinion perhaps than I can now. I will say to my colleague that under all parliamentary precedents the body proposing legislation, when the other body will not assent, recedes; and if the Senate, proposing legislation in this case, lets this bill fail because the House will not assent to the legislation, then let the responsibility be upon the Senate. [Applause.] For one I will not be bulldozed. That, briefly stated, is my position.

Let there be no paltering. If the House or a majority of its members as they shall now rise and be counted—and it is just as well to take the vote on all these amendments at once—as members stand to be counted, or as they pass through the tellers, let the House understand that it is an expression of its will and determination as heretofore expressed, that it will not assent to these legislative provisions. If members want to assent to them, let them do so, and that passes the bill. This is all I can say about it.

Mr. SAYERS. Mr. Speaker, I desire to say a few words in connection with this matter.

Mr. CANNON. I yield to my colleague on the committee.

Mr. SAYERS. I am not willing that the opinion expressed by the gentleman from Illinois [Mr. CANNON] should be considered as representing the opinion of all the conferees of the House on

this bill. I am not so sanguine as the gentleman from Illinois that if the House should continue to insist upon its disagreement to these amendments the Senate will recede. Again and again and again have the conferees of the two Houses met to consider these items of difference, and every time the conferees of the Senate have sternly insisted upon at least four of these amendments—the four amendments which relate to public buildings in the newly admitted States—and they have said to us, Mr. Speaker, that they would not make a report to the Senate receding from those four amendments.

Now, this bill carries about \$34,000,000. It is intended to provide for the necessities of the Government in almost every branch of the service. We have but little more than a quorum in this House; there is not, I understand, a quorum in the Senate; and the question remains with the House whether or not we will continue this contest until the numbers in both Houses shall continue to abate and abate until we scarcely have a dozen members in either House.

It is no new thing for the Senate to insist upon such amendments. We had a struggle in the last Congress upon the amendments providing public buildings for the four new States. The House continued to insist on its disagreement; but finally the conferees of the House, with myself at the head, had to yield. There is not a single item involved in this disagreement which, considered separately and alone, would be objectionable to this House. The only objection to these amendments is that they come here upon the sundry civil bill and that they ought to have come before the two Houses of Congress as separate propositions. That is the objection as I understand it.

Having said this much, having made a candid statement as to the condition of the case, I will only add that the majority of the House can do with these amendments just as it pleases. The majority of this House is responsible for the conduct of public business.

Mr. HARTMAN. Is it not a fact that we have already made four or five exceptions to the rule suggested—for instance, yesterday, in agreeing to one of these amendments of the Senate to this bill?

Mr. SAYERS. That is entirely within the knowledge of the House. I frankly confess I have sympathized with the gentleman from Illinois in this struggle, and I still sympathize with him. I think he has been in the right. I think the majority of the House has been right in this struggle. But I believe it my duty to give to the House as far as I can a fair and truthful statement of the situation as I understand it.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I withdraw the report temporarily and rise for the purpose of presenting another conference report, one which can be closed up at once and disposed of without delay, and for that reason I call it up at this time.

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriation for the expenses of the House of Representatives, and for other purposes, for the fiscal year ending June 30, 1896, 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 2.

J. G. CANNON,
JOS. D. SAYERS,
Managers on the part of the House.
EUGENE HALE,
WM. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.

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

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on Senate amendment No. 2 to the bill H. R. 9409, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on said amendment, namely:

Strikes from the bill the amendment proposed by the Senate, to pay a sum equal to one month's pay to certain discharged employees of the House and Senate.

J. G. CANNON,
JOSEPH D. SAYERS,
Managers on the part of the House.

The report was agreed to.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. I now call up again the conference report on the sundry civil bill, and yield two minutes to the gentleman from Idaho [Mr. WILSON].

Mr. WILSON of Idaho. Mr. Speaker, I desire the attention of the House for a very few moments in support of my motion, which is that the House recede from its disagreement and concur in the Senate amendments heretofore disagreed to in this bill.

The chairman of the Committee on Appropriations, our genial and able friend from Illinois [Mr. CANNON], says that there is an invariable rule in parliamentary bodies that where one body proposes legislation affirmative in its character, and the other body

dissents from it, that the body offering such legislation must yield in the end. I submit in all fairness that that principle can not be relied upon now. We have waived it in the House, and we have done it in no less than five different instances upon this very bill, and even no later than yesterday we abandoned the same principle on a ye-and-nay vote. We are, therefore, committed to a waiver of that principle or else the House will be guilty of an invidious discrimination against the section of country represented by these new States which is directly interested in this matter.

I call your attention to the number of exceptions which have been made in this bill. We agreed to the amendment for the construction of a public building at St. Albans, Vt.; we also agreed to the amendment proposed by the Senate for Little Rock, Ark.; we agreed to the item for a building in West Virginia, and we agreed on yesterday, by a ye-and-nay vote, to the item for the construction of a public building in Savannah, Ga., and the increase of the appropriation, with the extension of the limit of cost of that building.

Mr. VAN HORN. We also agreed to the New York matter.

Mr. WILSON of Idaho. Now, Mr. Speaker, I have the honor to represent in this House a State—one of the youngest States of the Union—which has no Federal building of any kind or character. It has been the invariable rule of Congress heretofore that whenever a new State was admitted, at least one public building should be authorized at its State capital. It has been done from time immemorial, and done also on the sundry civil appropriation bill. You provided in the last sundry civil bill such a building at the capital in my State, and the site has been selected and purchased. We have the United States courts there, with valuable records, and no vault or place of security in which to keep them—records upon which depend the title to hundreds of thousands of dollars worth of property, and no vault for their protection.

We have the surveyor-general's offices there, in which are employed a large number of clerks, and which require a large floor space. We have secured a larger appropriation than ever before for public-land surveys, and it is expected that our State will receive an apportionment thereof sufficient to survey large tracts on which settlers are now residing. If these surveys are carried on it will necessitate an increase in the force of the surveyor-general's office, and it is therefore necessary that from time to time more space shall be provided for this purpose.

We have the United States land offices there, the deputy collector of internal revenue, the post-office, the United States marshal and deputies, the United States attorney, the clerk of the United States court, the United States district judge, and other Federal officials, all of whom need the use of a Federal building.

The rents which the United States Government is compelled to pay for these various offices is more than sufficient to justify the erection of this building from a plain business standpoint; but, aside from this feature of it, it has been the policy of the Government from time immemorial to erect Federal buildings in the several States, and especially at the State capitals. That this is a wise public policy is not now open to question. It serves a manifold purpose. The flag of the United States will always wave from this Federal building, so that the citizens of the States, and especially the youth of the land, have an object lesson of patriotism given them when they behold the emblem of their country's honor unfurled from the flagstaff of their Federal building.

It has been contended on the floor of this House that it is unwise to legislate in this manner on appropriation bills, and that by putting public-building riders on these bills in the nature of things a true investigation of the measure in question can not be had by the House. If this criticism were well founded the House has waived it in so many instances, and particularly during this session, that it is not a reason worthy of advancement against these items. While I will agree, generally speaking, in the unwisdom of any kind of riders on appropriation bills, nevertheless, in view of the record we have made, and the record of preceding Congresses on this question, and in view of the special merits of these cases, I do not think this objection is well founded.

These building bills have been considered in committee. The Senate Committee on Public Buildings and Grounds has reported all of them favorably and the Senate has passed them as separate bills, and the item which I am especially interested in—the building at Boise City—has been reported favorably by the subcommittee on Public Buildings and Grounds of the House, and I was only a few days ago invited to prepare a report for the full committee. Moreover, the public buildings in the far Western States referred to in my amendment were originally provided for in the sundry civil bill of last year. This special exception was made because these four new States were the only ones not provided with Federal buildings, save and except the State of Washington and the State of Maryland. Congress, recognizing the special merit in these cases, made provision for them in the sundry civil bill of last year. It is apparent, however, that in the case of Boise City \$150,000 is not sufficient to properly construct and equip a

Federal building commensurate with the requirements of the Government in that State. Our people, realizing this, have been anxious for the enlargement of the aggregate of the appropriation. I therefore introduced a bill at the beginning of the session increasing the limit of cost to \$200,000, and such bill has been reported as above stated.

Under the law passed by the last Congress which provided for the construction of this building at a cost of \$150,000 no right to contract was given and no appropriation was made available except sufficient for the purchase of a site. I am therefore informed by the chairman of the Committee on Appropriations [Mr. CANNON] that under such law we have no right to enter into a contract for the construction of this building. We are therefore left in the anomalous position of having a building provided for by law, with no authority or right to enter into a contract for the construction of it.

Senate amendment No. 2 to the present sundry civil bill corrects this mistake and will increase our limit to \$200,000, making an appropriation of \$50,000 immediately available. From this appropriation we are given the right to contract for the entire building; and thus the law originally passed may be carried out in its full intent and meaning.

Further objection has been made against these items on the ground that it has not been determined that these particular places are the proper ones for the construction of these Federal buildings. In the case of Boise City, I may say that our State constitution, adopted in 1890, provides that the capital shall be there located for a period of twenty years. There is no disposition on the part of our people to change this location, and by almost universal consent it is conceded that we have the best location for the capital in the State.

Boise City is a thriving town of 8,000 inhabitants, and is to-day one of the most prosperous little cities in the far West. It lies about midway between Salt Lake City, Utah, and Portland, Oreg., and is the most important point between those two cities. It is situated at the head of the celebrated Boise Valley, which is far-famed for its agricultural and horticultural products.

As a fruit-growing and cereal-producing section this valley has no superior. A mineral belt of almost untold wealth forms a half circle to the east, north, and northwest of the city, while the celebrated Owyhee mines are to the southwest. Boise Basin is to the north, and is likewise rich in mineral resources, all tributary to Boise City. Vast timber resources abound to the north of us, while stock raising flourishes over a large area of country surrounding this city. Natural hot water has been discovered in artesian wells almost within the city limits, and our buildings, public and private, are heated by it. A beautiful natatorium has been constructed by our citizens near these wells, and Boise City in the near future is destined to be a celebrated health resort.

Our State legislature has provided for a beautiful capitol building, which is almost entirely paid for. We have three magnificent public school buildings, and our public school facilities are not excelled by any State in the Union. Boise City is substantially constructed; it has electric car lines, electric lights, and all modern improvement which are to be found in a thriving, advancing American city.

There was taken in at the United States assay office there more than twelve hundred thousand dollars in gold last year, and indications point to a large increase in this respect during the coming fiscal year. Our mines are developing rapidly, and indications are that they will shortly astonish the mining world.

With all of these advantages and improvements, Mr. Speaker, I submit that it is a disgrace to the Government that it can not provide a Federal building for the use of the Government officers. We have joined with our friends in the East in voting appropriations for battle ships, fortifications, and rivers and harbors. We are protected from the encroachments of foreign enemies, and our people do not need these Government expenditures for their especial use; nevertheless, they heartily sustain their representatives in voting these appropriations, because, being patriotic, they recognize that it is for the public good. In return we ask recognition at your hands in the matter of our public buildings. We think it is only fair, just, and right that we should get them.

The chairman of the Committee on Appropriations [Mr. CANNON] has made a magnificent fight against these items, and he has done it on the broad ground that they should not be tacked onto an appropriation bill. I admire him for the courageous fight he has made, and I desire to bear witness now that that fight has been eminently fair. I have no word of criticism to make against his course in that respect; but this House, as I have before stated, has already discriminated in five instances, and has gone on record against the principle which he contends for. In view of that fact, I believe it should now yield. I do not want to say what would be the effect of remaining longer in session here, contending against the opposition of the Senate. I believe, however, I can truthfully say that the Senate will not yield. Moreover, it ought not to yield. The House has surrendered its position on

this question, and now to fail to recede from these amendments is to go to the height of inconsistency itself.

This matter has been in conference for six weeks. The first report of the conferees was made April 26, 1896, and we have been contending for a settlement ever since. We are no nearer an agreement now than we were six weeks ago. In the meantime you have waived the principle for which the gentleman from Illinois contends, and now if you continue to resist you make a plain and clear discrimination against these Western States. I tell my Republican friends that you can not afford to do this. The other side of this House stands ready and willing to join you in support of my motion. They demonstrated that by their vote on the Savannah case yesterday.

In conclusion, permit me to say we are now on the eve of adjournment, and a settlement must be had soon if at all. Even the chairman of the Committee on Appropriations admits we ought to have these buildings, and that there is no important reason from the standpoint of the public interests why they should not be provided for, except the objection that such provision is made on an appropriation bill. Inasmuch as you have surrendered your position on that question, in the interest of consistency I appeal to you to accept the Senate amendments. Let these buildings be authorized and let us adjourn and go home in peace. [Applause.]

Mr. CANNON. I yield now a few minutes to the gentleman from Missouri [Mr. DOCKERY].

Mr. DOCKERY. Mr. Speaker, I desire to ask the gentleman from Illinois what amount of money is involved in the five buildings—I believe there are but five—yet in disagreement?

Mr. CANNON. Well, the amendment has increased the limit to \$541,000.

Mr. DOCKERY. But the cash involved—the appropriation? Mr. CANNON. Three hundred and sixty thousand dollars. The legislation increases the limit \$541,000 and establishes one new building.

Mr. DOCKERY. Now, Mr. Speaker, a word in reference to the motion of the gentleman from Idaho [Mr. WILSON]. I would prefer greatly that the motion to concur or recede from the disagreement should be made in each case separately. I think I would support most of the propositions, and perhaps all, if presented separately on the motion to recede from the disagreement to the Senate amendments. But I do not like a motion that comes in such a "questionable shape."

Mr. WILSON of Idaho. Personally I am willing to do that. Mr. DOCKERY. I have had some experiences recently with "logrolling" propositions that have not been satisfactory to me. I prefer to consider these items singly.

Now, if I understood the gentleman from Illinois [Mr. CANNON], the chairman of this committee, in reply to his colleague he failed to answer the direct question as to whether, in his opinion, the Senate would recede as to these amendments. Mr. Speaker, I am not authorized to speak for the Senate of the United States—and I am very glad I am not—but unofficially I may say, having spent some time at the other end of the Capitol during the last two or three days in connection with another bill, that I do not believe the Senate will recede.

Mr. CANNON. I do not think it is fair for the gentleman to undertake to terrorize the House by that statement. I think my opinion is a fair offset to it. But let each body perform its function and take the responsibility.

Mr. DOCKERY. That is very true; but the inquiry was propounded to the gentleman by his colleague, and if I understood the gentleman, he did not make a direct answer.

Mr. CANNON. If the gentleman will allow me, I said I was not of the Senate, nor responsible for it, but that under the invariable rule the body that proposed legislation receded if the other body insisted.

Mr. WILSON of Idaho. We have violated that rule.

Mr. DOCKERY. The gentleman is correct about the general rule, and I am in sympathy with his general position, but we are face to face with this situation: a constantly dwindling attendance upon the House, hence we must come to some sort of an accommodation in respect to this bill.

Accommodations have been reached upon other bills that have not reflected my views upon many of the matters at issue; but we have reached agreements because agreements were necessary in order to terminate this session.

Mr. Speaker, I want to say for myself that I do not favor a policy that looks to the failure of the sundry civil bill and the extension of the appropriations for six months. I am in favor of some sort of an adjustment on this question by which a conclusion can be reached and this session terminated to-night. I hope the gentleman from Idaho [Mr. WILSON], however, will modify his motion so that the House can take up each item separately. There is one item for my own State, an extension of the limit of cost at Kansas City \$116,000, recommended by the Secretary of the Treasury; but I believe that item can go over with entire safety, if I am properly advised, until the next session. If,

however, the other amendments are agreed to, then I want this one agreed to. But as I said a moment ago, I think, probably, that can go over until the next session without serious detriment to the building.

Now, Mr. Speaker, it seems to me the issue is this: We must reach an accommodation in respect to these disagreements or this bill will fail, and I suppose it is contemplated in such an event to extend the appropriations by resolution for six months. To that policy I object.

Mr. CANNON. I yield three minutes to the gentleman from Kansas [Mr. BLUE].

Mr. BLUE. Mr. Speaker, it is not true, as I understand it, that these amendments all stand on the same footing. It has been urged by gentlemen here that this House has violated the rule by acceding to the demands of the Senate in a number of instances similar to those now presented. If the House up to the present moment has acceded to a single amendment that looked to the establishment of an entirely new building, I should like to be told what that amendment is.

Mr. WILSON of Idaho. What about the building at St. Albans, Vt.?

Mr. BLUE. The building at St. Albans, Vt., is a building that had been practically completed.

Mr. WILSON of Idaho. Yes, and destroyed by fire.

Mr. BLUE. It was partially consumed by fire, but the photographs of that building, exhibited at the time the matter was discussed, show that it was only injured and not destroyed. Every single instance in which there has been a receding in this matter has been an instance of repair or some sum for completion. The violation of the rule made in the instance of Savannah the other day was made under a misapprehension in part. I am satisfied, upon the part of a number of gentlemen here. If it had been understood, as it now seems to be understood by some here, that about \$100,000 of the original appropriation for that building had been devoted to a site, when it was not originally so intended to be devoted—if that had been understood here yesterday, in my judgment the action which was taken would not have been taken.

Gentlemen speak of this as a compromise, and say "Let us compromise." What compromise is there in it? We have acceded in these matters of improvement, like that in West Virginia, like that in St. Albans, like that in New York City, where it was simply placing another floor in a building; but now it is insisted that we shall give away all the rest of them. There is no compromise in this. It is a mere accession to the Senate in every respect.

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

Mr. BLUE. I have not time. If this rule is to be followed, then no difference how conservative this body may attempt to be, no difference how well it may intend, as it did at the commencement of this session, in seeking to have the Committee on Public Buildings and Grounds report no bills, or at least advocate the appropriation of no money for this purpose, then it is left for the diligence of Senators to thrust upon this body, out of favoritism, a number of projects that are the least deserving and the most unworthy of all. [Applause.] For myself, as one member of the House, I am willing to take responsibility, and say to the Senate that if Senators wish to take the responsibility of the delay and, in violation of the rules, stand by the Senate and force these amendments upon us, let them accept it. It is about time that this House should let the Senate understand that the House will not be driven and dragged about at its pleasure. [Applause.]

So, Mr. Speaker, in my judgment we should still adhere and still insist upon the ground the House has heretofore taken, and insist that the Senate shall recede from these amendments that it has thrust upon this bill. No time has been fixed to adjourn; no concurrent resolution has been passed or suggested; and there is no haste about this matter. They talk about a vanishing quorum. Does not the same condition exist in the Senate?

Mr. Speaker, it seems to me utterly absurd and impracticable to insist upon this House at this time accepting the propositions of the Senate. Let the House assert itself, preserve its independence, and compel the Senate to follow the well-established parliamentary practice in such cases, and all will be well.

Mr. CANNON. I yield two minutes to the gentleman from Washington.

Mr. DOOLITTLE. Mr. Speaker, I live in the State of Washington and the city of Tacoma, and the State of Washington has no public buildings within its limits. It is a State with a population of 500,000. Two-thirds of the goods landed in the United States from Oriental countries come through the port at Tacoma. The courts are held there. The commercial interests are very great and very rapidly growing. When we came here at the beginning of this session of Congress we introduced our bills providing for the construction of public buildings, and it was soon announced in this Congress by those who have shaped its business and the transaction of matters before it that owing to the present

condition of the country it would be unwise policy on the part of the party to permit public-building bills to be passed during this session. All gentlemen interested in public buildings went before the Committee on Public Buildings and Grounds—

Mr. WILSON of Idaho. Will the gentleman allow me to ask him a question?

Mr. DOOLITTLE. After a while. [Continuing.] And represented their causes, and in many instances a favorable report was ordered on those bills; but the reports on the bills by the committee have not been made. I respect our friends highly, and do not wish to say a word that would in any wise reflect upon their course, or that would change or affect their hopes, because I know how desirous they are to have these buildings, but it was the understanding here in the House that no public-building bill should be passed through this session, so that we could all go back and say the same thing, and some of our friends have gone over to the Senate and there introduced this legislation upon this bill. Now, if that course is to be followed, Mr. Speaker, when I shall attempt to get a public building I will go to the Senate and not trouble myself with the committees of the House. But I supposed that this was the proper place to initiate legislation of that kind and pass it in the Congress of the United States; and I still think so.

Mr. CANNON. I yield two minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, I understand that the principal objection to the passage of this legislation for public buildings is that it is not brought before the House from the Committee on Public Buildings. I have not heard any objection on the floor of this House to these public buildings, or to the appropriation, on the ground that they were not appropriations that were justified. It has been stated here that there are a great many gentlemen representing constituencies on the floor of the House who desire public buildings within their districts. That is undoubtedly true. There is no question but what every gentleman here would like to have a public building in his district, regardless of the number he already has.

Now, the Senate simply did this: It provided, first, in this amendment, that where public buildings were under construction and the Senate believed that an increase of the appropriation was necessary in order to finish these buildings in accordance with the plans, to make them harmonious as a whole, they made an appropriation for these buildings; and these appropriations are certainly in the line of good business principles.

It has been the custom in this country to provide a public building in all the new States and Territories. That is the other proposition in this amendment. In the far West there are four daughters of the Republic that have not received the customary birthday present. There are 400,000 square miles in the intermountain region, comprising four sovereign States, where, if your Uncle Samuel should visit them, there is not within the limits of that vast territory a single roof under which he could rest upon his own ground and under his own roof-tree. We simply ask that these States shall, each and every one of them, have one public building at least, and that the flag of the Union shall float in the capital of each State in this Union from a building erected by the Government. [Applause.]

Mr. CANNON. I yield three minutes to my colleague from Illinois [Mr. HOPKINS].

Mr. HOPKINS. Mr. Speaker, this matter is degenerating into a question of physical endurance between the two bodies. The first conference that was held on this bill was on the 27th day of April last. According to the statement of my colleague, eight separate conference meetings have been held since that time, and the Senate has persisted in adhering to these amendments. As the conference reports have come back here, the House has receded from time to time until the 17 items originally in the Senate amendments have been reduced to 10, and an aggregate of something over a million dollars embraced in those 17 items has now dwindled down to the sum of \$360,000, which, I understand, is the amount of the present difference between the two Houses.

Mr. CANNON. My colleague is slightly mistaken. Three hundred and sixty thousand dollars is the appropriation that would be made if these limits were broken, but the limits are broken by the Senate amendments to the extent of \$541,000, making an aggregate of about \$900,000.

Mr. HOPKINS. How much was the aggregate of the appropriations which the Senate added?

Mr. CANNON. I do not really recollect exactly; about two millions.

Mr. HOPKINS. Then, as a matter of fact, the House has yielded on items amounting to more than a million dollars?

Mr. CANNON. On the contrary, the Senate has yielded on several items, amongst others the National Museum item, amounting to \$120,000.

Mr. HOPKINS. But that does not answer my question. Has

not the House yielded on the New York, the Vermont, the Georgia, and other items more than a million dollars in the aggregate?

Mr. CANNON. I think not so much, but we have yielded on the items the gentleman mentions, in some cases on my motion, and in some cases on the motion of the gentleman from Georgia.

Mr. HOPKINS. Now, Mr. Speaker, the question presents itself to us whether we are to stay here for a week or a month longer, or whether we are to concur in these Senate amendments. I know from what I learn at the other end of the Capitol that there is a determination on the part of the Senate to adhere to these amendments, and if the House does not agree to the motion made by the gentleman from Idaho [Mr. WILSON], to accept the Senate amendments, the members of this House can settle down to the fact that we shall not adjourn during the month of June or the month of July. That is the question that we have to settle by the vote that is about to be taken.

Now, why should not we concur in these amendments? Does my colleague from Illinois show that any one of these items separately considered is not proper and just? Is there any man on this floor who will say that any one of these items, aggregating \$541,000, is not proper and just? The only argument that the gentleman makes is that some other gentleman will indirectly be injured because his public building is not in this bill. I have a public-building bill that has been pending before the Committee of this House on Public Buildings and Grounds, a bill that has been favorably considered, and to please my constituents, I would like exceedingly well to have that bill reported and passed at this session, but I recognize that it can not be done. I recognize the fact that none of the public-building bills except those that are on this appropriation bill can be passed at this session.

Mr. Speaker, it seems to me that there is not a single member of this House who can afford to say, "Because I can not get what I want I will not permit any other gentleman to get what he wants." It seems to me that no member, at this stage of the session, can afford to say that we ought still to adhere to our disagreement upon these amendments and force a delay upon this appropriation bill. Everyone understands that we can not adjourn until this bill becomes a law, because it carries appropriations affecting all the great Departments of the Government, and it is a bill which if it should fail would necessitate an extra session of Congress. So far as I am concerned, I have steadily followed my colleague during these eight conferences and have voted with him every time he has asked for a disagreement, but I think the time has now come when the House should say that there shall be a limit to this, and should agree to the Senate amendments and let this bill become a law. In saying this I make no reflection upon my colleague, because I think he has conducted these conferences with ability and integrity, and has only sought to carry out the wishes of this House as expressed from time to time. Furthermore, the House in now concurring would simply be endeavoring to close a prolonged disagreement between the two branches of Congress which, as I have already said, has already degenerated into a question of physical endurance.

Mr. CANNON. I yield one minute to the gentleman from New York.

Mr. FAIRCHILD. Mr. Speaker, I only wish to make a suggestion in response to the arguments that I have heard upon this floor with regard to these public buildings, particularly in the Western States. As a Representative from New York who in the early days of this session introduced a bill for a public building in a place of sufficient size to deserve it, and who has been unable to get that bill out of the committee room, I want to say that I shall be the last man in this House to indulge in a "dog-in-the-manger" policy, and say that because I can not get my bill passed I will not vote for those bills for public buildings which are before us in this appropriation bill. I believe that this is a matter for the House to decide now upon its merits. So far as I have heard this discussion, I have heard nothing against the merits of these buildings, but simply technical points and assertions of a "dog-in-the-manger" policy, and I hope the House will now vote to concur in the Senate amendments. [Applause.]

Mr. CANNON. I yield five minutes to the gentleman from Indiana [Mr. HENRY].

Mr. HENRY of Indiana. Mr. Speaker, I do not intend to say very much on this question, for the reason that I have expressed my views already. I am surprised at the gentleman from Illinois [Mr. HOPKINS] who has just taken his seat, that he does not want to say, "I won't because I can't"; yet he tells us, in the very same sentence almost, that we should yield to the Senate because they will insist upon a thing which they ought not to insist upon and thereby cause this bill to fail. These gentlemen put the Senate in the position which they say we are in. If the Senate insist upon a thing which they ought not to insist upon and thereby cause this bill to fail, they are the "dogs in the manger," not we. [Applause.] We are not asking anything that we have not the right to ask.

Now, I am ready to recede from our disagreement and to agree to these Senate amendments whenever the chairman of the committee in charge of this bill comes into the House and gives us to understand that we ought to do it, and not till then. [Applause.] The gentleman [Mr. MONDELL] has eloquently talked about the sister States in the far West that have no public buildings. But, Mr. Speaker, let it be remembered that those three States that are now asking for the passage of these amendments have already had a step taken in that direction. They have had provision made for public buildings, and now they want an increase. Not content with what we first voted to give them, they want to increase the amount.

Mr. MONDELL. Will you allow me a moment?

Mr. HENRY of Indiana. Yes, sir.

Mr. MONDELL. You say we wish to have an increase.

Mr. HENRY of Indiana. Yes, sir.

Mr. MONDELL. We do; and for this reason—

Mr. HENRY of Indiana. I did not yield for a speech.

Mr. MONDELL. Will the gentleman allow me to explain why we are asking this increase?

Mr. HENRY of Indiana. No, sir; not in my time.

Now, Mr. Speaker, there have been passed by Congress acts authorizing a public building at each one of these places; and these amendments are not for new buildings, but for an increase of the limit, just like the case voted on yesterday, and wrongly voted on.

Now, how does it stand with the rest of the Western States? Two of them are not recognized in these amendments and have no public buildings provided.

A MEMBER. What two?

Mr. HENRY of Indiana. Utah and—

Mr. SAYERS. Utah is in the bill.

Mr. HENRY of Indiana. Then I correct myself on that.

Mr. BINGHAM. It is in the bill for a new building, not an increase.

Mr. SAYERS. Allow me a moment. The only States that are not provided with public buildings—

Mr. HENRY of Indiana. I know which.

Mr. SAYERS. Are Utah and Maryland. Maryland has no public building provided for.

Mr. HENRY of Indiana. You forget about Washington.

Mr. SAYERS. Washington has about \$100,000 in this bill for military posts.

Mr. SWANSON. The gentleman from Indiana has stated that it was distinctly understood at the commencement of this session of Congress that no public building bills should go through the House of Representatives at this session. Now, the gravamen of the gentleman's complaint is that the Senate, in a "revolutionary" manner, has seen proper to put amendments for public buildings upon this appropriation bill. I wish to ask whether it is not as "revolutionary" in the House, or those who manage the House, to say that no appropriation for public buildings that Senators think should go through shall have consideration in the House—is not that as "revolutionary" as the course adopted by the Senate?

Mr. HENRY of Indiana. I take pleasure in answering the gentleman. If we are to select a few public building enterprises like those put upon this bill by the Senate and vote them through each session of Congress, we never shall provide the country with the public buildings that ought to be provided for. What we need is the consideration of public building measures in this House. And if the members of this House make up their minds to vote down these amendments, and at the beginning of the next session of Congress insist on taking up public buildings and considering them and voting them where they ought to go, then the country can be provided with them, but not in this way. [Applause.]

Mr. SWANSON. We have understood the policy to be not to give public buildings any chance this session.

Mr. HENRY of Indiana. I do not know what the gentleman understood. I know this much—that the Public Buildings Committee has not had any opportunity to present matters of this kind in this House. But it can have such opportunity at the next session; and it ought to have it.

One thing further: Not a single one of these enterprises will suffer in the least from the delay if we refuse to authorize them now. If there were any such danger, I for one would concede the point. But, Mr. Speaker, they will not suffer; and hence there is no occasion for yielding on that point.

Mr. CANNON. I yield two minutes to the gentleman from Kentucky [Mr. OWENS].

Mr. OWENS. Mr. Speaker, I am not inclined to play the part of "the dog in the manger"; but there is something more than that involved, I think, in the objection which has been urged against the proposition that we agree to these Senate amendments. It is true that a great many members, myself among them, introduced into this House bills which we thought had merit, providing for the erection of public buildings. I introduced one, I remember, asking for a pittance of \$50,000 for a public building in

a county that has paid from \$250,000 to \$400,000 a year in direct taxes to the Federal Government during the last twenty-five years. But assenting to the assurance made on all sides that there was to be no legislation of that kind at this session, I did not seek to force that bill through, and did not attempt to get that sort of legislation from the Senate.

Now, it is true, as the gentleman from Virginia [Mr. SWANSON] has said, that the Senate has a right to its own policy in regard to these appropriation bills and in regard to public building bills. But I do insist that while it is true they have a right to pass public building bills if they choose, they ought to pass them as separate measures and send them here on their merits, and not put them on an appropriation bill containing appropriations necessary for the existence of the Government, and in that way attempt to force them down our throats. [Applause.]

Mr. Speaker, I believe everybody in the Senate, from the pages up, understand that all the Senate has to do when it passes an amendment to a House bill is to be firm, and the House will "lie down" as soon as it gets a decent opportunity. Let us fool them once. That is my proposition. Let us "stand to our guns" once and show them that the policy we have enunciated and undertaken to carry out we intend to carry out, and are able to endure the consequences as long as they are.

Mr. FAIRCHILD. Does not the gentleman think that is rather a poor basis on which to rest our action with reference to legislation which is before us?

Mr. WILSON of Idaho. And which we admit is right.

Mr. OWENS. I do not know as to that. We know nothing about it. We have the report of no committee. The gentleman is assuming that the Senate is right upon the merits of these propositions. I do not know whether it is or not. But I say that where we have a fixed policy we should not recede from that fixed policy every time the Senate says we must recede.

Mr. FAIRCHILD. We receded on yesterday.

Mr. OWENS. Well, I do not care if we receded on yesterday and the day before; that does not settle the controversy. I do not think that we ought to do anything of the kind at their dictation. Let us stand by our own guns; let us have our own policy and adhere to it, and let them recede a little while. [Applause.]

Mr. CANNON. I yield now a minute to the gentleman from Montana [Mr. HARTMAN].

Mr. HARTMAN. Mr. Speaker, in reply to the gentleman from Indiana [Mr. HENRY], who says he will not vote to recede from the disagreement to the Senate amendments until the chairman of this committee informs the House that he wants us to do so, I wish to remind him that the chairman of this committee on yesterday said, when this matter was up, that he would stand here opposing any concession until he was instructed by the House as to its wishes.

Now, are you going to follow him on that suggestion and instruct? I say that he has made a gallant fight. I honor him for it. He stood up manfully with his colleagues in this controversy, and I have no fault and the House can have no fault to find with him. But we have no right to ask him to carry the burden further. He would be doing his full duty, I claim now, to ask the House to yield to the demand of the Senate, and I ask him now to come to us and concur in the Senate amendment.

In the language of the topical song—

I want you, I want you mighty bad;
I want you, ma honey, I do.

[Laughter and applause.]

Mr. CANNON. I yield now two minutes to the gentleman from Indiana [Mr. FARIS].

Mr. FARIS. Mr. Speaker, it seems to me that when the proposition is presented to us, as has just been done by the gentleman from Illinois [Mr. HOPKINS], that this contention has resolved itself into a question of endurance between the two Houses, we have the best of it. We are well equipped to enter that sort of contest with the body at the other end of this building. We are not only fresher from the people, but we are fresher in every other way. [Laughter and applause.] The influence that we have to meet now from the Senate, as I understand it, is the influence of its younger men from the far West, who do not hesitate when they want anything to reach for it; and they are well seconded by the members from the far West in this body.

I suggest, sir, that our colleagues on the floor from the far West have seen but very little loose in this session of Congress that they have not attempted to take hold of and appropriate to themselves for the benefit of their growing section.

Mr. WILSON of Idaho. How about fortifications, and rivers and harbors?

Mr. FARIS. I am in sympathy with my colleagues from the West. I participate in the sentiment uttered by my friend from Wyoming as to these daughters in that great empire; but for one I am willing to stand here fast, by the honored chairman of this committee, and adhere to the policy adopted by the House in the early days of the session, that we should have respect for the

depressed condition of our industries and the deplorable condition of our Treasury in this question of additional public buildings. I hope, Mr. Speaker, that we will stand by the leadership of the honored gentleman from Illinois [Mr. CANNON], and not submit to such legislation as riders upon appropriation bills, but await providing for other public buildings until the revenues are increased, and until we can have the orderly procedure in this matter that we have hitherto followed; and I hope we will insist in our disagreement to this unusual method of legislation. [Applause.]

Mr. CANNON. Now, but a single moment, Mr. Speaker, and I am ready for a vote.

The State of Illinois, at its capital in Springfield, from 1818 to 1868 never had a public building. So much now for the precedents along that line.

Now, then, I will say again, I do not discuss the merits of this provision. If it is the temper of any member of this House, if it is the temper of the majority in this House on the merits, considering the manner in which the amendments come, with all the surrounding conditions, to concur with the Senate, then I say "Amen," vote that way. But I protest that I will not vote, I will not stand and ask anybody else to vote—I never have done so, do not now, and will not in the future beg a vote from this House presenting the alternative that the Senate will not agree, and thereby seek to affect the votes of my colleagues, when the Senate amendment ought to go out under the invariable rule, acknowledged by such men as Senator SHERMAN himself and the other great parliamentary leaders through all of the years in the past.

Now I am ready for a vote. [Applause.]

Mr. FAIRCHILD. When the gentleman quotes Senator SHERMAN of Ohio I want to suggest to him that I also can quote him as saying a very few moments ago, in the Senate Chamber, that as these appropriations are for buildings already authorized, they do not come within the rule the gentleman from Illinois has quoted. [Applause.]

Mr. CANNON. My information is entirely different from that of the gentleman from New York. But the man who has read the history of his country understandingly in the parliamentary contests in 1878, 1879, and 1880 understands—and this contest began before the breaking out of the later war—that the rule is unvarying that the body proposing legislation as a rider upon a money bill must recede if the other body will not assent.

I want now to take off from this House any duress, if I have that power. I do not want you to agree with the Senate because perchance the Senate will not agree with you. That is not a good way to legislate. It rubs the hair the wrong way on me. I can not do it and keep my respect. Now I am ready for a vote.

The SPEAKER. The question is on receding and concurring in the Senate amendments.

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

Mr. WILSON of Idaho demanded a division.

Mr. CANNON. Let us take the vote by tellers.

Mr. HAINER of Nebraska. I understood that the vote was to be separate; but if it is to be taken on all the amendments jointly, then I wish to move to recede and concur with an amendment.

Several MEMBERS. Too late.

The SPEAKER. The gentleman has a right to do that.

Mr. HAINER of Nebraska. I send the following amendment to the Clerk's desk—

The SPEAKER. To which amendment?

Mr. LOUDENSLAGER. Mr. Speaker, I raise the point of order that the question has been put, and the House is dividing, so the amendment is not in order.

Mr. SAYERS. I will suggest, Mr. Speaker, that the gentleman from Nebraska [Mr. HAINER] must have a separate vote upon the particular amendment in which he is interested, and then we can take a vote on the other amendments.

The SPEAKER. The Chair thinks that whether the gentleman was too late or not the motion to recede and concur has precedence. The House was dividing, and upon that question the vote must be taken. If the House votes that down, then the matter of the amendment of the gentleman from Nebraska would be before the House. As many as are in favor of receding and concurring will rise in their places and be counted.

The House divided; and there were—ayes 81, yeas 88.

Mr. WILSON of Idaho. Tellers, Mr. Speaker.

Tellers were ordered; and the Speaker appointed Mr. CANNON and Mr. WILSON of Idaho.

The SPEAKER. The Chair desires that the House shall understand the proposition. As many as are in favor of receding and concurring in the Senate amendments will now pass between the tellers.

The House again divided; and the tellers reported—ayes 90, yeas 74.

Mr. RANEY. I demand the yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 100, nays 88, not voting 166; as follows:

YEAS—100.

| | | | |
|---------------|---------------|------------------|----------------|
| Acheson, | Dockery, | Johnson, N. Dak. | Payne, |
| Adams, | Dovener, | Knox, | Phillips, |
| Andrews, | Ellis, | Layton, | Pitney, |
| Baker, Md. | Erdman, | Lefever, | Poole, |
| Baker, N. H. | Fairchild, | Lester, | Price, |
| Bankhead, | Fischer, | Linton, | Prince, |
| Bell, Colo. | Fowler, | Little, | Reyburn, |
| Bell, Tex. | Gamble, | Long, | Russell, Conn. |
| Bishop, | Gardner, | Loud, | Russell, Ga. |
| Black, Ga. | Grout, | Loudenslager, | Sayers, |
| Brewster, | Hager, | Mahany, | Shafroth, |
| Broderick, | Halner, Nebr. | Mahon, | Sherman, |
| Buck, | Halterman, | McClure, | Stahle, |
| Bull, | Harmer, | McCreary, Ky. | Stone, C. W. |
| Catchings, | Harris, | McCulloch, | Tawney, |
| Chickering, | Hart, | Mercer, | Terry, |
| Clardy, | Hartman, | Meyer, | Thorpe, |
| Cobb, | Hill, Conn. | Miller, W. Va. | Tyler, |
| Coffin, | Hermann, | Mondell, | Van Horn, |
| Coriiss, | Hopkins, | Moody, | Van Voorhis, |
| Cummings, | Howe, | Mozley, | Walker, Mass. |
| Curtis, Iowa | Howell, | Newlands, | Wellington, |
| Curtis, N. Y. | Hunter, | Noonan, | Wilson, Idaho |
| Dayton, | Jenkins, | Otjen, | Wood, |
| De Witt, | Johnson, Cal. | Patterson, | Woodard. |

NAYS—88.

| | | | |
|----------------|---------------|---------------|----------------|
| Abbott, | Cooper, Tex. | Kirkpatrick, | Shuford, |
| Aldrich, T. H. | Cooper, Wis. | Lacey, | Skinner, |
| Allen, Miss. | Crowther, | Leighty, | Smith, Ill. |
| Arnold, R. I. | Crumpp, | Lewis, | Sorg, |
| Babcock, | Curtis, Kans. | Low, | Southard, |
| Bailey, | Dalzell, | Maddox, | Southwick, |
| Belknap, | Dingley, | Maguire, | Sperry, |
| Berry, | Doolittle, | Marsh, | Stewart, N. J. |
| Bingham, | Eddy, | McCall, Tenn. | Strong, |
| Blue, | Ellett, | McEwan, | Stroud, N. C. |
| Boutelle, | Evans, | Milliken, | Talbert, |
| Bronwell, | Faris, | Minor, Wis. | Tate, |
| Burton, Mo. | Gibson, | Murphy, | Thomas, |
| Burton, Ohio | Graff, | Otey, | Tracewell, |
| Calderhead, | Griffin, | Overstreet, | Tracear, |
| Cannon, | Grow, | Owens, | Turner, Ga. |
| Clark, Iowa | Harrison, | Pugh, | Updegraff, |
| Clark, Mo. | Hemenway, | Raney, | Warner, |
| Codding, | Henry, Ind. | Reeves, | Wheeler, |
| Connolly, | Hill, | Richardson, | Williams, |
| Cook, Wis. | Huff, | Rinaker, | Woodman, |
| Cooke, Ill. | Kiefer, | Scranton, | Wright. |

NOT VOTING—166.

| | | | |
|-----------------|----------------|-----------------|---------------|
| Aitken, | Fitzgerald, | Leisenring, | Sauerhering, |
| Aldrich, W. F. | Fletcher, | Leonard, | Settle, |
| Aldrich, Ill. | Foote, | Linnay, | Shannon, |
| Allen, Utah | Foss, | Livingston, | Shaw, |
| Anderson, | Gillet, N. Y. | Rinimer, | Simpkins, |
| Apsley, | Gillett, Mass. | Martin, | Smith, Mich. |
| Arnold, Pa. | Goodwyn, | McCall, Mass. | Snover, |
| Atwood, | Griswold, | McCleary, Minn. | Spalding, |
| Avery, | Grosvenor, | McClellan, | Sparkman, |
| Baker, Kans. | Hadley, | McCormick, | Spencer, |
| Barham, | Hall, | McDearmon, | Stallings, |
| Barney, | Hanly, | McLachlan, | Steele, |
| Barrett, | Hardy, | McLaurin, | Stephenson, |
| Bartholdt, | Hatch, | McMillin, | Stewart, Wis. |
| Bartlett, Ga. | Heatwole, | McRae, | Stone, W. A. |
| Bartlett, N. Y. | Heiner, Pa. | Meiklejohn, | Strait, |
| Beach, | Henderson, | Hendredth, | Strode, Nebr. |
| Bennett, | Hendrick, | Miles, | Sulloway, |
| Black, N. Y. | Hepburn, | Miller, Kans. | Sulzer, |
| Bowers, | Hicks, | Milnes, | Swanson, |
| Brosius, | Hilborn, | Miner, N. Y. | Taft, |
| Brown, | Hitt, | Mitchell, | Taylor, |
| Brumm, | Hooker, | Money, | Towne, |
| Burrell, | Howard, | Morse, | Tracey, |
| Clarke, Ala. | Hubbard, | Moses, | Tucker, |
| Cockrell, | Hulick, | Murray, | Turner, Va. |
| Colson, | Huling, | Neill, | Wadsworth, |
| Cooper, Fla. | Hull, | Northway, | Walker, Va. |
| Cousins, | Hurley, | Odell, | Wanger, |
| Cowen, | Hutcheson, | Ogden, | Washington, |
| Cox, | Hyde, | Parker, | Watson, Ind. |
| Crisp, | Johnson, Ind. | Pearson, | Watson, Ohio |
| Crowley, | Jones, | Pendleton, | White, |
| Culberson, | Joy, | Perkins, | Wilber, |
| Danford, | Kem, | Pickler, | Willis, |
| Daniels, | Kendall, | Powers, | Wilson, N. Y. |
| De Armond, | Kerr, | Quigs, | Wilson, Ohio |
| Denny, | Kleberg, | Ray, | Wilson, S. C. |
| Dinsmore, | Kulp, | Robertson, La. | Woomer, |
| Dolliver, | Kyle, | Robinson, Pa. | Yoakum. |
| Draper, | Latimer, | Royse, | |
| Feuton, | Lawson, | Rusk, | |

So the motion to recede and concur in the Senate amendment was agreed to.

Mr. CLARKE of Alabama. Mr. Speaker, I desire to know how I am recorded.

The SPEAKER. The gentleman is recorded in the affirmative. Mr. CLARKE of Alabama. I did not vote, Mr. Speaker. I am paired, and simply announce that I am present.

The following pairs were announced:

Until further notice:

Mr. DALZELL with Mr. CRISP.

Mr. GILLET of Massachusetts with Mr. COWEN.

Mr. GROSVENOR with Mr. McMILLIN.

Mr. STEPHENSON with Mr. NEILL.

Mr. JOHNSON of Indiana with Mr. COX.
 Mr. McCALL of Massachusetts with Mr. DE ARMOND.
 Mr. PICKLER with Mr. MILES.
 Mr. JENKINS with Mr. DENNY.
 Mr. MILNES with Mr. STRAIT.
 Mr. BARNEY with Mr. BUCK.
 Mr. HITT with Mr. WASHINGTON.
 Mr. HENDERSON with Mr. CULBERSON.
 Mr. SPALDING with Mr. SPENCER.
 Mr. STEELE with Mr. McCLELLAN.
 Mr. HEATWOLE with Mr. DINSMORE.
 Mr. FOSS with Mr. McLAURIN.
 Mr. COUSINS with Mr. LIVINGSTON.
 Mr. TOWNE with Mr. WILSON of South Carolina.
 Mr. SMITH of Michigan with Mr. BERRY.
 Mr. TRACEY with Mr. McRAE.
 Mr. BARHAM with Mr. KYLE.
 Mr. MEIKLEJOHN with Mr. CROWLEY.
 Mr. FOOTE with Mr. HUTCHESON.
 Mr. COLSON with Mr. KENDALL.
 Mr. WHITE with Mr. SPARKMAN.
 Mr. LEISENRING with Mr. TUCKER.
 Mr. WILSON of Ohio with Mr. RUSK.
 Mr. WILLIAM F. ALDRICH with Mr. MOSES.
 Mr. BOWERS with Mr. MINER of New York.
 Mr. WILLIAM A. STONE with Mr. LAWSON.
 Mr. WATSON of Ohio with Mr. COCKRELL.
 Mr. ROYSE with Mr. TURNER of Virginia, except on Tucker-Yost election case.

For this day:

Mr. SNOVER with Mr. YOAKUM.
 Mr. McCLEARY of Minnesota with Mr. CLARKE of Alabama.
 Mr. HICKS with Mr. JONES.

Mr. OTEY. Mr. Speaker, I would like to know how I am recorded.

The SPEAKER. The gentleman is recorded in the affirmative.

Mr. OTEY. I wanted to vote in the negative. I desire to change my vote to "nay."

The name of Mr. OTEY was called, and he voted "nay."

The result of the vote was then announced as above recorded. [Applause.]

SUBWAYS IN THE DISTRICT OF COLUMBIA.

The SPEAKER. The Chair desires to appoint as a subcommittee on the resolution relating to the subways in the District of Columbia Mr. BABCOCK, Mr. ODELL, and Mr. RICHARDSON.

SOLDIERS' HOME AT LEAVENWORTH.

The SPEAKER. The Chair appoints on the committee to investigate the Soldiers' Home at Leavenworth Mr. GROUT of Vermont, Mr. CHARLES W. STONE of Pennsylvania, Mr. WARNER of Illinois, Mr. SAYERS of Texas, and Mr. LAYTON of Ohio.

The Chair will lay before the House the following House bill with a Senate amendment.

Mr. LITTLE. A parliamentary inquiry. I would like to know if it would not be in order to proceed with the consideration of the bill which was under consideration when the conference report was called up.

The SPEAKER. There will be a conference report presented.

Mr. LITTLE. That was a bill where the second had been ordered. I would ask if it would be in order to proceed with the consideration of that bill?

The SPEAKER. It would, unless a conference report is presented.

Mr. EVANS. I would be glad if the Speaker will allow the matter to proceed.

The SPEAKER. If there be no objection, a House bill with Senate amendment will be laid before the House.

There was no objection.

FRAUDULENT BOTTLING OF LIQUORS.

The SPEAKER laid before the House the bill (H. R. 4580) amending section 3449 of the Revised Statutes, with Senate amendment. The bill and Senate amendment were read.

Mr. EVANS. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to; and accordingly the House concurred in the Senate amendment.

On motion of Mr. EVANS, a motion to reconsider the vote by which the Senate amendment was concurred in was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 7338) for the relief of William H. Scofield, Jacob Brady, James Ketcham, Annie Booth, as administratrix of the goods, chattels, and credits of George W. Booth, deceased; Wilson

P. Billar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Scofield.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for expenses of the House of Representatives, and for other purposes.

The message also announced that the Senate having proceeded in pursuance of the Constitution to reconsider the bill entitled "An act granting a pension to Francis E. Hoover," returned to the House of Representatives by the President of the United States with his objections, and sent by the House of Representatives to the Senate with the message of the President returning the bill:

Resolved, That the bill do pass, two-thirds of the Senate agreeing to pass the same.

The message also announced that the Senate had passed the bill (S. 2555) to authorize the Secretary of the Treasury to issue leases of certain islands in Alaska for the breeding of foxes; in which the concurrence of the House was requested.

The message also announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 8321) to authorize the county of St. Louis, in the State of Minnesota, to build or authorize the building of a foot and wagon bridge across the St. Louis River between Minnesota and Wisconsin, at a point near Fond du Lac, in said State of Minnesota; and

A bill (H. R. 9226) to change the time and places for the district and circuit courts of the northern district of Texas.

The message also announced that the Senate had passed with amendments the bill (H. R. 4580) to amend section 3449 of the Revised Statutes; in which the concurrence of the House was requested.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, 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 bill (H. R. 9447) to amend section 1 of the act to amend an act entitled "An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglary," etc., approved May 9, 1888.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GROUT. Mr. Speaker, I desire to present a conference report on the District appropriation bill.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, 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 House recede from its disagreement to the amendments of the Senate numbered 100, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 187, 188, 189, 190, and 191.

Amendment numbered 99: That the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate numbered 99 and agree to the same with an amendment as follows: In lieu of the matter inserted by said House amendment insert the following: "Provided, That the Commissioners of the District of Columbia may, under such reasonable restrictions as they may prescribe, authorize any existing electric light company having overhead wires to maintain and use for a period of eight months, and no longer, its existing poles and overhead wires west of Rock Creek in places outside of the existing fire limits of the city of Washington and of the District of Columbia, and any such overhead wire system may be extended west of Rock Creek and outside of said fire limits, to continue only for the said period of eight months, and at the end of said period all right or authority hereby conferred shall cease. And the said Commissioners may also authorize any such existing electric light company to construct and use, under such regulations as the Commissioners may fix, conduits for the reception of existing overhead wires within the territory formerly known as Georgetown, and to extend the same by an aggregate of not more than one and a quarter miles of conduit in the same territory. And the United States Electric Lighting Company may extend its underground conduits and wires east of Rock Creek and within the said fire limits to Mount Pleasant and Washington and Columbia Heights under such regulations as the Commissioners of the District of Columbia may prescribe"; and the House agree to the same.

Amendment numbered 193: That the House recede from its disagreement to the amendment of the Senate numbered 193, and agree to the same with an amendment as follows: Strike out all after the word "dollars," in line 3, down to and including the word "denomination," in line 6 of said amendment; and the Senate agree to the same.

Amendment numbered 194: That the House recede from its disagreement to the amendment of the Senate numbered 194, and agree to the same with an amendment as follows: On page 40, after line 19 of the bill, insert as a separate paragraph, before amendment numbered 195, the following:

"And it is hereby declared to be the policy of the Government of the United States to make no appropriation of money or property for the purpose of founding, maintaining, or aiding by payment for services, expenses, or otherwise, any church or religious denomination, or any institution or society which is under sectarian or ecclesiastical control; and it is hereby enacted that from and after the 30th day of June, 1897, no money appropriated for

charitable purposes in the District of Columbia shall be paid to any church or religious denomination, or to any institution or society which is under sectarian or ecclesiastical control."

And the Senate agree to the same.
Amendment numbered 195: That the House recede from its disagreement to the amendment of the Senate numbered 195, and agree to the same with amendments as follows: In line 15 of said amendment, after the word "denomination," insert the words "or any institution or society which is under sectarian or ecclesiastical control." After the word "extent," in line 22 of said amendment, insert the words "within the limitations of the policy hereinbefore declared; and if not, the probable expense of providing and maintaining public institutions for such purpose." Strike out lines 28 and 33, inclusive, of said amendment and insert in lieu thereof the following: "Said committee is authorized to sit during the recess; and the necessary expenses of the committee, including clerical and stenographic work, shall be paid out of the contingent funds of the Senate and House of Representatives jointly, on the certificate of the chairman of the committee;" and the Senate agree to the same.

WILLIAM W. GROUT,
MAHLON PITNEY,
ALEX. M. DOCKERY,
Managers on the part of the House.
H. M. TELLER,
W. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.

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

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 5210) making appropriations for the government of the District of Columbia submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on said amendments, namely:

On the amendment of the House to Senate amendment numbered 99: In lieu of the provision proposed by the House relative to electric light and power wires in the District of Columbia west of Rock Creek and outside of the fire limits of the District, inserts as a substitute therefor the provision the text of which is fully set forth in the conference report.

On No. 100: Strikes out the provision proposed by the House regulating the prices to be paid for electric light and electric power in the District of Columbia.

On Nos. 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 193, 194, and 195, relating to the charities of the District of Columbia: The appropriations for the various charitable institutions are made in specific terms, as proposed by the Senate, and a provision is inserted declaratory of the policy of the United States with reference to appropriations for charities in the District of Columbia, the full text of which provision is set forth in the conference report; and provision is made, as proposed by the Senate, for a joint committee of Congress to inquire and report as to the best methods of caring for the poor and destitute in the District of Columbia after the close of the fiscal year 1897.

WILLIAM W. GROUT,
MAHLON PITNEY,
ALEX. M. DOCKERY,
Managers on the part of the House.

Mr. GROUT. Mr. Speaker, this is the fourth report that the conferees on this bill have submitted, and I am sure the House will be glad to learn that we have at last fully agreed. I will occupy but a minute or two in giving a summary of figures showing what has been done in the bill:

The bill as finally agreed upon appropriates \$5,905,082.48, being an increase over the current appropriations of \$159,639.23, and \$359,403.91 over the appropriations for the preceding fiscal year of 1895.

For paving streets the appropriations amount to \$163,500, an increase of \$19,000.

For constructing county roads the appropriations are \$90,500, an increase of \$25,500.

For sewers the appropriations are \$376,000, an increase of \$44,700, and authority is given to contract for \$75,000 more.

For public schools the appropriations are \$1,193,056, including authority to contract for completion of certain school buildings, an increase of \$55,440 over current law; provision being made for four new school buildings, including a high-school building in Georgetown; for the reconstruction of three old buildings and the enlargement of another.

An increase of 50 privates in the Metropolitan police is authorized—twice the number that has ever been authorized heretofore in any single appropriation bill.

The fire department is increased by provision for two new engine houses, engines therefor, and for a new hook-and-ladder truck.

For lighting streets with gas a reduction is made from \$20.50 per lamp to \$20, and an increase in the service is required from the old "moonlight" schedule of 3,000 hours per annum to an all-night schedule of 3,762 hours per annum; and about \$7,500 is given for extension of the service. If this be reckoned according to the old schedule, there is a reduction of about \$17,000 or more in the cost of lighting by gas.

For lighting streets with electricity a reduction is made in the limit of cost from 40 cents to 30 cents per lamp per night, a reduction, as will be seen, of 25 per cent in the cost of lighting by electricity. And new service is provided for to the amount of \$11,000 or thereabouts.

Mr. PITNEY. According to my understanding of the bill, as we have agreed upon it in conference, the effect of the gas-lighting provision is to reduce the price of gas for public lighting to 85 cents per thousand.

Mr. GROUT. I should have stated in passing that while the

bill which the two Houses recently agreed upon, and which has been approved by the President, reduces the cost of gas 25 per cent to private consumers and to the Government where used through the meter—that is, in the public buildings—it did not touch the subject of gas used in the street lamps. Your conferees insisted that there should be in this branch of the service a corresponding reduction; and they struggled long and resolutely for that reduction, but were unable to carry a reduction to that extent. They did, however, secure a provision for gas through the public lamps at the rate of 85 cents per thousand, or in that neighborhood, which, as I have already stated, amounts to about \$17,000—

Mr. Speaker, I have given these figures for the information of our constituents, the people of the District of Columbia, who have found much fault with the Appropriations Committee on account of what they have termed the small appropriations made in this bill. But the bill, as will be seen, is much larger than the bill for the last two years; and I now say that it is the largest District bill ever passed by the two Houses. It has never been equaled in amount. While I make this statement, I would not have you think your conferees have been extravagant. On the other hand, we think we have succeeded in keeping the bill within reasonable limits. As the bill went over to the Senate from the House it carried \$5,418,960.89. The Senate added thereto \$1,866,179.03. Of this amount of increase put on by the Senate that body yielded in conference \$1,380,056.94 and the House yielded \$486,122.09, leaving the aggregate of appropriations in the bill as finally agreed upon \$5,905,082.48.

Mr. PITNEY. Will the gentleman allow me to say that in addition to the increase of \$1,866,179.03 the Senate reappropriated an unexpended balance of a former appropriation amounting to \$266,546.38, so that the actual addition made by the Senate was \$2,152,725.41?

Mr. GROUT. The statement of the gentleman is correct.

Now, one word about an item which was stricken from the bill and which has been a subject of much criticism in another place, as well as in the public prints of the city. I refer to the proposal to resume work on what is known as the Lydecker tunnel, upon which there has heretofore been expended, as gentlemen may generally know (though some may not), between two and three million dollars, to bring water from the reservoir above Georgetown to the new reservoir up by the Soldiers' Home, which is still empty, carrying the water through an underground conduit, in some places 170 feet beneath the surface.

Well, it was abandoned five or six years after the expenditure of this large sum of money, not only as an impracticable scheme, but because there was a wicked waste of money in conducting the work, on account of certain frauds which were discovered. Recently a board of engineers has examined this tunnel, and they recommend that an appropriation be made by which it is believed it can be made available for use. That report, however, was not submitted to the House Committee on Appropriations. The proposition was put in on the bill in the Senate. In fact, it was too late for the House committee to act upon it. We had, therefore, no investigation of the matter. The amendment of the Senate called for some \$600,000 appropriation now, and involved the total expenditure of nearly \$900,000.

Now, Mr. Speaker, for one I want to say for myself, and I also speak the sentiments of my associates in that conference, I felt unwilling to enter upon an expenditure of that sum until we could take the matter more carefully under consideration; could, in short, talk it over with the gentlemen who made this report, and ask them certain questions touching, first, if you please, the practicability of clearing out the silt that would certainly form in the tunnel and yet keep up the supply of water to those dependent on the tunnel for water. I do not say that the scheme is an impracticable one; but my mind was not clear. I wanted the information I have indicated; also information on other points. It may be all right; I do not know. I want a chance, before I consent to this expenditure, to ask these gentlemen who recommend the completion of the tunnel about several important matters connected with it; and all your conferees were of the same opinion. We wanted more information upon the subject, and we resisted this item, which was stricken out of the bill in the conference. When I know more about it I may be for it first and last. Congress has been soundly berated by the District press for not having entered on the scheme, and now before we take it up again I think we should be sure it is the best way to furnish an additional supply of water.

I will also say in further explanation that your conferees were not clear but that the present supply of water is fully equal to the immediate necessities of the city.

The fact is, at the time this tunnel was abandoned, or soon after, and to take the place, in part at least, of this tunnel, some six or seven hundred thousand dollars was appropriated for a high-pressure service on Capitol Hill, which is but just completed. It was also said that the dam at the Great Falls was not high

enough to supply the aqueduct with all the water it would carry and that it should be increased in height. An appropriation was accordingly made for that purpose and the dam was raised. It was also ascertained that the aqueduct was about one-fourth full of a silt sediment; an appropriation of \$14,000 was made in the last appropriation bill to clean it out. That work is now about completed, and when the increased volume of water is turned into the aqueduct by reason of the raised dam at Great Falls, and when the aqueduct is thoroughly cleaned out, it is estimated that the supply of water will be increased 25 per cent, and your conferees were not at all certain but the increased supply would meet all the demands for some time to come. Not having full information on this point we put in a provision calling on the Secretary to investigate and report on the subject.

Mr. Speaker, there is another consideration in this connection: Sewers should go ahead of an increased water supply in this as in every city, for which we have liberally provided in this bill. When we get the sewers under way we will then be sure to have plenty of water.

As to the charities, I will say that after fully considering the sectarian question involved your conferees finally concluded to agree to the same limitation attached to the Indian appropriation bill as to sectarian schools; and principally for the reason that the House had already agreed to that provision.

This provision will give time to prepare for the change which the bill provides for in that respect, and at the same time after June 30, 1897, forbids the appropriation of any public money to any institution or society under sectarian or ecclesiastical control. This fully saves the principle declared in the House bill, and ought to be satisfactory to the most exacting.

Now I yield to the gentleman from Michigan [Mr. LINTON] so much time as he may desire.

Mr. LINTON. I wish to congratulate the Congress and the people of this country upon the outcome of the acrimonious controversy which we have had over the question of Government support of sectarian institutions. Yesterday at each end of the Capitol men of all parties, men of all creeds and of no creed, voted almost as a unit in favor of the clause inserted in the Indian bill stating that "it is hereby declared to be the settled policy of the Government to hereafter make no appropriation whatever for education in any sectarian school." The adoption of this section was a great victory for the free schools of America as against the so-called sectarian or parochial schools that have for many years been receiving subsidies from the public Treasury, and to which our entire people, against the bitter protest of a great majority, have been contributing. The fact that the measure carried a small appropriation, only 50 per cent of last year, and then only to be expended at the discretion of the Secretary of the Interior in places where schools are necessary and where nonsectarian schools can not possibly be provided at once, is simply an incident in the triumph of the principle for which we have been so ardently striving. The appropriation, small as it is, is but temporary; but the declaration that the Government will not again, under any circumstances, pay for education in this class of schools is permanent and becomes a part of the law of the land. To-day we go still further, and, with hardly an objection in either House of Congress, adopt in the pending measure a section or declaration framed in practically the precise language of the joint resolution it was my honor to introduce early in the session, as follows:

And it is hereby declared to be the settled policy of the Government of the United States to make no appropriation of money or property for the purpose of founding, maintaining, or aiding, by payment for services, expenses, or otherwise, any church, religious denomination, or religious society, or any institution, society, or undertaking, which is wholly or in part under sectarian or ecclesiastical control, and it is hereby enacted that from and after the 30th of June, 1897, no money appropriated for charitable purposes shall be paid to any church or religious denomination or to any institution or society which is under sectarian or ecclesiastical control.

This should cause the demands for church subsidies to cease for all time to come, and I hope they may never again be presented to Congress in any shape or form, because if they are there will against them be the gathering of that storm predicted by the New England Senator, as the great mass of our people, irrespective of party or religion, will not again permit them to exist for a moment.

I believe that the enactment of to-day's legislation puts a stop to this agitation at the nation's Capitol, and will cause a better feeling among our citizens throughout the country. Therefore, again I desire to congratulate the members of the House and Senate upon the outcome of the fight in having firmly established the principle that the Government of our country will not in the future in any way support the schools of creed or the institutions of sect. The last two days have seen the enactment of laws that will remain in history and mark an epoch in the nation's progress.

Mr. GROUT. I now yield to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I beg the attention of the House

for a few moments now in the closing hour of this first session of the Fifty-fourth Congress.

In a word, I want to congratulate the House on the work of this session. Coming here, most of us, new to legislation in the beginning of the Congress, we brought a sincere desire to faithfully represent our constituents, and by wise legislation and appropriation to enact the will of the majority into law.

Mr. Speaker, this is a Government through parties. The Government is best served when a party that in fact stands for the majority of the people has full power. It then writes its policies, economic and financial, upon the statute book.

The Republican party has not power, except in the House of Representatives. The Senate is worse than Democratic, and Mr. Cleveland is President. To the best of our ability, from the practical standpoint, we proposed revenue measures that in these trying times would save us from borrowing money, and the House has performed its duty. But not having the power in the Senate, that bill slept the sleep of death there. Nothing was left us but to make the appropriations necessary to carry on the Government, taking care that we only appropriated the money absolutely necessary to supply the needs of the Government, and in no instance entering upon new fields of appropriation save where their importance was so manifest that a sound public sentiment would justify even the borrowing of money to carry them on. [Applause.]

Therefore we have authorized expenditures for the fortification of our seacoasts, in order to give our people assurance of permanent safety, in a greater sum than the aggregate of all appropriations for the like purpose made from 1888 to 1896; and we believe that the country will justify us in that expenditure. A liberal naval bill has been enacted. Wise legislation has been written upon the statute book, by which (fashioned by the Committee on the Judiciary) we correct abuses that abounded through the administration of justice in the courts of the country. The House has done promptly, with wisdom, what it was possible to do. To sum it all up in a word, no scandals can be charged to this House.

While we have been unable to do all that we desired, we have been enabled to keep our record clean; and now, in these last hours, we can unite in assuring all the people, if they will give us, next November, full power in House and Senate and Executive Mansion, that we will write upon the statute book the protective, economic policy of the Republican party. [Applause on the Republican side.] And while in the future, with full power, we will make wise and economical appropriations, not scant and insufficient, but wise and economical, we give assurance to the country that through our system we will bring revenue enough from the business and commerce of a prosperous people to pay the appropriations that we make, and at the same time restore confidence to the country; and, with that renewed confidence, under that economic policy, employment will again seek the laborer instead of the laborer seeking employment. [Applause on the Republican side.]

In a word, we believe, with the Republican party restored to complete power, with its protective economic revenue policy written on the statute book, and the Democratic policy taken off the statute book, that the cause of the disease which now infects the body politic, and has done so since November, 1892, will be removed; that the cause of the disease being removed, the patient will again become sound and healthy, and that, with the cause of the disease removed, its symptoms will disappear, and the Populist quack, the Democratic free-silver quack, and the flat-money quack, who all seek to treat symptoms only, will vanish as the vapors of the night vanish before the rising sun. [Great applause.]

Then, Mr. Speaker, we will again have universal employment, increased production and consumption, and plenty of money, all as good as gold, to do the business of the country, just as we had all these blessings from 1879 to 1892, inclusive.

Mr. Speaker, having made these general remarks, I proceed to state the work of the session in detail touching appropriations for the public service.

The appropriations for the session just closing amount to \$515,759,820.49.

The estimates on which these appropriations were based, and submitted by the Executive to Congress at the beginning of the session in the regular Book of Estimates, or from time to time in special or supplemental estimates, amounted to \$529,134,193.92, or \$13,374,373.43 more than has been appropriated.

The whole amount of appropriations, \$515,759,820.49, charged to this session includes \$119,054,160 under permanent laws, of which amount \$50,000,000 is for sinking fund and \$30,500,000 for interest on the public debt, or \$3,355,614.40 more than was included at the last session of Congress in the statements of appropriations, and is on account of the increase of \$162,315,400 in the bonded indebtedness of the country by the present Administration up to February, 1895, the interest and sinking-fund charge on account of the later bond issue of \$100,000,000 in February, 1896, amounting

to \$4,400,000, not being included in the estimates of permanent appropriations, as stated and submitted to Congress in the last regular Book of Estimates.

The increase in the principal of the interest-bearing debt of the country under the present Administration, by the loans negotiated in February and November, 1894; February, 1895, and February, 1896, amounts to \$262,315,400, which entails an annual interest charge of \$11,492,616, and to meet the sinking-fund obligations the further sum of \$2,623,154.

During the Administration of Mr. Harrison, from March, 1889, to March, 1893, the principal of the interest-bearing debt of the United States was reduced in amount \$258,192,900, and the annual interest charge was thereby diminished \$10,327,716.

The Table B, giving a history of the appropriation bills for this session, which I shall incorporate at the conclusion of my remarks, shows in detail, by bills and in the aggregate, the estimates submitted to Congress, the amount of the bills as reported to the House, as passed by the House, as reported to the Senate, as passed by the Senate, and as they became laws, and the appropriations made at the last session of the last Congress.

An examination of the table shows that the regular annual bills, including deficiencies, as passed by the House, made a reduction in the total estimates submitted by the Executive of \$26,083,191.67; that they were increased by the Senate \$22,920,442.30, and that as they became laws they appropriate \$10,636,624.06 less than as passed by the Senate, \$12,283,818.24 more than as they passed the House, and \$13,374,373.43 less than the estimated requirements of the Administration.

The regular annual appropriations, including deficiencies, made at the last session of Congress, amounted to \$383,636,896.97, and included no river and harbor bill. So, excluding the river and harbor act passed at this session, it will be seen that the regular annual bills as passed by the House appropriated only \$373,505,082.25, or more than \$10,000,000 less than was appropriated by the last Democratic Congress, with the approval of a Democratic Executive.

The following shows by titles the appropriations made at this session, in comparison with those made at the last session of Congress, with the increase or reduction in each:

TABLE A.

| Title. | Amount this session. | Amount last session. | Reduction. | Increase. |
|--|----------------------|----------------------|---------------|---------------|
| Agriculture | \$3,255,532.00 | \$3,303,750.00 | \$48,218.00 | |
| Army | 23,278,402.73 | 23,252,608.00 | | \$25,794.64 |
| Diplomatic and consular | 1,642,568.76 | 1,574,458.76 | | 68,100.00 |
| District of Columbia | 5,905,082.48 | 5,745,443.25 | | 159,639.23 |
| Fortification | 7,397,888.00 | 1,904,557.50 | | 5,493,330.50 |
| Indian | 7,390,498.79 | 8,762,751.24 | 1,372,252.45 | |
| Legislative, etc. | 21,518,824.71 | 21,801,718.08 | 372,893.37 | |
| Military Academy | 449,825.61 | 464,261.66 | 14,436.05 | |
| Navy | 20,562,739.95 | 29,416,245.31 | | 1,146,494.64 |
| Pension | 141,328,880.00 | 141,381,570.00 | 52,690.00 | |
| Post-Office | 92,571,564.22 | 89,545,997.88 | | 3,025,566.36 |
| River and harbor | 12,621,800.00 | | | 12,621,800.00 |
| Sundry civil | 33,031,152.19 | 48,568,160.40 | 15,537,008.21 | |
| Total | 380,954,157.44 | 373,811,522.15 | 15,398,090.08 | 22,540,725.37 |
| Deficiencies | 15,236,503.05 | 9,825,374.82 | | 5,501,128.23 |
| Total | 396,280,660.49 | 383,636,896.97 | 15,398,090.08 | 28,041,853.60 |
| Miscellaneous (estimated for this session) | 425,000.00 | 297,667.37 | | 127,332.63 |
| Total, regular annual appropriations | 396,705,660.49 | 383,934,564.34 | 15,398,090.08 | 28,169,186.23 |
| Permanent annual appropriations | 119,054,160.00 | 113,073,956.32 | | 5,980,203.68 |
| Grand total, regular and permanent annual appropriations | 515,759,820.49 | 497,008,520.66 | 15,398,090.08 | 34,149,889.91 |

Net increase this session over last session, \$18,751,299.83.

It will be noted from this exhibit that, while at this session reductions have been made in many of the appropriation acts, increases of any considerable amount appear in but few.

Thus the fortification act is increased from \$1,904,557.50 to \$7,397,888, and in addition to the latter sum, authority is given to enter into contracts to the further sum of \$4,195,076, making, in all, \$11,592,964 authorized at this session for the work of strengthening our coast defenses, or nearly as much as had been given in all of the previous eight years combined, since the Government entered on the present plans of fortification and harbor defense.

The Post-Office bill is increased from \$89,545,997.86 to \$92,571,564.22, which is the usual increase requisite to keep pace with the growth of population and commerce of the country.

The river and harbor bill appropriates \$12,621,800, the whole of which is an apparent increase, no bill having been enacted at the last session. The river and harbor act that was passed during the first regular session of the last Congress appropriated \$11,643,180.

The inadequacy of appropriations made during the last Congress accounts for the apparent increase in deficiencies.

The permanent appropriations show an apparent increase of a little less than \$6,000,000, accounted for in part by the increase for sinking fund and interest on the public debt, to which I have already adverted, and to an increase in the amount estimated to be required during the coming year for the redemption of notes of national banks that have surrendered circulation.

Aside from a necessary increase in the number of seamen and men in the Navy and Marine Corps, in order to place in commission the new ships of war provided for by previous Congresses, there has been no appreciable increase in employments or of salaries of employees authorized in any of the several Departments of the General Government. On the contrary, appropriations for 337 employees, with salaries aggregating \$475,190, in the Internal Revenue Service, have been omitted because of the failure of the income-tax law under the decision of the Supreme Court.

At the beginning of the session the Committee on Appropriations in its first report to the House called attention to the abnormal growth in the expenditures under the fee system on account of United States courts, and to the fact that they had more than doubled during the period between 1885 and 1896. With commendable zeal the Judiciary Committee of the House took up the question, and reported a well-digested measure, which was incorporated into the legislative, executive, and judicial appropriation bill, and is now the law, abolishing the fee system as to United States attorneys and marshals, and placing those officials on fixed salaries; revising and reducing the schedule of fees of United States commissioners, and requiring their appointment to be made by the district instead of the circuit courts, and for terms of four years each instead of for life, as heretofore. This legislation will, it is confidently asserted by those in position and competent to judge, reduce expenditures annually on account of United States courts more than \$1,000,000, and will reduce to a minimum frivolous and malicious prosecutions. Under the fee system attorneys and marshals received as compensation during the fiscal year 1895 \$708,219.70, or \$160,719.70 more than the aggregate of their salaries as fixed by the new law. The aggregate of their salaries as prescribed is \$547,500, or \$292,500 less than it was possible for them to earn under the fee system.

As against this record of reformatory legislation inaugurated by this House, it has been developed that the present administration of the Treasury Department, under the discretion vested in it by law, has increased, since July 1, 1895, the number of employees in the customs service by 331, and raised the compensation of 281 others, at a total cost for nine months for both of \$206,385.02; that it has expended or incurred expenditures amounting to \$7,377,440 for the present year in collecting the revenue from customs estimated at \$165,000,000; whereas for the last whole fiscal year 1892, under President Harrison's Administration, there was collected under the McKinley tariff act \$177,453,000 of customs revenue at a total cost of only \$6,607,517, or \$12,000,000 more of revenue and \$770,000 less of expense in collecting it.

The following table shows the aggregate appropriations made during the Fifty-first, Fifty-second, and Fifty-third Congresses, and at the present session of the Fifty-fourth Congress:

Appropriations, fiscal years 1891 to 1897, inclusive.

FIFTY-FIRST CONGRESS.

| | | | |
|--------------------------------|------------------|--|------------------|
| 1891. | | | |
| Regular annual appropriations. | \$361,770,057.79 | | |
| Permanent appropriations | 101,628,453.00 | | \$463,398,510.79 |

| | | | |
|--------------------------------|----------------|--|----------------|
| 1892. | | | |
| Regular annual appropriations. | 402,531,864.55 | | |
| Permanent appropriations | 122,486,808.00 | | 525,018,672.55 |

Total appropriations Fifty-first Congress . 988,417,183.34

FIFTY-SECOND CONGRESS.

| | | | |
|--------------------------------|------------------|--|------------------|
| 1893. | | | |
| Regular annual appropriations. | \$385,736,308.71 | | |
| Permanent appropriations | 121,863,880.00 | | \$507,600,188.71 |

| | | | |
|--------------------------------|----------------|--|----------------|
| 1894. | | | |
| Regular annual appropriations. | 404,036,085.29 | | |
| Permanent appropriations | 115,468,273.92 | | 519,504,359.21 |

Total appropriations Fifty-second Congress . 1,027,104,547.92

FIFTY-THIRD CONGRESS.

| | | |
|---|------------------|-----------------------|
| 1895. | | |
| Regular annual appropriations. | \$391,156,005.03 | |
| Permanent appropriations..... | 101,074,680.00 | |
| | | \$492,230,685.03 |
| 1896. | | |
| Regular annual appropriations. | 383,934,564.34 | |
| Permanent appropriations..... | 113,073,956.32 | |
| | | 497,008,520.66 |
| Total appropriations Fifty-third Congress. | | 989,239,205.69 |

FIFTY-FOURTH CONGRESS—FIRST SESSION.

| | | |
|------------------------------------|------------------|----------------|
| 1897. | | |
| Regular annual appropriations..... | \$396,705,660.49 | |
| Permanent appropriations..... | 119,034,160.00 | |
| | | 515,739,820.49 |

The Fifty-first Congress was Republican in both branches, with a Republican Executive.

The Fifty-second Congress was composed of a House with a more than two-thirds Democratic majority, and a Senate with a narrow Republican majority. The Executive was Republican.

The Fifty-third Congress was Democratic in both branches, with a Democratic Executive.

The Fifty-fourth Congress is composed of a Republican House, a Senate having a Democratic and Populist majority, and the Executive is a Democrat.

RECEIPTS AND EXPENDITURES.

The revenues of the Government from all sources, except postal receipts, which are devoted exclusively to the postal service, for the three complete fiscal years of the Harrison Administration, ending June 30, 1892, and just preceding the last election of Mr. Cleveland, were as follows:

| | |
|-------------------------------|-------------------------|
| 1890..... | \$403,080,982.63 |
| 1891..... | 392,612,447.31 |
| 1892..... | 354,937,784.24 |
| Total..... | 1,150,631,214.18 |
| Average per annum..... | 383,543,738.06 |

The ordinary expenditures of the Government for the same period, exclusive of the postal service, premium on redemption of bonds, and to meet requirements of the sinking fund, were as follows:

| | |
|-------------------|-----------------------|
| 1890..... | \$297,736,486.60 |
| 1891..... | 355,372,684.74 |
| 1892..... | 345,023,330.58 |
| Total..... | 998,132,501.92 |

Average per annum..... 332,710,833.97

The entire surplus of \$152,133,565.52 of revenues over expenditures was applied during the period named to the reduction of the public debt.

During the two complete fiscal years of Mr. Cleveland's present Administration the revenues of the Government, except from postal receipts, have been as follows:

| | |
|-------------------|-----------------------|
| 1894..... | \$297,722,019.25 |
| 1895..... | 313,390,075.11 |
| Total..... | 611,112,094.36 |

Average per annum..... 305,556,047.18

The ordinary expenditures of the Government for the same period, exclusive of the postal service and to meet requirements of the sinking fund, were as follows:

| | |
|-------------------|-----------------------|
| 1894..... | \$367,525,279.83 |
| 1895..... | 356,195,298.29 |
| Total..... | 723,720,578.12 |

Average per annum..... 361,360,289.06

The excess of expenditures, \$112,608,483.76, over revenues for the first two years of Mr. Cleveland's present Administration, together with the excess of expenses over receipts of \$26,504,984.04 for the first eleven months of the present fiscal year 1896, has been met out of moneys derived from the sale of bonds.

When Mr. Harrison retired from the White House on March 4, 1893, there was a net cash balance in the Treasury of \$124,128,087.88.

On the 1st day of June of this year, but for moneys derived from the sale of bonds, there existed an actual deficiency in the Treasury of \$26,261,062.28.

TABLE B.—Chronological history of appropriation bills, first session of the Fifty-fourth Congress; estimates and appropriations for the fiscal year 1896-97; and appropriations for the fiscal year 1895-96.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

| Title. | Estimates 1897. | Reported to the House. | | Passed the House. | | Reported to the Senate. | | Passed the Senate. | |
|--|-----------------------|------------------------|-----------------------|-------------------|-----------------------|-------------------------|-----------------------|--------------------|-----------------------|
| | | Date. | Amount. | Date. | Amount. | Date. | Amount. | Date. | Amount. |
| | | 1896. | | 1896. | | 1896. | | 1896. | |
| Agriculture..... | a \$2,542,692.00 | Jan. 30 | \$3,158,392.00 | Feb. 18 | \$3,215,392.00 | Feb. 28 | \$3,292,652.00 | Mar. 3 | \$3,333,652.00 |
| Army..... | 24,063,276.03 | Feb. 3 | 23,275,902.73 | Feb. 19 | 23,275,902.73 | Feb. 26 | 23,279,402.73 | Feb. 27 | 23,279,402.73 |
| Diplomatic and consular..... | 1,649,058.76 | Jan. 27 | 1,630,058.76 | Jan. 28 | 1,630,058.76 | Feb. 5 | 1,641,058.76 | Feb. 19 | 1,642,558.76 |
| District of Columbia b..... | c 7,706,405.22 | Jan. 30 | 5,417,960.39 | Apr. 9 | 5,418,960.39 | May 8 | 6,963,598.86 | May 19 | 7,285,189.42 |
| Fortification..... | 7,414,633.00 | Apr. 10 | 5,845,837.00 | Apr. 14 | 5,845,837.00 | May 18 | 10,763,888.00 | May 20 | 10,763,888.00 |
| Indian..... | d 8,750,458.17 | Feb. 18 | 8,376,995.17 | Feb. 25 | 8,420,445.17 | Apr. 2 | 7,413,806.79 | Apr. 23 | 7,657,596.79 |
| Legislative, etc..... | 22,365,051.00 | do | 21,444,195.51 | Mar. 6 | 21,380,765.51 | Mar. 20 | 21,545,874.71 | Mar. 27 | 21,627,794.71 |
| Military Academy..... | 619,169.61 | Jan. 14 | 448,967.61 | Jan. 20 | 448,117.61 | Feb. 4 | 450,525.61 | Feb. 18 | 449,525.61 |
| Navy..... | 29,313,166.20 | Mar. 24 | 31,611,034.95 | Mar. 26 | 31,647,239.95 | Apr. 9 | 31,279,482.20 | May 2 | 30,062,939.95 |
| Pension..... | 141,384,570.00 | Jan. 9 | 141,325,820.00 | Jan. 17 | 141,325,820.00 | Feb. 4 | 141,378,580.00 | Feb. 18 | 141,378,580.00 |
| Post-Office..... | 94,817,900.00 | Feb. 29 | 91,943,757.88 | Mar. 11 | 91,819,557.88 | Mar. 30 | 93,171,564.22 | Apr. 7 | 93,171,564.22 |
| River and harbor..... | f 7,700,000.00 | Apr. 3 | 10,351,800.00 | Apr. 6 | 10,453,800.00 | Apr. 27 | 12,609,550.00 | May 13 | 12,690,550.00 |
| Sundry civil..... | 40,473,653.93 | Mar. 26 | 29,498,374.59 | Apr. 2 | 29,386,902.19 | Apr. 20 | 34,959,342.50 | Apr. 25 | 36,406,149.29 |
| Total..... | 388,890,063.92 | | 374,305,361.59 | | 374,718,949.19 | | 388,719,326.38 | | 389,749,141.48 |
| Urgent deficiency, United States courts..... | | Jan. 20 | 4,415,922.61 | Jan. 21 | 4,421,402.61 | Jan. 30 | 5,930,067.60 | Feb. 13 | 6,044,536.52 |
| Deficiency, printing for Navy Department..... | | Mar. 11 | 25,000.00 | Mar. 11 | 25,000.00 | Mar. 13 | 25,000.00 | Mar. 13 | 25,000.00 |
| Deficiency, 1896, and prior years..... | g 16,000,000.00 | Apr. 18 | 4,791,340.45 | Apr. 20 | 4,793,590.45 | May 23 | 8,986,298.71 | May 25 | 11,060,046.55 |
| Deficiency, 1896, and prior years..... | | June 6 | (h) | June 6 | (h) | June 8 | (h) | June 8 | (h) |
| Deficiency, House of Representatives, etc..... | | June 8 | 37,900.00 | June 8 | 37,900.00 | June 9 | 38,560.00 | June 9 | 38,560.00 |
| Total..... | 404,890,063.92 | | 383,575,524.65 | | 383,996,842.25 | | 403,699,852.69 | | 406,917,284.55 |
| Miscellaneous..... | g 5,250,000.00 | | | | | | | | |
| Total, regular annual appropriations..... | 410,680,663.92 | | | | | | | | |
| Permanent annual appropriations..... | 119,034,160.00 | | | | | | | | |
| Grand total, regular and permanent annual appropriations..... | 529,134,193.92 | | | | | | | | |

a No amount is included in the estimates for 1897 for the Agricultural Department for agricultural experiment stations in the several States authorized by the act of March 2, 1887. The amount appropriated for this purpose for 1896 is \$750,000.

b One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1897 at \$215,047.75), which are payable from the revenues of the water department.

c "Supplementary estimates" for the District of Columbia of \$5,019,700 are submitted, but not carried into the total, in Book of Estimates for 1897.

d This amount includes \$1,660,000 for payment of installment due the Cherokee Nation for the purchase of the Cherokee Outlet.

e Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

f This is the amount estimated for rivers and harbors for 1897, exclusive of \$4,044,597, required to meet contracts authorized by law included in the sundry civil estimates, and exclusive of \$4,992,000 for improving the Mississippi and Missouri rivers under the Mississippi and Missouri River commissions, submitted but not carried into the total in Book of Estimates. "The amount that can be profitably expended" in that fiscal year, as reported by the Chief of Engineers, is \$12,356,000. (Book of Estimates for 1897, pages 210-215.)

g This amount is approximated.

h The general deficiency appropriation bill, as agreed upon by the House and Senate, appropriating \$10,719,503.19, was vetoed by the President, and failing to pass over the veto, another bill, being an exact copy of the bill vetoed, but omitting therefrom section 4, appropriating \$1,761,996.66 for French spoliation claims and other claims, was enacted.

TABLE B.—Chronological history of appropriation bills, first session of the Fifty-fourth Congress; estimates and appropriations, etc.—Continued.

| Title. | Law, 1896-97. | | Law, 1895-96. |
|---|---------------|-----------------|------------------|
| | Date. | Amount. | Amount. |
| Agriculture..... | 1896. | | |
| Army..... | Apr. 25 | \$3,255,532.00 | \$3,303,750.00 |
| Diplomatic and consular..... | Mar. 16 | 23,278,402.73 | 23,252,608.09 |
| District of Columbia <i>a</i> | Feb. 27 | 1,642,558.76 | 1,574,458.76 |
| Fortification..... | June 11 | 5,905,082.48 | 5,745,443.25 |
| Indian..... | June 6 | 7,397,888.00 | 1,904,557.50 |
| Legislative, etc..... | June 10 | 7,390,496.79 | 68,762,751.24 |
| Military Academy..... | May 28 | 21,518,834.71 | 21,891,718.08 |
| Navy..... | Mar. 6 | 449,525.61 | 464,261.66 |
| Pension..... | June 10 | 30,562,739.95 | 29,416,245.31 |
| Post Office <i>c</i> | Mar. 6 | 141,328,580.00 | 141,381,570.00 |
| River and harbor..... | June 9 | 92,571,564.22 | 89,545,997.86 |
| Sundry civil..... | June 3 | d 12,621,800.00 | (<i>e</i>) |
| | June 11 | f 33,031,152.19 | g 46,568,160.40 |
| Total..... | | 380,954,157.44 | 373,811,522.15 |
| Urgent deficiency, United States courts..... | Feb. 26 | 6,305,436.52 | } 9,825,374.82 |
| Deficiency, printing for Navy Department..... | Mar. 20 | 25,000.00 | |
| Deficiency, 1896, and prior years..... | June 6 | (<i>h</i>) | |
| Deficiency, 1896, and prior years..... | June 8 | k 8,957,506.53 | |
| Deficiency, House of Representatives, etc..... | June 11 | 38,560.00 | |
| Total..... | | 396,280,660.49 | 383,636,896.97 |
| Miscellaneous..... | | i 425,000.00 | 297,667.37 |
| Total, regular annual appropriations..... | | 396,705,660.49 | 383,934,564.34 |
| Permanent annual appropriations..... | | 119,054,160.00 | k 113,073,956.32 |
| Grand total, regular and permanent annual appropriations..... | | 515,759,820.49 | 497,008,520.66 |

Amount of estimated revenues for fiscal year 1897..... \$375,000,000.00
 Amount of estimated postal revenues for fiscal year 1897..... 89,793,120.75
 Total estimated revenues for fiscal year 1897..... 464,793,120.75

a One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1897 at \$215,047.75), which are payable from the revenues of the water department.
b This amount includes \$1,660,000 for payment of installment due the Cherokee Nation for the purchase of the Cherokee Outlet.
c Includes all expenses of the postal service payable from postal revenues and out of the Treasury.
d In addition to this amount the sum of \$3,284,597 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1897, and the sum of \$300,000 is appropriated in the urgent deficiency act to carry out such contracts for 1896.
e No river and harbor bill was passed for 1896, but the sum of \$11,287,115 was appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1896.
f This amount includes \$3,284,597 to carry out contracts authorized by law for river and harbor improvements for 1897.
g This amount includes \$11,287,115 to carry out contracts authorized by law for river and harbor improvements for 1896.
h The general deficiency appropriation bill, as agreed upon by the House and Senate, appropriating \$10,719,503.19, was vetoed by the President, and failing to pass over the veto, another bill, being an exact copy of the bill vetoed, but omitting therefrom section 4, appropriating \$1,761,996.66 for French spoliation claims and other claims, was enacted.
i This amount is approximated.
j This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1896, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year.

Mr. BOUTELLE. Mr. Speaker, if it were in order, I would move that when we adjourn we adjourn to meet at the polls. [Laughter and applause.]

Mr. GROUT. Mr. Speaker, it is only fair that we should hear from the Democracy, and I yield to my friend from Texas [Mr. SAYERS].

Mr. SAYERS. Mr. Speaker, the appropriations made during the present session of Congress, including the permanent annual appropriations as estimated, amount to \$515,759,820.49.

This sum exceeds the appropriations made during the last session of the Fifty-third Congress by \$18,751,299.83, and exceeds those of the first regular session of that Congress by \$23,529,135.46. It is less than the appropriations made by the second session of the Fifty-second Congress by only \$3,744,538.72, although at the latter session \$39,352,494.85 more was appropriated for pensions than is appropriated at this session. It is more than the appropriations made by the first session of the Fifty-first Congress by \$21,303,571.84, and \$25,464,040.80 less than the appropriations made at the second session of the Fifty-first Congress.

THE RIVER AND HARBOR ACT.

The river and harbor act, in addition to appropriating \$12,621,800 specifically, and the further estimated sum of \$3,000,000 under an indefinite appropriation to purchase the Monongahela Navigation Company's property, authorizes contracts involving other expenditures to the amount of \$59,616,404.91. The river and harbor act of the last Congress authorized no contracts beyond the amounts actually appropriated in said act.

THE NAVAL ACT.

The naval appropriation act authorizes the construction of 3 battle ships and 15 torpedo boats, at an authorized cost of \$12,900,000, exclusive of armament, which will cost not less than half as much more or quite \$20,000,000 in all for the ships complete; and yet that act appropriates for the increase of the Navy only \$11,479,054, which is \$6,515,575 less than will be required to complete the ships which have heretofore been authorized and are now being constructed. Since the construction of the new Navy was begun there have been constructed and authorized to be constructed, including the ships authorized in the naval act of this

session, a total of 84 new ships, at an aggregate cost in appropriations up to date of \$113,479,054; and consequent upon this large increase of the naval establishment there has been an addition of 3,250 men for the Navy and Marine Corps, including 1,500 men authorized in the act of this session. The expense for pay and allowances of these 3,250 additional men in the Navy is not less than \$3,000,000 per annum.

THE FORTIFICATION ACT.

The fortification act, in addition to making specific appropriations amounting to \$7,397,888, authorizes contracts involving the further expenditure of \$4,195,076.

VETO OF THE GENERAL DEFICIENCY BILL.

The President, by his action in vetoing the general deficiency bill, has eliminated from the proposed appropriations of this session the sum of \$1,761,996.66, as follows:

| | |
|--|----------------|
| For payment of French spoliation claims..... | \$1,027,314.09 |
| For payment of war and other claims certified by the Court of Claims under the Bowman Act..... | 548,922.54 |
| For payment of the Chouteau claim..... | 174,445.75 |
| For payment of claims of D. N. Fish and others..... | 11,214.28 |

The Senate, organized at the beginning of this session by a combination of Republican and Populist votes, placing the control of the committees of that body in the hands of the Republicans, by its amendments to the general appropriation bills as they passed the House proposed to increase the sum total of appropriations by \$22,920,442.30. By conferences between the two Houses this aggregate increase was reduced to \$12,283,818.24. So it will be seen that, if the Senate had been allowed its way in increasing appropriation bills, the sum total of appropriations at this session would have been raised \$10,636,624.06 above the aggregate as it now appears.

By reference to the table (Table B) which I will incorporate as a part of my remarks, setting forth the appropriations made at each session of the Fifty-first, Fifty-second, and Fifty-third Congresses, together with the first (or now closing) session of the Fifty-fourth, it will be observed that the appropriations made at the second session of the Fifty-first Congress exceeded those made

at the first session of the same Congress by \$46,767,612.64, or nearly 10 per cent. If the same proportionate increase should be made at the next session over the appropriations of this present session, then the appropriations of the next session will not be less than \$565,000,000.

I submit herewith another table (Table A), showing by title of bills the appropriations made at this session and those made at the last session, together with the reduction or increase in each case:

TABLE A.

| Title. | This session. | Last session. | Reduction. | Increase. |
|---|-----------------|-----------------|---------------|---------------|
| Agriculture..... | \$3,255,532.00 | \$3,303,750.00 | \$48,218.00 | ----- |
| Army..... | 23,278,402.73 | 23,252,608.09 | ----- | \$25,794.64 |
| Diplomatic and consular..... | 1,642,558.76 | 1,574,458.76 | ----- | 68,100.00 |
| District of Columbia..... | 5,905,082.48 | 5,745,443.25 | ----- | 159,639.23 |
| Fortification..... | 7,307,888.00 | 1,904,557.50 | ----- | 5,403,330.50 |
| Indian..... | a 7,390,496.79 | 8,762,751.24 | 1,372,254.45 | ----- |
| Legislative, etc..... | 21,518,834.71 | 21,891,718.08 | 372,883.37 | ----- |
| Military Academy..... | 449,525.61 | 464,261.66 | 14,736.05 | ----- |
| Navy..... | 30,562,739.95 | 29,416,245.31 | ----- | 1,146,494.64 |
| Pension..... | 141,328,580.00 | 141,381,570.00 | 52,990.00 | ----- |
| Post-Office..... | 92,571,564.22 | 89,545,997.86 | ----- | 3,025,566.36 |
| River and harbor..... | b 12,621,800.00 | (c) | ----- | 12,621,800.00 |
| Sundry civil..... | 33,031,152.19 | d 46,568,160.40 | 13,537,008.21 | ----- |
| Total..... | 380,954,157.44 | 373,811,522.15 | 15,398,090.08 | 22,540,725.37 |
| Deficiencies..... | e 15,326,503.05 | 9,825,374.82 | ----- | 5,501,128.23 |
| Total..... | 396,280,660.49 | 383,636,896.97 | 15,398,090.08 | 28,041,853.00 |
| Miscellaneous (estimated for this session)..... | 425,000.00 | 297,667.37 | ----- | 127,332.63 |
| Total, regular annual appropriations..... | 396,705,660.49 | 383,934,564.34 | 15,398,090.08 | 28,169,186.23 |
| Permanent annual appropriations..... | 119,054,160.00 | 113,073,956.32 | ----- | 5,980,203.68 |
| Grand total, regular and permanent annual appropriations..... | 515,759,820.49 | 497,008,520.66 | 15,398,090.08 | 34,149,389.91 |

Net increase this session over last session, \$18,751,299.83.
 a This sum is exclusive of \$1,630,000 for second installment on account of purchase of Cherokee Outlet, which has been paid under "permanent annual appropriations," but is not included in the estimates thereunder for 1897. A like sum was included in the Indian appropriation act passed at the last session of the last Congress.
 b This does not include \$3,000,000 estimated to be necessary under indefinite appropriation made in river and harbor act of this session to purchase property of Monongahela Navigation Company.
 c No river and harbor act was passed during the last session, but the sundry civil act of that session carried \$11,287,115 for river and harbor works under contract, while the sundry civil act of this session appropriates only \$3,284,597 for such works.
 d This sum includes \$5,238,289.08 to pay sugar bounty under legislation enacted by the Fifty-first Congress.
 e This sum includes \$1,496,679.56 for objects that are in no sense deficiencies; \$3,614,133.77 to pay judgments of the courts and audited accounts certified by the accounting officers for 1893 and prior fiscal years; in all, \$5,110,813.33.

It will be noticed by this table that reductions of any consequence are made in only three of the regular bills—the Indian, legislative, and sundry civil.

The reduction in the case of the Indian act is only apparent, and not actual. In the last Indian appropriation act the sum of \$1,660,000 was appropriated to meet the first annual installment due on account of the purchase of the Cherokee Outlet, and an estimate was submitted to the present Congress in a like sum to meet the second installment on the same account. But subsequent to the submission of the estimate, and after the appropriation had been made by the House, it was held by the Secretary of the Treasury that, under the legislation ratifying the treaty whereby the purchase was made from the Indians and regulating the payments therefor, a permanent annual appropriation was made to meet the obligations arising thereunder; and upon this construction of the law the sum of \$1,660,000 has already been paid this year from the Treasury on that account. If this amount were added, as it should be for purposes of comparison, to the sum total of the Indian appropriation act for this session, it would be seen that instead of a reduction the bill this session makes an actual increase of \$287,745.55 over the act passed at the last session.

The apparent reduction of \$372,883.37 in the case of the legislative act is more than accounted for in the omission of \$475,190 which was carried in the last legislative act for the expense of collecting the income tax, which sum has been omitted for the next fiscal year, under the decision of the Supreme Court declaring the income tax to be unconstitutional.

The reduction of \$13,537,008.21 which appears in the sum total of the sundry civil act this session, as compared with that passed

at the last session, is almost offset by the sum of \$5,238,289.08, appropriated in that act at the last session to pay the sugar bounty (under legislation enacted during the Fifty-first Congress), and by the excess of \$8,002,518 to meet contracts for river and harbor works over the sum appropriated for river and harbor contract works in the bill of the present session.

In considering the sum total of appropriations made at this session, it may be noted that the river and harbor act, appropriating specifically, as stated above, \$12,621,800, was passed, whereas no bill for river and harbor works was passed at the last session. But in this connection it must be borne in mind that in order to meet contract obligations authorized by previous Congresses for river and harbor works, the sundry civil act for the last session appropriated \$11,287,115, while at this session the sundry civil act carries for such objects only \$3,284,597.

In addition to the large aggregate of \$515,769,820.49 of specific appropriations made at this session, contract liabilities, to be met at the next and succeeding sessions of Congress, are authorized as follows:

CONTRACTS AUTHORIZED.

| | |
|--|-----------------|
| River and harbor act, for rivers and harbors..... | \$59,616,404.91 |
| Sundry civil act, for public buildings, light-houses, and revenue cutters..... | 1,406,000.00 |
| Fortification act, for defenses and armament..... | 4,195,076.00 |
| Naval act, for new war ships..... | 12,900,000.00 |
| District of Columbia act..... | 124,000.00 |
| | <hr/> |
| | 78,241,480.91 |

The river and harbor act, in addition to specific appropriations made on its face, makes an indefinite appropriation for the purchase, under condemnation, of the property of the Monongahela Navigation Company, of Pennsylvania, estimated at not less than \$3,000,000. As stated before, the sum of \$1,660,000 has recently been paid out of the Treasury on account of the purchase of the Cherokee Outlet, which sum is not included either in any of the regular annual appropriation bills or in the estimates of permanent annual appropriations set out in the foregoing table. Add these sums on account of the purchase of the Cherokee Outlet, the purchase of the Monongahela Navigation Company's property, and the additional contract liabilities, amounting in all to \$82,901,480.91, to the sum of the specific appropriations made in the bills and the permanent annual appropriations as estimated, and we have the enormous aggregate of \$598,661,301.40 appropriated and authorized by contracts to be expended by the legislation of this session of Congress.

The total ordinary expenditures of the Government have never approached so large a sum in any one fiscal year during our whole history, except for the last three fiscal years of the civil war, as has been appropriated and authorized by the present session of Congress. The total assessed valuation of property in no one of the South Atlantic States is equal to this vast sum of expenditures authorized at this single session of Congress.

It is not unfair to charge the present session of Congress with this gigantic sum of contract liabilities and to characterize the same as appropriations in the light of the statute passed by Congress in 1870, providing that no Department of the Government should expend in any one fiscal year any sum in excess of appropriations made by Congress for the fiscal year or should involve the Government in any contract for the future payment of money in excess of appropriations. Except on the occasion in the Fiftieth Congress, when, under the advice of the late Gen. Thomas Lincoln Casey, in charge of the new Library building, Congress authorized him to make contracts for all of the granite necessary for the construction of the outer walls of that edifice, in order to secure uniformity of material therein, Congress sacredly observed both the spirit and letter of that statute until the advent of the Fifty-first Congress, which instituted the present system of authorizing large contracts for river and harbor works. Gradually since then the practice has been enlarged and extended, until now public buildings, light-houses, revenue cutters, fortifications and their armament, and certain municipal public works in the District of Columbia are embraced within the system.

In addition to the contracts authorized at this session, and which must be met by appropriations hereafter, there are other contract liabilities, made by previous Congresses and yet to be met, on account of river and harbor works, amounting to \$4,800,436; on account of armament of fortifications, amounting to \$2,730,131, and on account of public buildings, amounting to about \$10,000,000; and also on account of the completion of war ships, beyond the amount of appropriations carried on the naval act this session, in the sum of \$6,515,575; or in all, \$24,046,142.

Referring to the apparent excess of \$5,493,330.50 for deficiencies appropriated at this session over the deficiencies provided for at the last session, Mr. Speaker, I call attention to the fact that of the whole sum of \$15,326,503.05 appropriated for deficiencies,

\$1,496,679.56 stands for works and objects that are in nowise deficiencies, and \$3,614,133.77 represents judgments and audited claims, which have no relation whatever to current or recent annual appropriations; the two sums making an aggregate of \$5,110,813.33; which, deducted from the sum total of deficiencies, leaves but \$10,215,689.72, or a sum equal to about the sum of normal deficiencies in the annual appropriations of Congress year by year. This explanation of the apparently large deficiencies provided for at this session I deem to be fitting and proper, in order to show that there was no undue reduction in the appropriations made at the last session, and no unusual lack of provision for the public service thereunder. As compared with deficiencies in previous years, the deficiencies at the former and present sessions appear as follows:

| | |
|--|-----------------|
| First session, Fifty-first Congress | \$38,617,448.96 |
| Second session, Fifty-first Congress | 38,699,746.96 |
| First session, Fifty-second Congress | 15,906,191.50 |
| Second session, Fifty-second Congress | 22,277,086.36 |
| First regular session, Fifty-third Congress | 11,811,004.06 |
| Second regular session, Fifty-third Congress | 9,825,374.82 |
| Present session, Fifty-fourth Congress | 15,326,503.05 |

Mr. Speaker, the present Congress had a splendid opportunity for the future reduction of expenses, but it has completely failed in this particular. Upon all outstanding contracts authorized

previous to the present Congress only the following sums had to be appropriated in order to complete them, to wit:

| | |
|--|-------------------|
| On river and harbor contracts | \$7,935,033 |
| On war vessels | 18,094,629 |
| On construction of guns for fortification purposes | 3,880,131 |
| On public buildings | 12,622,000 |
| Total | 42,531,793 |

If the present Congress had rigidly refused authority for additional contracts, and had appropriated only to meet the immediate or fiscal year requirements under existing ones, the next Congress and Administration would have been in a position to largely reduce appropriations and expenditures, and the administration of the Government could easily have returned to an economical method of governmental expenditure. This, however, has not been done; and the majority in Congress must be held responsible for this grave dereliction in public duty. In conclusion, Mr. Speaker, it will be seen from the tables herewith that the appropriations made by the past three Congresses and at the present session have been as follows:

| | |
|--------------------------------------|--------------------|
| Fifty-first Congress, both sessions | \$1,035,680,109.94 |
| Fifty-second Congress, both sessions | 1,027,104,547.92 |
| Fifty-third Congress, three sessions | 989,239,205.69 |
| Fifty-fourth Congress, first session | 515,759,820.49 |

TABLE B.—Appropriations made by the Fifty-first, Fifty-second, and Fifty-third Congresses, and first session of the Fifty-fourth Congress, fiscal years 1891 to 1897, inclusive.

| Title. | Fifty-first Congress. | | Fifty-second Congress. | | Fifty-third Congress. | | Fifty-fourth Congress. |
|--|-------------------------|-----------------------|-------------------------|-----------------------|---|-----------------------|------------------------|
| | First session, 1891. | Second session, 1892. | First session, 1893. | Second session, 1894. | Extra and first regular sessions, 1895. | Third session, 1896. | First session, 1897. |
| Agriculture | \$1,799,100.00 | \$3,028,153.50 | \$3,232,995.50 | \$3,323,500.00 | \$3,223,623.06 | \$3,308,750.00 | \$3,255,532.00 |
| Army | 24,206,471.79 | 24,613,529.19 | 24,308,499.82 | 24,225,639.78 | 23,592,884.68 | 23,252,008.09 | 23,278,402.73 |
| Diplomatic and consular | 1,710,815.00 | 1,656,925.00 | 1,604,045.00 | 1,557,445.00 | 1,563,918.76 | 1,574,458.76 | 1,642,558.76 |
| District of Columbia | 5,769,544.15 | 5,597,125.17 | 5,317,973.27 | 5,413,223.91 | 5,545,078.57 | 5,745,443.25 | 5,905,082.48 |
| Fortifications | 4,232,995.00 | 3,774,806.00 | 2,734,276.00 | 2,210,055.00 | 2,427,004.00 | 1,904,557.50 | 7,397,888.00 |
| Indian | 7,232,016.02 | 16,386,284.86 | 7,664,047.84 | 7,854,240.38 | 10,659,565.16 | 8,762,751.24 | 7,390,496.79 |
| Legislative, etc | 21,030,752.75 | 22,027,674.75 | 21,900,132.97 | 21,865,802.81 | 21,305,583.29 | 21,891,718.08 | 21,518,834.71 |
| Military Academy | 435,296.11 | 402,064.64 | 428,917.33 | 432,556.12 | 406,535.08 | 464,261.66 | 449,525.61 |
| Navy | 24,136,035.53 | 31,541,654.78 | 23,543,385.00 | 22,104,061.38 | 25,327,126.72 | 29,416,245.31 | 30,562,739.95 |
| Pension, including deficiencies a | 123,779,368.35 | 164,550,383.34 | 154,411,682.00 | 180,081,074.85 | 151,581,570.00 | 141,381,570.00 | 141,328,580.00 |
| Post-Office | 72,226,698.99 | 77,907,232.61 | 80,331,276.73 | 84,004,314.22 | 87,236,599.55 | 89,545,997.86 | 92,571,564.22 |
| River and harbor | 25,136,295.00 | | 21,154,218.00 | | 11,643,180.00 | (g) | h 12,621,800.00 |
| Sundry civil | b 31,100,341.38 | c 38,388,552.73 | 27,665,076.95 | 41,716,311.15 | 34,253,775.55 | i 46,568,100.40 | 33,031,152.19 |
| Deficiencies, except for pensions | 13,295,541.61 | 9,364,148.62 | 8,230,859.50 | 8,127,361.51 | 11,811,004.06 | 9,825,374.82 | j 15,326,503.05 |
| Total | 356,121,211.68 | 390,238,522.19 | 382,527,385.89 | 403,515,586.11 | 390,578,048.48 | 383,636,896.97 | 396,280,660.49 |
| Miscellaneous | 7,010,905.27 | d 19,498,531.10 | 8,208,922.82 | 520,499.18 | 577,956.55 | 297,667.37 | k 425,000.00 |
| Total regular annual appropriations | 363,132,116.95 | 418,737,053.29 | 385,736,308.71 | 404,036,085.29 | 391,156,005.03 | 383,934,564.34 | 396,705,660.49 |
| Permanent annual appropriations | e 131,324,131.70 | e 122,486,808.00 | e 121,863,880.00 | e 115,468,273.92 | e 101,074,680.00 | e 113,073,956.32 | e 119,054,160.00 |
| Total | 494,456,248.65 | 541,223,861.29 | 507,600,188.71 | 519,504,359.21 | 492,230,685.03 | 497,008,520.66 | 515,759,820.49 |
| Total Fifty-first, Fifty-second, and Fifty-third Congresses | 1,035,680,109.94 | | 1,027,104,547.92 | | 989,239,205.69 | | |

a Deficiencies included as follows: 1891, on account of 1890, \$25,321,907.25; 1892, on account of 1891, \$29,335,598.34; 1893, on account of 1892, \$7,674,332; 1894, on account of 1893, \$14,149,724.85.
 b This amount includes \$1,362,059.16 actual expenditures under indefinite appropriations for pay and bounty claims.
 c This amount includes \$978,188.74 actual expenditures under indefinite appropriations for pay and bounty claims.
 d This amount includes \$15,227,000 for refund of direct taxes in addition to the specific sum of \$500,000 appropriated for that purpose.
 e This is the amount originally submitted to Congress by the Secretary of the Treasury as estimated to be necessary under permanent specific and permanent indefinite appropriations, except that to the amount thus submitted for 1891, \$101,623,453, there are added expenditures under permanent appropriations made by the Fifty-first Congress subsequent to said estimate, as follows: Salaries diplomatic and consular service, \$37,759.79; redemption national bank notes, \$23,553,298.50; expenses of Treasury notes, \$218,362.69; coinage of silver bullion, \$210,893.14; rebate tobacco tax, \$770,032.39; and repayments to importers and for debentures and drawbacks, customs service, \$4,915,235.23; in all, \$29,895,678.70.
 f This sum is exclusive of \$1,660,000 for second installment on account of purchase of Cherokee Outlet, which has been paid under "permanent annual appropriations," but is not included in the estimates thereunder for 1897. A like sum was included in the Indian appropriation act passed at the last session of the last Congress.
 g No river and harbor act was passed during the last session, but the sundry civil act of that session carried \$11,287,115 for river and harbor works under contract, while the sundry civil act of this session appropriates only \$3,284,597 for such works.
 h This does not include \$3,000,000 estimated to be necessary under indefinite appropriation made in river and harbor act of this session to purchase property of Monongahela Navigation Company.
 i This sum includes \$5,238,230.08 to pay sugar bounty under legislation enacted by the Fifty-first Congress.
 j This sum includes \$1,496,679.56 for objects that are in no sense deficiencies; \$3,614,133.77 to pay judgments of the courts and audited accounts certified by the accounting officers for 1893 and prior fiscal years; in all, \$5,110,813.33.
 k Estimated.

Mr. GROUT. Mr. Speaker, I yield to the gentleman from Missouri [Mr. DOCKERY].
 Mr. DOCKERY. Mr. Speaker, this Congress is the most recklessly improvident and riotously extravagant Congress since the establishment of the Government. Assembled at a time when all the varied business interests of this great country were depressed by adverse conditions, it has wholly failed to meet the grave responsibilities imposed upon it by the peculiar situation. Confronted with revenues confessedly inadequate to meet current expenditures, and with a depleted gold reserve, the Republican leaders at the beginning of this session ostentatiously proclaimed a policy of rigid economy. They alleged that the outflow of our gold was due to insufficient income. This was their diagnosis of the Treasury ailment, and economy was the magic remedy they prescribed to replenish the gold reserve, to revive our drooping industries, and to restore prosperity to the people.
 It is well to emphasize the fact that this was the policy suggested

by the Republican leaders, and that an effort to enforce it was made by the distinguished Speaker of this House, Mr. REED—in my judgment, with entire respect to the other membership, the brainiest leader the Republican party has known on this floor for many years. [Loud applause on the Republican side.] I want you to keep that up, as I hope you will applaud some other things I expect to say.
 Mr. PITNEY. If they are good, we will.
 Mr. DOCKERY. The eminent Speaker announced the policy for the Republican party, and he had a right to announce it, because he was the accredited leader of that party in this House; he was the official head of that organization. But, alas, that policy was, nevertheless, assassinated, and in the house of its friends.
 It seems impossible for the Republican party to maintain an economical administration. It has utterly failed to maintain the parity between profession and practice, and between its theory in

respect to the gold reserve and the remedy of rigid economy prescribed for its restoration.

The appropriation for the Fifty-first (Reed) Congress amounted to \$1,035,680,109.94; the appropriations of the Fifty-second Congress aggregated \$1,027,104,547.92; while the appropriations of the Fifty-third Congress (Democratic in both branches) amounted to but \$989,239,205.69. The direct appropriations of this session of the present Congress reach the enormous total of \$515,759,820.49, being \$23,529,135.46 more than the appropriations of the first session of the last Congress. It is probable, therefore, that at the close of the next session the entire appropriations of this Congress will be found to exceed \$1,080,000,000 if the same ratio of increase is made at the next session over the present that was made between the sessions of the Fifty-first Congress.

In addition to the direct appropriations for the support of the Government, this Congress has also imposed \$82,901,480.91 of unusual liabilities for authorized contracts on account of rivers and harbors, increase of the Navy, fortifications, and various other public works. If, therefore, to the direct appropriations we add this sum, it appears that the total appropriations and liabilities of this session amount to \$598,661,301.40.

This improvident assault upon the Treasury is the more reprehensible because at the beginning of this Congress the Secretary of the Treasury, in his annual report, showed the existence of a deficiency in current revenues for the last fiscal year amounting to \$42,805,223.18, and at the same time estimated a deficiency for the present fiscal year of \$17,000,000. This was an inadequate estimate, as it is now conceded that the deficiency at the close of this fiscal year will exceed \$25,000,000.

INADEQUATE MCKINLEY REVENUES.

The Republican party have studiously sought to impress the people with the statement that the McKinley law furnished ample revenues to support the Government, and that the existing deficiency and the deficiencies which have preceded it are due to the repeal of that law and the enactment of the Wilson tariff bill.

Now, it happened that the current surplus revenues in the Treasury amounted to \$85,040,271.97 at the close of the fiscal year ending June 30, 1890, the year immediately preceding the enactment of the McKinley law, which went into effect October 6, 1890, and I find upon examination of official reports that at the close of the fiscal year ending June 30, 1891, the McKinley law being in operation but eight months of that fiscal year, the current surplus had dropped to \$26,838,541.96. The current surplus for the next fiscal year, ending June 30, 1892, was but \$9,914,453.66, while the current surplus at the close of the fiscal year ending June 30, 1893, had dwindled to \$2,341,674.29!

Indeed, Mr. Speaker, the so-called surplus at the close of the fiscal year 1893 was apparent rather than real. But for the fact that the outgoing Administration of Mr. Harrison "held up" the obligations of the Government, as far as practicable, this phantom surplus would have given place to an actual deficiency.

This policy of deferring payments obtained for some months prior to the close of the late Republican Administration, and the official reports show that at the end of the last fiscal year of that Administration—the fiscal year of 1893—while there was this apparent current surplus of \$2,341,674.29, there were also unexpended balances of appropriations, exclusive of sinking fund and Indian trust funds, amounting to \$104,074,092.07. These unexpended balances tell the story of deferred payments and insufficient income.

I have heretofore said, and now repeat, that during the last four months of Mr. Harrison's Administration the revenues were insufficient by \$4,094,021.38 to meet the current obligations of the Government. It is obvious, therefore, Mr. Speaker, that the McKinley law did not provide sufficient revenue to meet the obligations of the Government, and that fact is fully established by the testimony of ex-Secretary Foster, of date February 25, 1893, before the House Committee on Ways and Means. Upon that occasion he distinctly stated (and I quote his exact language):

I will only say this, that if I was to have the management of the Treasury, I should insist upon an increase of revenue to the extent of \$50,000,000.

That was Republican testimony, and it was emphasized by an order to the Bureau of Engraving and Printing for the preparation of plates for an issue of bonds—an order which was subsequently revoked by the incoming Democratic Administration.

Hence it is obvious that under the operations of the McKinley law, while a very large profit inured to the benefit of the manufacturers, an insufficient amount found its way into the Treasury to meet the maturing liabilities of the Government. So much for the Republican statement.

CONTRACTION OF THE CIRCULATION.

In order that the people may fully realize the enormous liabilities imposed by the Republican party, it is only necessary to state that the direct appropriations of this session require for their payment more than one-third of the entire volume of money in circulation. On the 1st of July, 1890, prior to the enactment of the Sherman law, the total stock of money, coined or issued, amounted to \$2,068,048,087, and the amount in circulation was

\$1,429,718,376; the surplus in the Treasury, including the gold reserve, being \$245,612,464, and the circulation per capita being \$22.82.

On July 1, 1891, the total volume of money was \$2,100,130,092; amount in circulation, \$1,500,067,555; surplus in the Treasury, including gold reserve, \$153,893,809; circulation per capita, \$23.41.

On July 1, 1892, the total volume of money was \$2,219,719,198; amount in circulation, \$1,603,073,338; surplus in the Treasury, including gold reserve, \$126,692,377; per capita circulation, \$24.47.

On July 1, 1893, the entire volume of money was \$2,120,281,093; amount in circulation, \$1,593,726,411; surplus in the Treasury, including gold reserve, \$122,462,290; circulation per capita, \$23.80.

On July 1, 1894, the total volume of money was \$2,249,325,276; amount in circulation, \$1,664,061,232; surplus in the Treasury, including gold reserve, \$117,584,437; per capita circulation, \$24.33.

On July 1, 1895, the volume of money was \$2,217,064,667; amount in circulation, \$1,604,131,968; surplus in the Treasury, including gold reserve, \$195,240,153; per capita circulation, \$22.96.

On June 1, 1896, the volume of money was \$2,208,420,612; amount in circulation, \$1,521,584,283; surplus in the Treasury, including gold reserve, \$267,193,210.70; per capita circulation, \$21.35.

Mr. Speaker, the difference in the comparative statement I have just submitted between the total volume of money and the amount in circulation is represented by the amount in the Treasury at the respective dates mentioned. An examination of this exhibit discloses some startling conditions.

On the 1st of November, 1894, the Sherman law, against my protest, was unconditionally repealed, and since that date the only increase of the volume of circulation that has been possible under the existing monetary system must have come from the coinage of gold or the increase of the national-bank circulation.

The Treasury statements show that from July 1, 1894, to June 1, 1896, the actual decrease in the total volume of money coined or issued was \$40,904,663; while the actual decrease in the volume of money in active circulation was \$142,476,949; the per capita circulation being reduced from \$24.33 to \$21.35. The reduction of the amount of money in circulation during this period is explained by the increase in the borrowed surplus in the Treasury from \$117,584,437 to \$267,193,210.70.

This constantly augmenting Treasury surplus and decreasing volume of money in active circulation is due to the vicious monetary system under which bonds have been issued to secure gold to redeem greenbacks and Sherman notes. The bond issues are consequent upon the pernicious construction given the Sherman law on October 14, 1891, by Secretary Foster, and since maintained by the Treasury Department, under which the Secretary of the Treasury has abdicated his functions and given to the holders of greenbacks and Sherman notes the right to demand gold only for their redemption.

The demonetization of silver in 1873 and the surrender, by the Harrison Administration, of the option to redeem Sherman notes in either gold or silver, are the colossal criminal blunders of recent financial legislation.

BOND ISSUES AND SINGLE GOLD STANDARD.

In an interview in opposition to the Dingley bond bill and bond issues by the Treasury, published on January 4 last in some of the papers in this city and in Missouri, I suggested the evils which would follow the continuance of this system. I quote the views then expressed, as they have been fully vindicated by the events which have since transpired:

Indeed, should the present surplus be reenforced by the enactment of the Dingley bill or by the proceeds of additional bond sales, I fear this drain will severely tax the business interests of the country, already intimidated by a stringent money market.

A very large Treasury surplus will inevitably injuriously affect the business situation because the money in active circulation is already inadequate to meet the requirements of trade, and further withdrawals to restore the Treasury reserve will still further contract the volume of active money. It is a vexing problem to restore and maintain the Treasury reserve along the lines of a single gold standard and yet escape the perils of an unnecessary surplus of money other than gold. Reform is necessary in the existing monetary system under which the National Treasury may have a very large surplus available for current liabilities, while at the same time our gold resources may be depleted and exhausted by the "endless chain" of greenbacks and Sherman notes.

Mr. Speaker, since the unconditional repeal of the Sherman law, the single gold standard has had ample opportunity to demonstrate the beneficent results which at the time of the repeal it was claimed would follow that legislation. It was claimed then that prosperity would speedily return to the industrial and commercial interests of the country. That prophecy, like many others of similar import made by the single gold standard advocates, has altogether failed of accomplishment. Instead of prosperity returning, business disasters have multiplied and "followed fast and followed faster" each upon the other, so that the passage of a bankrupt bill has been thought necessary by some to remove the wrecks which hamper and retard commercial revival.

Bonds amounting to \$262,315,400 have been issued, for which the Government realized \$293,454,272.98, to restore the vanishing gold surplus, while the meager profits of the people have been scraped up and hoarded in the Treasury under a system which thus

mercilessly contracts the volume of our circulating medium. The withdrawal of \$142,470,949 of money from the channels of active trade has thrown business into a state of distrust and doubt. On the 25th of August, 1893, in discussing the bill then pending to repeal the Sherman law without conditions, I declared in favor of a double standard and independent action by this country, and said, among other things—

That the adoption of a single gold standard by the United States will result in a lower wage for labor, the depreciation of farm values, farm products, and property of nearly all kinds, even if our population should remain as at present and there should be no expansion in the volume of trade and commerce. That industrial disturbances would follow the adoption of such a policy, becomes more apparent when it is remembered that the average annual increase of our population ranges from one million to one and a half million, and that the enterprising and fearless energy of our people are constantly exploring and discovering new fields for the investment of capital and the employment of labor. The addition to the volume of our circulating medium under the provisions of the Sherman law has been \$150,669,459, or about \$50,000,000 annually, being less than \$1 per capita; and yet it is proposed by the Wilson bill (Sherman repeal bill) to strike down the law authorizing this annual increase, without offering any substitute therefor.

Mr. Speaker, I make no claim to gifts of prophecy, but I submit that the existing business situation completely vindicates that prediction. I have not, therefore, looked with favor upon the departure of the Republican party from its own announced policy of economy.

I will append to my remarks a tabular statement, giving in detail an exhibit of appropriations, and will pass to a succinct review of the river and harbor bill, first stating that the appropriation bills, when they left the House, amounted, together with the permanent appropriations, to \$503,051,002.25; when they became laws, they aggregated \$515,759,820.49, the Senate having increased them by \$12,708,818.24. As I stated at the outset, you have piled up appropriations higher than they were ever piled at the first session of any Congress in the history of this country except during the war period. Our appropriations are now substantially on a war basis in a time of peace.

Mr. MILLIKEN. Did not the gentleman from Missouri, about an hour ago, vote against the policy which he is now declaiming in favor of?

Mr. DOCKERY. I did not. I have uniformly sustained the Republican party in this Congress whenever it has sought to maintain and uphold the policy of judicious economy. I have sustained that policy because I believed it to be the requirement of duty and of sound business judgment.

Mr. WILLIS. I congratulate my friend from Missouri. If he will just walk that path a little farther he will be perfectly safe. [Laughter.]

Mr. DOCKERY. Well, Mr. Speaker, if I should walk in the path of rigid economy a little farther, I should have to journey without the company of the gentleman from Delaware. [Laughter.] I have asked nothing for my State, but I happen to know what is contained in the river and harbor bill—against which I desired to “declaim” a few days ago, but was ruthlessly cut off in the very vigor of my efforts to denounce it—and I am not surprised that the gentleman from Delaware rises to interrupt me on this occasion, since he is doubtless smarting under the pangs of conscience, because that river and harbor bill, as shown by the Chief of Engineers, carries appropriations and authorized contracts to the amount of \$5,000,000 for the little State of Delaware, with a territory not much larger than the county of Daviess, in the imperial State of Missouri, from which I hail. [Laughter and applause.] Five millions of dollars! No wonder that the eloquence and splendid ability of the gentleman from Delaware are invoked in behalf of the riotous appropriations made by this Congress. [Laughter.]

Mr. WILLIS. I think the gentleman overestimates materially the amount of the appropriations for my State. It is hardly \$5,000,000. Where was it put?

Mr. DOCKERY. I do not know where it was put. I hope it will go to some worthy objects. In a few moments I will endeavor to identify, as far as I can from the official reports, the items of that magnificent total of seventy-five million dollars of the people's money appropriated for river and harbor improvement. Little Delaware gets her share of it, and I have no doubt but that my friend from Delaware [Mr. WILLIS] will come back with a reinforced majority, because it matters not if failure of crops, or drought with blighting effects, or pestilence which walketh at noonday, or sweeping cyclones afflict that little State, her people will still enjoy a handsome income from the river and harbor bill, at the expense of the taxpayers of the United States. [Great laughter and applause.]

Mr. PITNEY. My friend from Missouri and I have served together in framing six of the appropriation bills and the deficiency bills, and I will ask him whether there is a single bill framed by the Committee on Appropriations that has not received from him unqualified approval on this floor and elsewhere?

Mr. DOCKERY. Why, Mr. Speaker, it did afford me pleasure to commend the legislative bill and the District bill, because I believed that both were in the main economical measures; and I think the same can be substantially said of all the other bills

reported by my able friend from Illinois [Mr. CANNON], the chairman of the Committee on Appropriations, except, possibly, the fortifications bill. I was not present when that bill was considered. Perhaps every item in it is just and proper. I do not say it is not. But possibly if I had had the framing of it I might have reduced it somewhat. I do not complain of bills reported by the Committee on Appropriations, but of the other measures which swell the mighty aggregate of appropriations to \$515,759,820.49.

DIFFER WITH THE PRESIDENT.

Mr. Speaker, I do not agree with the President upon the financial issues involved in this campaign. I am opposed to the retirement of greenbacks. I am opposed to the issue of bonds. I am opposed to the redemption of greenbacks and Sherman notes in gold only, and to the Treasury construction which treats the coin obligations of the Government as gold obligations. I am opposed to the national-bank system. I believe that the mints of the United States should be open to the free and unlimited coinage of both gold and silver. I believe in restoring the equality which existed prior to the act of February 12, 1873, demonetizing silver. Wherever the word “gold” appears in the statutes I would add “and silver,” so that both metals may enjoy equal privileges at the mints and perform like functions in our monetary system. This policy will prevent the undue appreciation of gold and the undue depreciation of silver, thus restoring the “parity” which should obtain under a correct bimetallic system. In other words, Mr. Speaker, I am in favor of a double standard and unalterably opposed to a single gold standard. My first vote in support of the free and unlimited coinage of silver was cast in 1884, since which time I have voted six times for the free and unlimited coinage of silver at 16 to 1. I differed with the President in respect to his course relative to the Wilson tariff bill. I thought then and think now that he should have given his approval to that measure, notwithstanding it failed to fully meet all the requirements of a tariff-reform bill. It represented, however, the best result that could be secured at the time, and made a long step in the direction of emancipating the people from the inordinate greed of the protective system. It is obviously preferable to the McKinley bill, which it replaced upon the statute book.

I also believe, Mr. Speaker, that any national Administration should be in the hands of its friends. I have not, therefore, concurred in the policy of the President which has permitted the retention of Republicans in, and their appointment to, political offices which have much to do with contributing to the success or failure of an Administration. I have always insisted that Democrats should be appointed to such offices under a Democratic Administration.

Mr. Speaker, I am not in harmony with the President upon these questions, but I do most cordially approve his position upon many other public questions, notably his vigorous American policy in maintaining the principles of the Monroe doctrine and in protecting the rights of our citizens in all quarters of the globe. His attitude in respect to our foreign policy should commend itself to all patriotic citizens. I also most heartily indorse the views he has recently expressed in respect to the expenditure of public money. The utterances of the President in opposition to the wanton expenditure of the people's money have at all times been consistent and in harmony with the position occupied by the illustrious leaders of the Democratic party since the days of Thomas Jefferson. I especially commend his superb courage in the recent veto of the river and harbor bill, the French spoliation claims, and other Treasury-spoliating schemes. I recall with pleasure that the first veto of a river and harbor bill was made by Andrew Jackson, an eminent Democrat of glorious memory. Old Hickory himself, on December 6, 1832, sent that veto to the House of Representatives, and President Cleveland can point to the precedent then established by a Democrat “fit to stand by the side” of the immortal founder of Democracy. I am advised that river and harbor bills have also been vetoed by Presidents Tyler, Polk, Pierce, Buchanan, and Arthur. The French spoliation claims also were vetoed by Presidents Polk and Pierce.

RIVER AND HARBOR BILL.

I now desire to invite the attention of the House to a cursory analysis of the river and harbor bill, the privilege of debate having been denied at the time the bill passed this body over the veto of the President. The river and harbor bill was reported to the House April 3, and passed under a suspension of the rules April 6. This summary method of consideration limited all debate to forty minutes and prohibited the right of amendment. When the bill left the House it carried \$65,148,771.91 of appropriations and authorized contracts, including an indefinite appropriation of not less than \$3,000,000 for the purchase of the Monongahela Navigation Company's property. It was considered by the Senate, and on its return to the House was sent to conference by the most expeditious parliamentary method. Debate was limited to less than one hour, wherein the conference report was considered, about thirty minutes being consumed in opposition to the report, which

was agreed to by a vote of 189 to 56. When finally agreed to by both Houses it carried \$75,158,956.88 of obligations upon the Treasury. The opponents of the measure were allowed but fifty minutes' debate from the time the bill was reported until it was sent to the President, and at no time during its consideration was there any opportunity to offer amendments. When the bill was returned to the House by the President it was approved, upon reconsideration, by a vote of 219 to 61, debate being arbitrarily denied. I quote from the RECORD of June 2, which fully discloses the proceedings of the House in denying the privilege of debate:

Mr. HOOKER. Mr. Speaker, I move to pass the bill, the objections of the President to the contrary notwithstanding. I desire to say in behalf of the committee that we were of the opinion that the message of the President raised all the possible objections to the bill that could be raised. We have endeavored, in the report which has just been read, to cover every objection which he has raised to the pending measure.

There are a large number of members who have applied to me for time to discuss this measure, and had I yielded to them and allotted to them the time that they have asked, it would consume two, three, or four days. It has been thought best by the committee, under the circumstances, to submit to the House the question whether or not we desire to engage upon a long and exhaustive debate upon this measure, and for the purpose of testing the sense of the House, without in any manner expressing the views of the committee or myself on the subject, I demand the previous question. [Applause.]

Mr. DOCKERY. Mr. Speaker—
The SPEAKER. For what purpose does the gentleman rise?
Mr. DOCKERY. I ask the gentleman to yield to me for a moment.
Mr. HOOKER. Regular order!
Mr. DOCKERY. The gentleman agreed with me yesterday that we should have debate upon this bill, and it is unfair, it is unjust, and it is unmanly to pursue this course. [Great confusion on the floor.]

The SPEAKER. The House will please be in order. Gentlemen will take their seats.

Mr. CATCHINGS. The gentleman from New York—
The SPEAKER. The gentleman from Mississippi is not in order. This is a matter for the House to determine. The gentleman from New York [Mr. HOOKER] asks for the previous question. If the previous question is ordered, the House will proceed immediately to vote on the question of reconsideration.

Mr. DOCKERY. Mr. Speaker, will the Chair allow me to ask the gentleman from New York a question?

The SPEAKER. The gentleman demands the regular order. [Cries of "Regular order!"]

Mr. DOCKERY. I desire to say— [Cries of "Regular order!"] I desire to state that the gentleman had agreed that we should have debate. [Renewed cries of "Regular order!"]

The SPEAKER. The question is on ordering the previous question. The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. RICHARDSON and Mr. DOCKERY. Division.
The House divided; and there were—ayes 178, noes 60.

Mr. DOCKERY. The yeas and nays.

The question was taken on ordering the yeas and nays.
The SPEAKER. Forty-six gentlemen have arisen—not a sufficient number [applause]; the yeas and nays are refused, and the previous question is ordered. The question now is, Will the House upon reconsideration agree to pass the bill; and on this question the yeas and nays, by the Constitution, are to be taken.

Mr. DOCKERY. I desire to know whether there will be any debate under the rules on this question of reconsideration?

The SPEAKER. There will not be.

Mr. DOCKERY. Then, on a proposition to reconsider, as required by the Constitution, no debate is permitted under the policy pursued by the gentleman from New York.

The SPEAKER. Provided the House of Representatives so vote.

Mr. DOCKERY. And they have so voted—

Mr. HENDERSON. Regular order!

Mr. DOCKERY (continuing). To stifle debate.

The SPEAKER. The Clerk will call the roll.

WHAT IT COSTS.

Mr. Speaker, I will now submit a fiscal exhibit relating to the appropriations and liabilities of the Government on account of river and harbor improvements carried in this bill or heretofore authorized.

On the 1st of May the balance of appropriations unexpended under continuing contracts and for works not under contract, together with the balances yet to be appropriated under contracts heretofore authorized, amounted to \$16,207,708.16. There is a difference of opinion between the House conferees on the river and harbor bill and the Chief of Engineers as to the appropriations and contracts authorized. According to the analysis of the House conferees the total cash appropriations amount to \$12,852,235 and the authorized contracts to \$59,649,308.91, or a total, appropriations and contracts, of \$72,501,543.91. The Chief of Engineers states the direct appropriations at \$10,017,050 and the contracts authorized at \$62,141,906.88, or a total of \$72,158,956.88. It will be observed that the total is substantially the same, the difference being that in the one case a greater amount of cash and a less amount of contracts are estimated, and in the other a less amount of cash and more of contracts. I have not had the opportunity myself to analyze the bill and reach a judgment in respect to the controversy, but it is immaterial, since it is agreed that the liabilities of the bill exceed \$72,000,000, exclusive of the indefinite appropriation, which it is estimated will not be less than \$3,000,000, for the purchase of locks and dams on the Monongahela River. If, therefore, to the liabilities outstanding on the 1st of May on account of unexpended balances and authorized contracts we add the new contracts and the definite and indefinite appropriations contained in this bill, it is obvious that the liabilities of the Government on account of river and harbor improvements now reach the stupendous aggregate of \$91,366,665.04.

Mr. Speaker, I have propounded to the Chief of Engineers this query:

"Upon the basis that all contracts will be promptly made, what amounts can be expended under such contracts for the fiscal years—separately stated—ending June 30, 1897, 1898, 1899, 1900, etc.?"

He answers by the following estimate:

PENDING RIVER AND HARBOR BILL APPROPRIATES—

| | |
|------|-----------------|
| 1897 | \$13,792,550.00 |
| 1898 | 19,871,054.15 |
| 1899 | 16,851,262.24 |
| 1900 | 13,073,962.24 |
| 1901 | 5,735,878.25 |
| 1902 | 1,596,250.00 |
| 1903 | 745,000.00 |
| 1904 | 400,000.00 |
| 1905 | 100,000.00 |

72,158,956.88

Mr. Speaker, in addition to the estimated expenditure of \$13,792,550, for the ensuing fiscal year, the sundry civil bill carries \$3,284,597.90 to meet outstanding contracts, so that the total river and harbor expenditures for the year may reach \$17,077,147.00.

It will be remembered also, that there is in the Treasury \$11,561,072.16 of unexpended appropriations for river and harbor improvements heretofore authorized, part of which will be expended during the coming year.

I regret, Mr. Speaker, that I have not had the time to make a thorough analysis of the provisions of this bill, and the criticisms I may offer are directed only to a limited number of those to which my attention has been called.

Including the river and harbor bill, there are 14 general appropriation bills which carry appropriations for the support of the Government. All these bills are usually based upon the estimates submitted by the heads of the various Departments, disclosing the estimated needs of the public service. The river and harbor bill is usually based upon the estimates of the Secretary of War. The local engineers, in the annual budget submitted at the beginning of this session, estimated that \$52,252,027 could "be profitably expended" for the improvement of various public works of the country. This estimate was reduced by the Chief of Engineers to \$21,016,197, and further limited by the Secretary of War in the final revision to \$11,744,597. It is manifest, therefore, that this session's river and harbor bill exceeds the estimates of the engineers by more than twenty-three millions; that it exceeds the estimate of the Chief of Engineers by more than fifty-four millions, and exceeds the estimate of the Secretary of War by more than sixty-three millions. This estimate is peculiarly significant in view of the unfortunate Treasury situation, whereunder, as is known to the country, other appropriation bills for the support of the Government are usually reduced materially below the estimated needs of the various Departments.

HOW DISTRIBUTED.

The bill consists of 417 items of appropriation; 41 States and 2 Territories are direct beneficiaries. Wyoming and Colorado have a contingent interest in the provision authorizing surveys for the establishment of reservoirs, but Utah and Nevada alone are without direct recognition. In response to my request the Chief of Engineers has made a careful scrutiny of the bill and submits an exhibit showing the appropriations and contracts authorized, by States, as follows:

Appropriations and authorized contracts, by States.

| State. | Appropriations. | Contracts authorized. | Total. |
|----------------|-----------------|-----------------------|----------------|
| Maine | \$206,000.00 | \$1,616,000.00 | \$1,822,000.00 |
| New Hampshire | 25,000.00 | 25,000.00 | 50,000.00 |
| Vermont | 15,000.00 | 15,000.00 | 30,000.00 |
| Massachusetts | 359,000.00 | 1,215,000.00 | 1,574,000.00 |
| Rhode Island | 114,300.00 | 732,000.00 | 846,300.00 |
| Connecticut | 267,000.00 | 267,000.00 | 534,000.00 |
| New York | 611,000.00 | 3,895,558.00 | 4,506,558.00 |
| New Jersey | 193,680.00 | 193,680.00 | 387,360.00 |
| Pennsylvania | 37,500.00 | 1,269,500.00 | 1,307,000.00 |
| Delaware | 109,180.00 | 4,890,846.00 | 5,000,026.00 |
| Maryland | 494,800.00 | 494,800.00 | 989,600.00 |
| Virginia | 334,000.00 | 334,000.00 | 668,000.00 |
| West Virginia | 7,500.00 | 1,230,000.00 | 1,237,500.00 |
| Kentucky | 96,000.00 | 1,399,000.00 | 1,495,000.00 |
| North Carolina | 241,000.00 | 241,000.00 | 482,000.00 |
| South Carolina | 79,500.00 | 2,016,250.00 | 2,095,750.00 |
| Georgia | 91,000.00 | 3,355,000.00 | 3,446,000.00 |
| Florida | 567,000.00 | 567,000.00 | 1,134,000.00 |
| Alabama | 110,000.00 | 110,000.00 | 220,000.00 |
| Mississippi | 119,400.00 | 860,000.00 | 979,400.00 |
| Louisiana | 249,000.00 | 1,193,250.00 | 1,442,250.00 |
| Texas | 147,000.00 | 1,125,000.00 | 1,272,000.00 |
| Arkansas | 153,000.00 | 153,000.00 | 306,000.00 |
| Tennessee | 87,000.00 | 87,000.00 | 174,000.00 |
| Ohio | 356,000.00 | 1,354,000.00 | 1,710,000.00 |
| Indiana | 82,500.00 | 82,500.00 | 165,000.00 |
| Illinois | 193,000.00 | 6,455,960.00 | 6,648,960.00 |
| Michigan | 522,150.00 | 1,115,000.00 | 1,637,150.00 |
| Wisconsin | 324,440.00 | 188,737.91 | 513,177.91 |
| Minnesota | 157,000.00 | 157,000.00 | 314,000.00 |
| Missouri | 55,000.00 | 55,000.00 | 110,000.00 |

Appropriations and authorized contracts, by States—Continued.

| State. | Appropriations. | Contracts authorized. | Total. |
|--|-----------------|-----------------------|----------------|
| California..... | \$401,750.00 | \$4,028,000.00 | \$4,429,750.00 |
| Oregon..... | 205,390.00 | 2,025,000.00 | 2,230,390.00 |
| Washington..... | 308,000.00 | | 308,000.00 |
| Idaho..... | 30,000.00 | | 30,000.00 |
| Montana..... | 35,000.00 | | 35,000.00 |
| Alaska..... | 5,000.00 | | 5,000.00 |
| IN TWO OR MORE STATES. | | | |
| Channel between Staten Island and New Jersey; New York and New Jersey..... | 13,000.00 | | 13,000.00 |
| Pawcatuck River (Rhode Island and Connecticut)..... | 15,000.00 | | 15,000.00 |
| Delaware River (Pennsylvania and New Jersey)..... | 500,000.00 | | 500,000.00 |
| Waterway, Chincoteague Bay, Virginia, to Delaware Bay, Delaware..... | 25,000.00 | | 25,000.00 |
| Nanticoke River (Maryland and Delaware)..... | 3,000.00 | | 3,000.00 |
| Potomac River..... | 100,000.00 | | 100,000.00 |
| Chattahoochee River (Georgia and Alabama)..... | 25,000.00 | | 25,000.00 |
| Coosa River (Georgia and Alabama)..... | 100,000.00 | | 100,000.00 |
| Choctawhatchee River (Florida and Alabama)..... | 5,000.00 | | 5,000.00 |
| Warrior and Tombigbee rivers (Alabama and Mississippi)..... | 204,000.00 | | 204,000.00 |
| Bayou Bartholomew (Louisiana and Arkansas)..... | 4,000.00 | | 4,000.00 |
| Tensas River and Bayou Macon (Louisiana and Arkansas)..... | 5,000.00 | | 5,000.00 |
| Arkansas River (Arkansas and Indian Territory)..... | 100,000.00 | | 100,000.00 |
| Black River (Arkansas and Missouri)..... | 8,000.00 | | 8,000.00 |
| Ouachita and Black rivers (Louisiana and Arkansas)..... | 70,000.00 | | 70,000.00 |
| Current River (Arkansas and Missouri)..... | 2,000.00 | | 2,000.00 |
| Cumberland River, below Nashville, Tenn..... | 80,000.00 | | 80,000.00 |
| Tennessee River, below Chattanooga..... | 50,000.00 | | 50,000.00 |
| Tennessee River, above Chattanooga..... | 15,000.00 | | 15,000.00 |
| Wabash River (Indiana and Illinois; above and below Vincennes)..... | 21,000.00 | | 21,000.00 |
| Ohio River..... | 250,000.00 | | 250,000.00 |
| Menominee River (Wisconsin and Michigan)..... | 15,000.00 | | 15,000.00 |
| St. Croix River (Wisconsin and Minnesota)..... | 15,000.00 | | 15,000.00 |
| Mississippi River, between St. Paul and Minneapolis..... | 100,000.00 | | 100,000.00 |
| Red and Atchafalaya rivers..... | 40,000.00 | | 40,000.00 |
| Missouri River, between Stubbs Ferry and Sioux City..... | 220,000.00 | | 220,000.00 |
| Upper Missouri River (snagging)..... | 50,000.00 | | 50,000.00 |
| Upper Columbia and Snake rivers..... | 5,000.00 | | 5,000.00 |
| Columbia River at Three Mile Rapids..... | 150,000.00 | | 150,000.00 |
| Lower Willamette and Columbia rivers..... | 100,000.00 | | 100,000.00 |
| Columbia River at Cascades, Oreg..... | 50,000.00 | | 50,000.00 |
| Gauging waters of Columbia River..... | 1,000.00 | | 1,000.00 |
| Columbia River, between Willamette River and Vancouver..... | 67,000.00 | | 67,000.00 |
| Examinations, surveys, and contingencies of rivers and harbors..... | 200,000.00 | | 200,000.00 |
| Cumberland River (Kentucky and Tennessee)..... | 20,000.00 | | 20,000.00 |
| Harbor at Duluth, Minn., and Superior, Wis..... | | 3,130,553.00 | 3,130,553.00 |
| Cumberland River, above Nashville..... | | 600,000.00 | 600,000.00 |
| Falls of the Ohio River and Indiana Chute Falls..... | | 527,250.00 | 527,250.00 |
| Ohio River (dams Nos. 2, 3, 4, and 5)..... | | 2,020,000.00 | 2,020,000.00 |
| Mississippi River, between St. Paul and Missouri River..... | | 2,880,002.98 | 2,880,002.98 |
| Mississippi River, between Missouri River and Ohio River..... | | 2,619,999.99 | 2,619,999.99 |
| Mississippi River, between Head of Passes and Ohio River..... | | 8,999,999.00 | 8,999,999.00 |
| Missouri River, between mouth and Sioux City..... | | 1,200,000.00 | 1,200,000.00 |
| Willamette River, Portland to Eugene and Yamhill River, Oreg..... | | 200,000.00 | 200,000.00 |
| Total..... | 10,017,050.00 | 62,141,906.88 | 72,158,956.88 |

THE COMMITTEE'S SHARE.

Mr. Speaker, a cursory examination of this exhibit furnishes the explanation of the extraordinary activity witnessed in its behalf. The "pork," as it is facetiously termed, is judiciously distributed. There are, however, manifest inequalities apparent in this table, and in the one which I shall submit a moment later; still the distribution is so widespread that the nearly three-fourths vote which the bill received in its favor, rather than a two-thirds vote, should not occasion comment. The appropriations and contracts for some of the States, as shown by the table, will furnish revenue sufficient to maintain a large part of their population.

Mr. Speaker, I now pass from an analysis of the bill by States

to a review of the appropriations made to States represented on the House River and Harbor Committee, and to States touching States directly represented on that committee. The committee consists of 17 members, and the States of New York, Oregon, Michigan, Pennsylvania, Wisconsin, Ohio, Massachusetts, Illinois, Minnesota, West Virginia, Missouri, Virginia, Mississippi, Georgia, Alabama, Arkansas, and Kentucky were directly represented thereon. The members of the committee repel the intimation that the bill is improvident. It may be well, however, to suggest that possibly their judgment is unconsciously influenced by the fact that the appropriations and authorized contracts wholly within their States aggregate \$31,094,135.91, or nearly one-half the entire bill. Those liabilities, including the indefinite appropriation for the Monongahela Navigation Company, are: New York, \$4,506,558; Oregon, \$2,230,390; Michigan, \$1,637,150; Pennsylvania, \$4,307,000; Wisconsin, \$512,177.91; Ohio, \$1,710,000; Massachusetts, \$1,574,000; Illinois, \$3,648,960; Minnesota, \$157,000; West Virginia, \$1,237,500; Missouri, \$55,000; Virginia, \$334,000; Mississippi, \$979,400; Georgia, \$3,446,000; Alabama, \$110,000; Arkansas, \$153,000, and Kentucky, \$1,495,000.

Moreover, if to these liabilities we add the \$25,176,819 for projects in "one or more States" contiguous to States represented on the committee, exclusive of the Ohio, Mississippi, and Missouri rivers, it is obvious that the States directly and indirectly represented on the committee are beneficiaries at the expense of the taxpayers of the country to the extent of \$56,270,954.91. In the presence of this exhibit comment upon the judgment of the committee becomes unnecessary, and an explanation is found for the enormous pressure exerted by members at the beginning of each Congress for assignment to service upon that committee.

UNWORTHY ITEMS.

The Secretary of War, in response to my inquiry, submits a statement of the Chief of Engineers, citing works reported by that office as unworthy of improvement or in other respects not desirable objects of expenditures, as follows:

| | |
|---|-------------|
| Great Salt Pond..... | \$40,000 |
| Cape Vincent Harbor..... | 25,000 |
| Yaquina Bay..... | 1,025,000 |
| Rancocas River, Lumberton branch..... | 2,000 |
| Nandua Creek..... | 3,000 |
| Yellowstone River..... | 10,000 |
| Nestucca River..... | 6,000 |
| Yamhill River ¹ | 150,000 |
| Puget Sound and tributary waters ² | |
| Cooper Creek, repairing dikes ³ | 2,500 |
| Delaware River, repairing dikes ³ | 3,000 |
| Goodyear, Outer Brunswick Bar ⁴ | 150,000 |
| Rock Hall Inner Harbor..... | 7,000 |
| Wolf Lake, Indiana..... | 8,000 |
| Cape Charles..... | 10,000 |
| Lemon Creek..... | 5,000 |
| Academy Creek..... | 7,000 |
| | \$1,453,500 |

Mr. Speaker, in referring to this class of appropriations, the Chief Engineer states, in further response to my inquiry, that "the total for items in the act for works which have been reported by the War Department as unworthy, and for items appearing to be of a personal nature, is about \$1,500,000, but in nearly all cases the reports and facts in relation to such items were before the committee when the items were acted on, and in their opinion the items are proper." It seems, therefore, that the Committee on Rivers and Harbors overruled the judgment of the War Department when they favorably reported this class of items to the House.

YAQUINA BAY.

Inasmuch as the committee have assumed this responsibility, I desire to invite especial attention to the largest item on the list, the appropriation for Yaquina Bay, Oregon, inserted by the House committee. I have been unable to locate this bay on the regular map of the United States. But it appears from an examination of the engineer reports that the Government expended upon the improvement of the entrance to this bay, up to and including the appropriation of August 17, 1894, the sum of \$676,093.34. This expenditure has resulted in deepening the channel from 7 and 8 feet, at the beginning of the work, to 12 and 15 feet at this time. The Chief of Engineers, in his annual report for 1895, asked for \$25,000, which he said would complete the then existing project. Gen. T. L. Casey, then the Chief of Engineers, in a report dated January 18, 1895, stated:

It is the opinion of Captain Symons and of Col. G. H. Mendell, Corps of Engineers, the division engineer, that this locality is not worthy of further improvement by the General Government, and in this opinion I concur.

But notwithstanding the adverse report of this distinguished engineer officer, a board was created by the sundry civil act of March 2, 1895, to consider further improvements of Yaquina Bay. This board, as I am advised, made no recommendation of the project, but, as required by the act, simply reported the estimated

¹ Locks and dams.

² Some of them reported not worthy, but others desirable.

³ Personal.

⁴ Excess to be paid Goodyear over what Captain Carter says he can do it for.

cost; and it is to carry out this new scheme that \$1,025,000 of liabilities is now incurred.

Commercial statistics show that for the year ending June 30, 1893, the total exports and imports at that point amounted to only 24,482 tons, valued at \$964,408. There were five small steamers on the river and bay at that time, and the total number of passengers arriving and departing for the year ending June 30, 1893, was only 955. Two years later, or for the fiscal year ending June 30, 1895, the total exports and imports were 31,873 tons, valued at \$712,652, while the number of steamers on the river and bay were but four small craft, and the number of passengers arriving and departing by sea for that year were 851. That is to say, it appears from this statement that, despite the money spent by the Government at that point, the value of the exports and imports decreased in the interval between 1893 and 1895 by \$251,756, while there was also a falling off of 104 passengers arriving and departing during the same period, and one less boat operating on the bay and the river. These statistics show the commerce of the place to be inconsiderable. Indeed, the estimates given by the local engineer are furnished by interested parties, and hence are probably greatly magnified.

Mr. Speaker, this large appropriation is notoriously unworthy. I unhesitatingly challenge its propriety. It can serve no public purpose, and if debate had been permitted upon the reconsideration of the bill my intention was to challenge the attention of the House and the country to it. This exhibit also discloses two small items of appropriation for work to be done in repairing dikes which I am advised should be done at the expense of the lessees of public property, who are obligated by existing leases to keep them in good condition at their own expense.

NOT RECOMMENDED.

I come now, Mr. Speaker, to submit a list of appropriations carried in the bill which were made without the customary preliminary examination, no opinion having been expressed by the War Department as to the worthiness of the proposed improvements in their relation to the interests of commerce. It should be said, however, as to many of these items, that the reports of surveys as made by local officers may be accepted as recommendations. The list submitted by the Chief of Engineers is as follows:

| | | |
|--|-------|---------------|
| Rockland Harbor, Maine | ..... | \$403,500 |
| Portland Harbor, Maine | ..... | 766,250 |
| New Bedford Harbor, Massachusetts | ..... | 10,000 |
| Block Island Harbor, Rhode Island | ..... | 5,000 |
| Bridgeport Harbor, Connecticut | ..... | 28,000 |
| Cos Cob Harbor and Miamus River, Connecticut | ..... | 8,000 |
| Newtown Creek, New York | ..... | 322,000 |
| Oswego Harbor, New York | ..... | 60,000 |
| Raritan Bay, New Jersey | ..... | 75,000 |
| Wilmington Harbor and Christiana River, Delaware | ..... | 225,846 |
| Baltimore Harbor, Maryland | ..... | 400,000 |
| Savannah Harbor, Georgia | ..... | 1,005,000 |
| Brunswick Harbor, Georgia | ..... | 15,000 |
| Ashtabula Harbor, Ohio | ..... | 50,000 |
| Cleveland Harbor, Ohio | ..... | 860,000 |
| Fairport Harbor, Ohio | ..... | 30,000 |
| Conneaut Harbor, Ohio | ..... | 40,000 |
| Calumet Harbor, Illinois | ..... | 75,000 |
| Presque Ile, Michigan | ..... | 20,000 |
| South Milwaukee Harbor, Wisconsin | ..... | 5,000 |
| Grays Harbor and Bar, Oregon | ..... | 1,000,000 |
| Sasanoa River, Maine | ..... | 19,000 |
| Merrimac River, Massachusetts | ..... | 5,000 |
| Pawcatuck River, Rhode Island | ..... | 15,000 |
| Providence River and Narragansett Bay, Rhode Island | ..... | 25,000 |
| Manokin River, Maryland | ..... | 4,000 |
| Pocomoke River, Maryland | ..... | 5,000 |
| Nandua Creek, Virginia | ..... | 3,000 |
| Manatee River, Florida | ..... | 4,000 |
| St. Johns River, Florida | ..... | 200,000 |
| Bayou Courtableau, Louisiana | ..... | 2,500 |
| Fox River, Wisconsin | ..... | 37,500 |
| Menominee River, Michigan | ..... | 15,000 |
| St. Croix River, Wisconsin | ..... | 15,000 |
| Calumet River, Illinois | ..... | 50,000 |
| Chicago River, Illinois | ..... | 700,000 |
| Mississippi River above St. Paul | ..... | 100,000 |
| Missouri River at Great Falls | ..... | 15,000 |
| Sacramento and Feather rivers, California | ..... | 250,000 |
| Lakes Union and Washington, Washington | ..... | 150,000 |
| Indian River, Negro Cut, Florida | ..... | 7,500 |
| Brunswick Outer Bar (Goodyear) (first \$30,000 not included) | ..... | 215,000 |
| Yellow Mill Pond | ..... | 10,000 |
| Santa Monica or San Pedro board | ..... | 50,000 |
| Brazos board | ..... | 5,000 |
| Santa Monica and San Pedro work | ..... | (?) 2,900,000 |
| Jamestown Island, Virginia | ..... | 15,000 |
| Levee Flint Creek to Iowa River | ..... | 75,000 |
| Missouri River (special localities) | ..... | 310,000 |
| Presque Isle (Lake Superior) | ..... | 20,000 |
| | | 10,696,096 |

Now, Mr. Speaker, section 13 of the act of August 17, 1894, provides:

That no preliminary examination, survey, project, or estimate for new works other than those designated in this act shall be made; and provided further, that after the regular or formal report on any examination, survey, project, or work under way, or proposed, is submitted, no supplemental or additional report or estimate for the same fiscal year shall be made unless ordered by a resolution of Congress.

The Chief of Engineers says, in transmitting this list, that the law above quoted prohibits the presentation of recommendations, plans, or estimates unless called for by joint resolution of Congress. Nevertheless, during the present session a large number of such joint resolutions have been passed, and many plans and estimates have been presented in conformity with such resolutions. He also states that—

It will be noted that while in some cases the local officer may give facts upon which an opinion can be formed as to merit of improvement the Secretary of War in transmitting the reports expresses no opinion. The majority of works in the ten-and-a-half millions list have been reported on in accordance with special resolutions calling for plans and estimates for either new or extended projects.

He further states, in another communication, that—

It seems necessary to say in this connection that nearly one-third of this sum of ten and a half millions is in a single item, which may be expended at a point that has never been officially recommended to Congress.

This single item is the project for a deep-water harbor for commerce either at Santa Monica Bay, California, or at San Pedro. It is hardly necessary to comment upon this scheme, as its purpose and its promoter are both familiar to the country. I may say, however, that I believe the policy of appropriating for projects not recommended by the War Department is wholly vicious and indefensible. I desire to emphasize this suggestion by the following extract from a Washington dispatch to the Philadelphia Inquirer of June 5, which is self-explanatory:

Philadelphians will be surprised to learn that they have really secured much more than they sought. The river and harbor bill as it came from the President and was passed over his veto has not been printed, but the Inquirer correspondent saw proof sheets of the bill to-day. He found therein an amendment to the Philadelphia Harbor item that has not yet been published. On inquiry he found that Senator QUAY had quietly secured the insertion of this amendment by the conference committee, and, with his usual modesty, had never mentioned it to the newspaper men.

The Quay amendment provides for a survey of the Delaware River, with a view to making a channel 600 feet wide by 30 feet deep, extending from a point at or near Philadelphia to the deep water at Delaware Bay. Of course the survey is merely preliminary, but if the report of the engineers of the War Department who will make this survey is favorable there is little doubt that a future Congress will make an appropriation sufficient to make this splendid improvement.

This dispatch shows that by the courtesy of the conference committee another scheme laying the foundation for a large expenditure has found a place in the bill.

Mr. Speaker, it is impracticable for me, as I stated at the outset, to note all the objectionable features that are carried in this bill. I have no expert knowledge in connection with the measure, and could not, without great labor, pursue this inquiry further. I note, however, that the bill recognizes as worthy of Government aid such great navigable streams as Otter Creek, East Chester Creek, Goshen Creek, Cooper Creek, Acquia Creek, Occoquan Creek, Lower Machodoc Creek, and Nandua Creek. It may be that these creeks are worthy of recognition. I do not assert to the contrary, because I have no information upon the question. There are also, as I am advised, appropriations for other streams, some of which never float any steamers and others but rarely, their sole commerce being limited to the business of rafting logs. I am informed that Elk River, Guyandotte River, and Gauley River, West Virginia, and Levisa Fork and Tug Fork of the Big Sandy River, Kentucky, belong to this class. It might therefore be aptly remarked that even in its smallest features this is a "log-rolling" bill.

CAPE CHARLES HARBOR.

I will now refer to perhaps the most objectionable appropriation other than those mentioned by the Chief of Engineers as unworthy of improvement. I refer to the appropriation for Cape Charles Harbor. This is an artificial basin at the southern terminus of the New York, Philadelphia and Norfolk Railroad. Prior to the construction of the railroad, some ten or twelve years since, it was a shallow pond on the farm of the late William L. Scott. The railroad company deepened the pond and connected it with the waters of Chesapeake Bay by a narrow channel. The basin was used to accommodate the barges of the railroad which connected it with Norfolk City. The Fifty-first Congress appropriated \$25,000 for the improvement of this private harbor, all of which, with the exception of a small balance, has been expended. When the item was considered by the River and Harbor Committee of the Fifty-second Congress, the fact was brought for the first time to the attention of that committee that this harbor was a private harbor; and it was therefore provided in the river and harbor bill of July 13, 1893, that, before any part of the \$10,000 then appropriated should be available, the owners of the basin should execute an instrument in writing satisfactory to the Secretary of War, giving to any and all vessels, upon any and all occasions, for all time to come, the right to enter and remain in said harbor and transact business therein without charge, except legitimate, usual, and reasonable wharf charges, to be determined by the Secretary of War in the event of disagreement. It was also provided that the company should dedicate a public road to the wharves of said harbor.

These requirements have not been complied with by the harbor's

owners—now the heirs of the late William L. Scott and the railroad company—Mr. Scott having, before his death, conveyed one-half of the harbor to the railroad. And the present bill even contains a proviso, inserted by the House committee, repealing the conditions imposed by the act of July 13, 1892, requiring the dedication of a public road and the opening of the harbor to all vessels. This House proviso was very properly stricken out by the Senate Committee on Commerce, but was finally allowed to retain its place in the bill, notwithstanding the sound objections of the Senate thereto.

It is hardly necessary, Mr. Speaker, to comment upon this appropriation. It is the appropriation of public money to improve a private harbor. It is, therefore, indefensible, and I commend the Senate committee for their action in disapproving it.

It may be pertinent in this connection to submit a few comments of the leading newspapers of the country in respect to this bill. I accordingly append to my remarks a very few, which may be taken as fairly indicative of the almost unanimous views of the press in condemnation of this measure.

CONCLUSION.

I only desire to add that, so far as I am able to ascertain, a considerable number of the appropriations and contracts authorized by the river and harbor bill are for worthy objects. I do not deny this proposition. Neither do I desire to be understood as imputing improper motives to the membership of either committee connected with the preparation of the bill, or to any gentleman who has given the measure his support. But I do most earnestly protest against items classed as unworthy by the Chief of Engineers, and also against the policy which enters upon large expenditures for internal improvements without approval in the usual way by the Secretary of War and the Chief of Engineers. I object further to the abuse of the continuing-contract system, which is imposing large obligations upon the revenues of both the present and the future at a time when the Government's current expenses exceed its current income.

The policy of continuing river and harbor contracts was inaugurated by the Fifty-first Congress in 1890, with a liability of but \$13,282,979. In 1892 additional contracts of this kind were authorized amounting to \$31,760,521, and in the present bill they are increased to \$62,141,906.88. At this rate of increase the outstanding obligations of the Government on this account, which are just as sacred as other obligations, will, in the next bill, probably reach \$100,000,000. Indeed, in the debate upon the measure when it was first considered by the House, the gentleman from Oregon [Mr. HERMANN], a leading member of the River and Harbor Committee, insisted that this bill ought to have carried \$100,000,000 of authorized contracts! In view, therefore, of inadequate revenues and the prostrate condition of business, this bill becomes a wanton, inexcusable, and indefensible assault upon the people's Treasury. It authorizes the largest expenditure of public money ever carried by a single river and harbor bill since the adoption of the Constitution.

REPUBLICANS INDORSE BOND ISSUES.

Mr. Speaker, I desire to say, in conclusion, that some time since I charged the Republican party on this floor with being a do-nothing party. I arraigned the do-nothing policy, announced by the distinguished Speaker of the House, and by his almost equally eminent colleague [Mr. DINGLEY]. The arraignment is subject, however, to limitation as to appropriations of public money. In this respect the Republican party has actively pursued the policy of squandering the borrowed Treasury surplus. In "the good time coming," to which the gentleman from Illinois [Mr. CANNON] referred—if it shall come—I know you will "legislate," and I know we shall have another McKinley bill, twice over. [Loud applause on the Republican side.] I am glad you applaud that idea, but I doubt whether the country will do so. It will be necessary to enact about two McKinley bills to pay the mortgages you are imposing upon the Treasury of the United States, to say nothing of the manufacturers, who, it is alleged by the Republican Senator from New Hampshire [Mr. CHANDLER], are to be reimbursed for contributions made in the interest of the Presidential candidacy of a distinguished citizen of Ohio.

Mr. GROUT. And we shall want another such bill to pay the Cleveland bonds.

Mr. DOCKERY. Oh, Mr. Speaker, it does not lie in the mouth of the gentleman from Vermont to make that suggestion. I could make that suggestive criticism, and make it consistently. But the gentleman belongs to the Republican party, which, in December last, in this House, indorsed the policy of bond issues, and endeavored to give the Administration "additional" authority under the resumption act. Therefore, I say it does not lie in his mouth to arraign the Democratic Administration.

Mr. GROUT. I did not indorse the policy which made the issue of bonds necessary.

Mr. SAYERS. The gentleman on the other side introduced a bill appropriating \$100,000,000 for coast defenses; and he almost

rent his garments because the Appropriations Committee would not agree to it.

Mr. GROUT. That was to give the gentleman something to talk about.

Mr. DOCKERY. I was for a time at a loss to understand the applause of the gentleman from Vermont when I said the Republican party would be obliged to enact two McKinley bills. I understand it now, because two such bills will be needed to pay the enormous liabilities which the gentleman and the Republican party contemplate by bills such as that to which the gentleman from Texas refers.

Mr. Speaker, whatever I may say as a Democrat against the policy of bond issues—and I do not favor it, I never have favored it, and I do not expect ever to favor it—still it does not become the Republican party, after having indorsed the action of the President under the resumption act, and having sought to give him "additional" authority to issue three per cent bonds—it does not become them to arraign the President for his action in that regard.

And let me say another thing. If you [addressing the Republican side of the House] do not indorse the policy of bond issues, tell me why it is that the distinguished chairman of the Committee on Ways and Means, after having reported adversely the bill recently passed by the Senate prohibiting the issue of bonds without Congressional authority, has made no effort (although it is a privileged question) to call up that bill? [Applause on the Democratic side.]

Let the gentleman from Maine [Mr. DINGLEY] answer to the American people. Why has he not called up the bill to prohibit the further issue of bonds without the consent of the legislative branch of the Government, if he and his party are opposed to the policy of the President?

Mr. MAGUIRE. Why does he not do it now? We have plenty of time; and there is a quorum here.

Mr. DOCKERY. Certainly. As my friend from California suggests, and as gentlemen suggest all around me, why not call up that bill before this Congress adjourns?

Mr. PITNEY. Will the Democrats vote for it?

Mr. DOCKERY. Every Democrat on this floor will remain here to-morrow—

Mr. PITNEY. Will you vote for it or against it?

Mr. DOCKERY. For it, of course.

Mr. PITNEY. And stop the issue of bonds?

Mr. DOCKERY. Certainly, without the consent of the law-making power. I believe that every Democrat, whether he favors the bill or not, will remain here to-morrow and assist in making a quorum, if you will consent to call up the bill for consideration.

Again I challenge the gentleman from Maine, the able Republican leader on this floor, to tell the people why no effort has been made to pass the bill. Did you say lack of time? You have had a surplus of time in the closing days of this session, and you have employed it in reducing the Democratic minority on this floor, which at the outset numbered but 104. You have reduced this meager minority by unseating 11 Representatives. With but limited debate in some cases, and in others by the aid of grossly partisan decisions by temporary occupants of the chair, the people of those districts have been deprived of their chosen Representatives, and yet you will go before the people and say you had not the time in which to call up and consider important matters of legislation affecting millions of people in this country! [Applause.] Why, Mr. Speaker, only yesterday the ironclad provisions of the Tucker rule were invoked to secure a quorum to unseat that distinguished and intrepid young Democrat from Alabama [Mr. Underwood].

Mr. GROUT. Because he was not elected.

Mr. DOCKERY. And only a few days ago a temporary occupant of the chair violated, as it is alleged, the Constitution, the rules of the House, and a long line of precedents, to accomplish the splendid feat of unseating two Democratic Representatives in a single day.

Mr. MAHON. And you unseated JOY in forty minutes.

Mr. DOCKERY. There can therefore be no excuse for lack of time; no excuse for the lack of a quorum, since you have so large a majority that you can easily maintain a quorum if you so desire. Tell the people, if you will, why you evade this responsibility. The facts are, as I stated on a former occasion—and the country knows it—that you did not intend to attempt any economic or financial legislation at this session of Congress, but were coerced by the menacing business situation to present the Dingley tariff and bond bills, which were disapproved by a Republican-Populist Senate. You sought to postpone the disclosure of your own differences until after the November election. That was the policy of the Speaker, declared at the beginning of the session, and you approved it, as also the action of the President in respect to bond issues. Indeed, so emphatic is your approval that you refuse to call up for consideration the Senate bill forbidding the further increase of the bonded debt without the consent of Congress. [Applause.]

COMMENTS OF THE PRESS ON RIVER AND HARBOR BILL.

[From the Chicago Times-Herald.]

RIVER AND HARBOR BILL VETOED.

President Cleveland has returned without his approval the river and harbor bill adding \$80,000,000 to projected Government expenditure.

The President declares that many of the objects for which the bill appropriates public money are not related to the public welfare, that many others are for the benefit of limited localities or in aid of individual interests. The veto is made the more necessary, in the judgment of the President, by the fact that the public Treasury is likely to be confronted with other appropriations at the present session of Congress amounting to more than \$500,000,000.

The President delivers a hot shot on Congress by pointing out that the contracts provided for in the bill would create obligations of the United States amounting to \$82,000,000, no less binding than United States bonds for that sum, "at a time when the issue of bonds to maintain the credit and financial standing of the country is a subject of criticism."

While many of the items in the river and harbor bill are justified by public necessity, the bill is beyond defense as a whole. The Congress that has passed it has been impotent for beneficent legislation and potent only for agitation and extravagance. The receipts of the Government from all sources for nine months ending March, 1896, were \$250,600,840.05. The expenditures for the same period were \$269,360,542.26. With no help from Congress the gap between the Treasury outgo and income constantly widens.

[From the St. Louis Post-Dispatch.]

A PROPER VETO.

President Cleveland has vetoed the river and harbor bill. This is a veto which should meet with public commendation.

The river and harbor bill for years past has been a communism of pelf. One section has traded with all others, until these measures, instead of representing a legitimate public demand for necessary improvements, have come to be recognized as great pooling operations for the division of spoil.

The appropriations have been continually growing in size. The Fiftieth Congress appropriated \$22,397,000, the Fifty-first \$25,136,000. The bill which the President has just vetoed appropriates \$76,773,610, and \$64,211,760 of this is to be expended in "continuous-contract work," to be continued indefinitely and at increasing public expense. It is to this feature of the bill, more glaring in this bill than in any previous measure of the kind, that the President most strongly objects.

The veto should not be overridden, but there is no assurance that it will not be. The representatives of every section will insist upon having their share of the swag. Such bills become stronger the more objectionable features they contain.

[From the Kansas City Times.]

RIVERS AND HARBORS STEAL.

No man who is informed as to the inside facts can help acknowledging the justice and honesty of President Cleveland's veto of the rivers and harbors bill. While this section is deeply, vitally, interested in the matter, we are bound to admit that the few meritorious features of the bill have been for years covered over, hidden, and overshadowed by a stupendous superstructure of fraudulent and unworthy schemes.

The custom has grown up of allowing almost every Congressman a slice out of the Treasury to help him in his district, and the way it is done is to make an appropriation for his district—that is, if it can boast a brook or stream big enough to float a chip in a high dew—and put it in the rivers and harbors bill.

[From the St. Louis Globe-Democrat.]

The river and harbor bill, which authorizes contracts amounting to over \$82,000,000, and which has been passed over the veto, is a pretty bad measure, as a whole, though, of course, it has some good provisions. River and harbor bills have caused more trouble to Congresses and Presidents than any three of the other regular money bills of the Government. Many of them have encountered the veto, and a few of them, like the present one, have secured enough votes to override that barrier. The experience with river and harbor bills shows the desirability of giving the President the power which some governors have to veto provisions in appropriation bills without affecting the other items in the measures.

[From the Kansas City Star.]

A COMMENDABLE VETO.

In vetoing the river and harbor bill President Cleveland performed a plain constitutional and patriotic duty. For this act, involving courage and intelligence, he probably deserves no special praise, for the consciousness of obligations fulfilled is ample recompense to a faithful public servant. But neither does he merit censure for the performance of an obvious duty, however much the consequence may disappoint this man interested or that section concerned. There will be plenty ready to blame, however, and the selfishness of personal interests will find pegs to hang objections on until the country is deluged with the plaints and complaints of log-rolling Congressmen and their friends, and disgusted with the sordidness of modern statesmanship.

[From the New York Herald.]

A VETO DESERVING OF ALL PRAISE.

For vetoing the river and harbor appropriation bill the President deserves the thanks of the country, not only for the act itself, but for the manner of doing it.

This bill is always the favorite picklock by which selfish and unscrupulous legislators get at the public funds for the benefit of themselves through their constituents. It has been a growing abuse, the bill just vetoed having involved an expenditure of about \$80,000,000.

[From the Chicago Tribune.]

RIVER AND HARBOR BILL VETOED.

President Cleveland has vetoed the river and harbor bill because of its alleged extravagance. The immediate expenditure contemplated by this bill is, he says, nearly fourteen millions, while another bill appropriates over three millions for similar purposes. The one he vetoes also authorizes continuing contracts amounting to more than sixty-two millions.

There seems to be no doubt that the bill will be passed over his veto by both Houses. The heavier the amount a river and harbor bill carries the easier it is generally to force it through, regardless of the condition of the Treasury and the total lack of merit of half the items.

[From the New York World.]

THE RIVER AND HARBOR VETO.

It will be much easier for Congress to pass the river and harbor bill over the President's veto than it will be to controvert any one of the many good reasons he gave for the veto in yesterday's message.

The amount of money appropriated by the bill is unprecedented, and in addition to the expenditures it directly sanctions it provides for surveys and expenditures which contemplate new work and further contracts. It provides for continuing work on improvements where costly work in the past has proved a failure. It includes objects which are not related to the public welfare, and of which many are palpably for the benefit of limited localities or in aid of individual interests. It also includes work not approved by the examining engineers, and even work which private parties have agreed to do in consideration of their occupancy of public property.

[From the Chicago Record.]

Congress is especially to be criticised for extravagance in appropriations at a time when the Government revenues are small. Attention is called to this point by the President. It looks very much as if the way was being prepared by Congress and an excuse devised for the enactment of another high-tariff law as soon as there shall be a change of Administration.

It has been expected, even in Congress, that the President would veto this bill just as he has done. In anticipation of such action adjournment was delayed long enough to give an opportunity to pass the measure over the veto. The objections of the President are to be overridden, not because they are ill-taken, but simply because there may be votes enough to do so. This will be a sorry spectacle if the programme is carried out. The Presidential veto will receive the sanction of calm-minded men generally.

[From the Baltimore Sun.]

VETO OF THE RIVER AND HARBOR BILL.

The President gives some cogent reasons for his veto of the river and harbor bill. The amount appropriated for almost immediate expenditure is about \$17,000,000, and in addition contracts are authorized for \$62,000,000. The latter sum, as is aptly pointed out, would be as binding upon the Government as an issue of bonds, and the President shows that at this time of business depression and resulting disappointment in Government revenue, extravagant appropriations are altogether out of the question. "Individual economy and careful expenditure are sterling virtues," says the President. "Economy and the exaction of clear justification for the appropriation of public moneys by the servants of the people are not only virtues, but solemn obligations." Leaving out the appropriation for rivers and harbors, the present Congress has already authorized expenditures amounting to more than \$500,000,000, and has shown a reckless disregard of existing conditions.

[From the St. Louis Republic.]

OVER THE VETO.

Many millions of dollars of the taxpayers' money are squandered in personal and political jobs by the passage over Mr. Cleveland's veto of the bill that was hatched in REED'S Committee on Rivers and Harbors.

Collis P. Huntington's Santa Monica job, instead of being killed outright, as it ought to have been, by the advice of all engineers who have examined the harbors of Santa Monica and San Pedro, is hung up subject to the report of a commission to be appointed hereafter.

[From the Washington Post.]

THE RIVER AND HARBOR BILL.

We think that the judgment and the conscience of the country will sustain the President in his veto of the river and harbor bill. In a few terse and pregnant sentences he has drawn a vivid picture of the extravagant wastefulness contemplated by that measure, and has shown that not only is the Treasury at this time unable to meet so vast an addition to its liabilities, but that a very considerable proportion of these proposed liabilities can be traced to favoritism, to deliberate prodigality, and to reckless improvidence.

Of course we regard it as a great pity that works of really serious national importance are to be curtailed and in some cases suspended altogether. We fully realize the harm that would be done to our domestic commerce by the neglect of such great highways as the Ohio and the Mississippi rivers, and of various harbors which require constant attention in order to preserve their usefulness as outlets of American trade. We regret very much that the President could not have ordained the continued prosecution of such enterprises and at the same time cut off the objectionable items which everybody knows are inserted for no public end, but simply for the promotion of private aspirations. This, unfortunately, he could not do, and so, as we believe rightly and wisely, he has condemned the whole measure rather than consent to what he regards as an iniquity. As we say, it seems to us Mr. Cleveland has done well. This river and harbor business has long been regarded with suspicion and discontent. In many respects it has become scandalous. Within the past twenty years millions and millions have been wasted upon unknown duck ponds, remote hog wallows, utterly useless and irreparable no-thoroughfares. Appropriations have been made for rivers not down upon any map, and in some cases unknown to the member for the district in which the river was supposed to be located. Everybody knows that the thing has become disreputable. Everybody knows that the legitimate works of the Government, such as we have referred to above, have been made the pretext upon which to draw untold millions from the Treasury for enterprises wholly illegitimate and notoriously futile. Men have kept themselves in Congress by virtue of their supposed success in securing these ridiculous appropriations. The public service and the public conscience have been debauched by these untoward practices.

Now the thing has attained proportions which the President can not bring himself to countenance. He has vetoed the bill, and, in our opinion, the intelligence and the patriotism of the country will sustain him.

[From the St. Louis Republic.]

NOT CLEVELAND'S VETO.

President Cleveland vetoed the river and harbor bill, but the real authors of the veto were the greedy jobbers who rushed in to get personal and political grabs out of a useful and necessary public measure.

It is disgraceful that the Government can not give money for the ease of commerce and navigation without giving \$5 to blackmailing schemes for every dollar legitimately expended.

[From the Chicago Times-Herald.]

The New York Evening Post says: "Only one President before Cleveland ever vetoed a river and harbor bill. On the 1st of August, 1882, Mr. Arthur

sent back with his objections a measure calling for an appropriation of \$18,743,875, because many of its provisions were entirely for the benefit of particular localities, and not for the promotion of commerce among the States. Congress made short work of the veto, the House re-passing the bill by a vote of 122 to 59 and the Senate by 41 to 16, although the Republicans were in control of Congress and the President was Republican.

As this is the second time a prominent newspaper has made this quite erroneous statement, it may be as well to correct it before it spreads any further. December 6, 1832, President Jackson vetoed a river and harbor bill on the ground

That there is a class of appropriations in the bill for the improvement of streams that are not navigable, that are not channels of commerce, and that do not pertain to the harbors or ports of entry designated by any law, or have any ascertained connection with the usual establishments for the security of commerce, external or internal.

June 11, 1844, President Tyler vetoed "An act making appropriations for the improvement of certain harbors and rivers."

August 3, 1846, President Polk vetoed a river and harbor bill, his reasons

being substantially the same as those of President Tyler, that such appropriations are unconstitutional.

December 30, 1854, President Pierce vetoed a river and harbor bill, going into the question of the constitutionality of the measure at great length, and holding that appropriations by the General Government should be confined to works necessary to the execution of its undoubted powers, and of leaving all others to individual enterprise or to the separate States.

President Buchanan also vetoed bills for the improvement of the St. Clair Flats and of the Mississippi River on constitutional grounds.

President Grant in August, 1876, signed a river and harbor bill, but sent to Congress a most extraordinary protest against it, in which he said:

"Many appropriations are made for works of purely private or local interest, in no sense national. I can not give my sanction to these, and will take care that during my term of office no public money shall be expended upon them. * * * Under no circumstances will I allow expenditures upon works not clearly national."

The veto by President Arthur, above mentioned, was the next in order, and was the only one that was overruled by Congress.

TABLE B.—Appropriations made by the Fifty-first, Fifty-second, and Fifty-third Congresses, and first session of the Fifty-fourth Congress, fiscal years 1891 to 1897, inclusive.

| Title. | Fifty-first Congress. | | Fifty-second Congress. | | Fifty-third Congress. | | Fifty-fourth Congress. |
|---|-----------------------|-----------------------|------------------------|-----------------------|---|----------------------|------------------------|
| | First session, 1891. | Second session, 1892. | First session, 1893. | Second session, 1894. | Extra and first regular sessions, 1895. | Third session, 1896. | First session, 1897. |
| Agriculture | \$1,799,100.00 | \$3,028,153.50 | \$3,232,995.50 | \$3,323,500.00 | \$3,223,623.06 | \$3,303,750.00 | \$3,255,532.00 |
| Army | 24,206,471.79 | 24,613,529.19 | 24,308,499.82 | 24,225,639.78 | 23,592,884.68 | 23,252,008.09 | 23,278,402.73 |
| Diplomatic and consular | 1,710,515.00 | 1,656,925.00 | 1,604,045.00 | 1,557,445.00 | 1,593,918.78 | 1,574,458.78 | 1,642,558.78 |
| District of Columbia | 5,769,544.15 | 5,597,125.17 | 5,317,978.27 | 5,413,223.91 | 5,545,678.57 | 5,745,443.25 | 5,905,082.43 |
| Fortifications | 4,232,935.00 | 3,774,803.00 | 2,734,276.00 | 2,210,055.00 | 2,427,000.00 | 1,904,957.50 | 7,397,888.00 |
| Indian | 7,262,016.02 | 16,386,284.86 | 7,664,047.84 | 7,854,240.38 | 10,659,595.16 | 8,702,751.24 | 77,390,496.79 |
| Legislative, etc | 21,050,752.75 | 22,027,674.75 | 21,900,132.97 | 21,895,802.81 | 21,305,583.29 | 21,891,718.08 | 21,518,834.71 |
| Military Academy | 435,296.11 | 402,064.64 | 428,917.33 | 432,556.12 | 406,535.08 | 404,261.06 | 449,525.61 |
| Navy | 24,196,035.53 | 31,541,654.78 | 29,543,385.00 | 22,104,061.38 | 25,327,126.72 | 29,416,245.31 | 30,562,739.95 |
| Pension, including deficiencies <i>a</i> | 123,779,368.35 | 164,550,383.94 | 154,411,682.00 | 180,681,074.85 | 151,581,570.00 | 141,381,570.00 | 141,828,580.00 |
| Post-Office | 72,226,698.99 | 77,907,222.61 | 80,331,276.73 | 84,004,314.22 | 87,236,599.55 | 89,545,997.86 | 92,571,564.22 |
| River and harbor | 25,136,295.00 | | 21,154,218.00 | | 11,643,180.00 | (<i>g</i>) | 12,621,800.00 |
| Sundry civil | 631,100,341.38 | 638,388,552.73 | 27,665,076.93 | 41,716,311.15 | 34,253,775.55 | 446,568,160.40 | 33,031,152.19 |
| Deficiencies, except for pensions | 13,295,541.61 | 9,304,148.62 | 6,230,359.50 | 8,127,361.51 | 11,811,004.06 | 9,825,374.82 | 15,326,503.05 |
| Total | 356,121,211.68 | 399,238,522.19 | 382,527,385.89 | 403,515,586.11 | 390,578,048.48 | 383,636,836.97 | 396,280,660.49 |
| Miscellaneous | 7,010,905.27 | 19,498,531.10 | 3,208,922.32 | 520,499.18 | 577,956.55 | 297,667.37 | 425,000.00 |
| Total regular annual appropriations | 353,132,116.95 | 418,737,053.29 | 385,736,308.71 | 404,036,085.29 | 391,156,005.03 | 383,934,564.34 | 396,705,660.49 |
| Permanent annual appropriations | e 131,324,131.70 | e 122,496,308.00 | e 121,893,890.00 | e 115,468,273.92 | e 101,074,680.00 | e 113,073,956.32 | e 119,054,160.00 |
| Total | 484,456,248.65 | 541,233,361.29 | 507,630,198.71 | 519,504,359.21 | 492,230,685.03 | 497,008,520.66 | 515,759,820.49 |
| Total Fifty-first, Fifty-second, and Fifty-third Congresses | 1,035,680,109.94 | | 1,027,104,547.92 | | 989,230,205.69 | | |

a Deficiencies included as follows: 1891, on account of 1890, \$25,321,907.25; 1892, on account of 1891, \$29,335,598.34; 1893, on account of 1892, \$7,674,932; 1894, on account of 1893, \$14,149,724.85.

b This amount includes \$1,382,059.16 actual expenditures under indefinite appropriations for pay and bounty claims.

c This amount includes \$978,188.74 actual expenditures under indefinite appropriations for pay and bounty claims.

d This amount includes \$15,227,000 for refund of direct taxes in addition to the specific sum of \$500,000 appropriated for that purpose.

e This is the amount originally submitted to Congress by the Secretary of the Treasury as estimated to be necessary under permanent specific and permanent indefinite appropriations, except that to the amount thus submitted for 1891, \$101,623,453, there are added expenditures under permanent appropriations made by the Fifty-first Congress subsequent to said estimate, as follows: Salaries diplomatic and consular service, \$27,756.79; redemption national-bank notes, \$23,553,298.50; expenses of Treasury notes, \$218,302.60; coinage of silver bullion, \$210,893.14; rebate tobacco tax, \$770,082.39; and repayments to importers and for debentures and drawbacks, customs service, \$4,915,235.23; in all, \$29,695,678.70.

f This sum is exclusive of \$1,660,000 for second installment on account of purchase of Cherokee Outlet, which has been paid under "permanent annual appropriations," but is not included in the estimates thereunder for 1897. A like sum was included in the Indian appropriation act passed at the last session of the last Congress.

g No river and harbor act was passed during the last session, but the sundry civil act of that session carried \$11,287,115 for river and harbor works under contract, while the sundry civil act of this session appropriates only \$3,284,597 for such works.

h This does not include \$3,000,000 estimated to be necessary under indefinite appropriation made in river and harbor act of this session to purchase property of Monongahela Navigation Company.

i This sum includes \$5,238,289.06 to pay sugar bounty under legislation enacted by the Fifty-first Congress.

j This sum includes \$1,496,679.56 for objects that are in no sense deficiencies; \$3,614,133.77 to pay judgments of the courts and audited accounts certified by the accounting officers for 1893 and prior fiscal years; in all, \$5,110,813.33.

k Estimated.

Mr. DINGLEY. Mr. Speaker, as I listened to the remarks of my friend the gentleman from Missouri [Mr. DOCKERY] in his assault on this Republican House and the Republican party, I was reminded of the quaint saying of Josh Billings, that "it is better to not know so many things, than it is to know so many things that ain't so." [Applause and laughter.]

I have been wondering for some time what the gentlemen who are standing up here to-day to defend the condition of things which we have had during the past three years under complete Democratic control would say on the stump in the coming campaign; and we have just been having some little anticipation of the lame defense they propose to make.

In November, 1892, there was a national election which decreed a revolution from the economic policy which had prevailed in this country for more than thirty years, and that the Democratic party should try its hand in running the Government. In that year, 1892, culminated this period of a protective policy of thirty years. This country was enjoying then such prosperity as even it, with all the prosperity that it had before, had never previously enjoyed. [Applause on the Republican side.] We found at that time every mill in operation, every spindle running in this country, every man, woman, and child that needed work obtaining it at good wages; we found prosperity everywhere. Although in revising the tariff in 1890 on the protective lines which had been maintained since 1861, we had reduced the revenues by removing the duty on sugar, surrendering some sixty millions of revenue

on an article as necessary to every family as flour, yet in the fiscal years 1891 and also in 1892 and the first half of 1893 we had revenue enough to meet every dollar of the current expenditures of the Government, to pay the interest on the war debt, and to meet the payment of pensions to the boys in blue, with a surplus each year. [Applause on the Republican side.]

Mr. MAHON. And to pay for a number of bonds at the same time.

Mr. DINGLEY (continuing). And at the same time we were able to reduce the interest-bearing indebtedness of the country.

The reduction of the interest-bearing debt from March 1, 1865, to March 1, 1893, under the Republican policy which prevailed during these twenty-eight years (for even in President Cleveland's first term he was simply executing Republican policy), was over \$1,900,000,000—an annual debt reduction of \$68,000,000—the reduction in four-year periods having been as follows:

| | |
|---------------------------------|---------------|
| March 1, 1865, to March 1, 1869 | \$280,430,492 |
| March 1, 1869, to March 1, 1873 | 403,948,484 |
| March 1, 1873, to March 1, 1877 | 65,204,017 |
| March 1, 1877, to March 1, 1881 | 73,646,781 |
| March 1, 1881, to March 1, 1885 | 480,161,982 |
| March 1, 1885, to March 1, 1889 | 341,448,449 |
| March 1, 1889, to March 1, 1893 | 259,071,960 |

Total reduction in twenty-eight years..... 1,903,961,167
Average annual reduction..... 68,000,000

INCREASE OF INTEREST-BEARING DEBT.

March 1, 1893, to March 1, 1896 \$262, 602, 245
Average annual increase 87, 534, 081

In 1892, after the census statistics of 1890 had exhibited the progress of the United States between 1880 and 1890, Mr. Mulhall, the celebrated English statistician, in his work entitled *The Balance Sheet of the World*, stated in a single paragraph his conclusions as to the wonderful prosperity of this country. This was just before the election of 1892, an election that decreed that the Democratic party should be given the complete control of this country. Let me read what Mr. Mulhall said:

It would be impossible—

Said he—

to find in history a parallel to the progress of the United States in the last ten years.

[Prolonged applause on the Republican side.]

Every day that the sun rises upon the American people—

He added—

it sees the addition of two and one-half millions of dollars to the accumulation of wealth in the Republic, which is one-third of the daily accumulation of all mankind outside of the United States.

[Applause on the Republican side.]

For thirty years this unparalleled prosperity in this land under Republican rule and a protective policy had been going on, and in the ten years from 1880 to 1890, according to Mr. Mulhall, this prosperity had reached a magnitude unparalleled in the history of the world.

And yet there are those who are trying to make the people believe that some legislation respecting the unlimited coinage of silver in 1873—legislation which operated from 1879 to 1892, during this period of unparalleled prosperity, precisely as it has since 1892—is the cause of the woes of the past three years. But the people will not be deluded by such transparent deception.

Mr. Speaker, there need not be any doubt as to what caused the sudden change from this great prosperity which had continued for so many years up to the close of 1892 and that deep adversity into which the country has been plunged since the beginning of 1893. The elections of 1892 decreed the advent of the Democratic party to power, with the anticipated revolutionary change in the tariff policy. When it became known that that change would take place, the tariff of 1890, which had given us up to that time abundant revenue, began to yield less, because of the fact that business men began to anticipate the revolution that was to come and to prepare for it. The distinguished Senator from Missouri [Mr. VEST] in 1894 said in the Senate that of course every business man in the country began at the opening of 1893 to prepare for the economic change that was coming. Mills began to restrict their output and jobbers their orders, and workmen were discharged in January and February, 1893. Why? Because the elections had decreed a revolutionary change in our economic system that bade business men prepare for the new basis of competition created by reduced duties on foreign competing goods. So from that time the revenue under the tariff, that had been previously abundant, began to decline, for revenue always rises and falls with business conditions. Revenue under the tariff of 1890 that would have been abundant if it had been understood that the protective economic system was to continue, began to decline. The impending change began to bear its fruits at once.

Early in the autumn of 1892, when it was supposed that there would be no change in our protective system, Secretary of the Treasury Foster, in making his estimates, said that the revenue for the fiscal year 1894, under the tariff then in force, judging from the fact that there had been a continuous increase of revenue up to that time under the tariff of 1890, would be sufficient to meet all expenditures and leave \$20,000,000 of surplus. In the latter part of January, 1893, just before the present Democratic Administration came in, Secretary Foster came by request before the Committee on Ways and Means and stated at that time that in view of the threatened change in our economic system he must revise his estimate of the early autumn of 1892; and that was when he said that \$50,000,000 more would be necessary, after it had been voted to place the Democratic party in complete power. [Applause on the Republican side.]

And yet the gentleman from Missouri is quoting the statement of Secretary Foster in the winter of 1893, in correction of his estimate made in the autumn of 1892, as if he had asked for an increase of revenue before it was definitely known that the Democratic party had secured all branches of the Government instead of after. He made this change in his estimates because of the result of that election and because of his belief that the advent of the Democratic party to full power with its announced policy of overthrowing protection would impair industries and business and result in a falling off of revenue.

And Secretary Foster was right. In the early part of 1893, as I have said, in anticipation of the overthrow of the economic system of protection, the transfer of industries to Europe, and the

near advent of a lower wage basis of competition, mills began to reduce their output, employees were discharged, wages in many cases were reduced, and the demand for goods began to diminish in consequence of the diminished purchasing power of the people. And that is what has been going on ever since that time. What is the trouble in this country? The trouble is that under this new economic system, demanding an adjustment of our industries to a lower wage basis—for wages have been necessarily reduced in consequence of this new adjustment—we have had diminished consumption, and diminished consumption has made gorged markets and diminished prices, as it always does. You would suppose that the consumption of wheat would be substantially the same from year to year per head, yet we find that even the consumption of wheat in the United States last year was 25 per cent less per head than in 1892. Why was that? Because of the diminished purchasing power of the people, and that was caused by the fact that this first anticipated and then partially realized revolution in the tariff act of 1894 resulted not only in diminished opportunities for labor and reduced wages, but caused at the same time an increase of importation of goods which we had formerly made ourselves. This has been going on during the past three years, and the end is not yet.

In 1892, for example, we imported only \$36,000,000 of woolen goods, from which the Treasury received \$34,000,000 revenue. Under the new tariff, in the calendar year 1895, we imported nearly \$60,000,000 of woolen goods (notwithstanding our people were using less of such goods in 1895 than in 1892), from which we received a revenue of only \$27,000,000. From wool and woolens together we obtained a revenue of nearly \$44,000,000 in 1892, while we received only \$27,000,000 from both in 1895. Thus we lost \$17,000,000 in revenue from these two articles, and at the same time the manufacture of \$30,000,000 of woolen goods was transferred to Europe, and thousands of American workmen deprived of employment.

And the distrust caused by this paralysis of our industries and business, and the conversion of a surplus into a deficiency, has not only affected the resources and credit of the Government, but also every department of trade. It caused a falling off in the revenue, and the falling off in the revenue produced a deficiency and increased the distrust which economic paralysis had at first produced, and that distrust has gone on strengthening all the time. And the agitation for 16 to 1 free silver (which means a depreciation of the currency) has greatly aided in making the distrust chronic. The inevitable result was a run upon our coin-redemption fund, which has been increased and been made chronic by the failure of the Treasury to promptly replenish the reserve in April, 1893, and the use of the redeemed greenbacks to meet current expenses because of a failure of revenue.

From 1879 to 1893, with a surplus of revenues to replenish the gold reserve, with the coin-redemption fund perfectly maintained, and the knowledge that the Treasury had the power to borrow to maintain this fund in an exigency, with industries flourishing and everyone at work, confidence reigned supreme, and during the fourteen years from 1879 to 1893 less than forty millions of United States legal-tender demand notes—less than three and one-half millions per annum—were presented for redemption, while since the beginning of 1893 over three hundred and seventy millions of greenbacks have been presented for redemption. Confidence was maintained during all that period from 1879 to 1893, and so long as this confidence existed greenbacks were preferred to gold.

Thus from the breaking down of our industries, because of first the anticipated and then the partially realized overthrow of our protective policy, there came all throughout this country a paralysis of business, a lack of revenue, a run upon our coin-redemption fund, and then from lack of revenue the necessity of using the redeemed greenbacks to meet the deficiency; and the moment that the redeemed greenbacks were used for that purpose they were placed in a position to be immediately returned for another redemption, making the endless chain of which Secretary Carlisle complains, but which the Administration declines to break by aiding in securing sufficient revenue to make it unnecessary to use the redeemed greenbacks to meet a deficiency.

Mr. SAYERS. Does not the law require that just as soon as a greenback is redeemed it shall be reissued?

Mr. DINGLEY. It does not. The law prohibits the cancellation and retirement of the greenback, but how long the greenbacks may be held in the Treasury is a matter left to the discretion of the Secretary of the Treasury; and all through these years, from 1878 to 1896, there has not been a year but what there have been constantly in the Treasury of the United States from \$30,000,000 to \$100,000,000 of greenbacks, notwithstanding the law of 1878.

Mr. SAYERS. Will my friend allow me? Because I am asking him a question in good faith.

Mr. DINGLEY. Certainly.

Mr. SAYERS. Was it not the spirit of the law to require the

reissuance of the greenbacks when presented for redemption? Was not the spirit of that law that the greenbacks should immediately go back to the country?

Mr. DINGLEY. They did not from 1878.

Mr. SAYERS. I am not asking what they did.

Mr. DINGLEY. It was not the spirit of the law, either. The law of 1878 prohibited the retirement and cancellation of the greenbacks—nothing more.

Mr. MARSH. At the time that law was passed the Treasury Department, under the operation of the law, was burning the greenbacks.

Mr. DINGLEY. They were redeemed and canceled as they came into the Treasury from 1875 to 1878—

Mr. MARSH. That law was passed for the purpose of preventing the Treasury from burning and destroying the greenbacks.

Mr. DINGLEY. Certainly, and for no other purpose; and it has never been construed by any Secretary of the Treasury as a prohibition of a temporary holding of greenbacks in the Treasury.

I want to say, in reference to what has already been said, that this distrust in the country will never be stopped until the revenue shall be more than the expenditures and all doubts as to the stability of our currency removed. [Loud applause on the Republican side.]

There are two sources from which the coin redemption fund can be replenished under the resumption act of 1875. It may be replenished from the surplus revenue; and from 1879 to 1893, under Republican management, the surplus revenue was sufficient to keep up the coin redemption fund without issuing a single bond, and pay off a large portion of the public debt [loud applause on the Republican side], and that is the condition to which we propose to return if the people give us a Republican Senate and President to cooperate with a Republican House. [Renewed applause.]

Let me repeat: The remedy is to furnish revenue enough to meet every dollar of the current expenditures and leave a surplus to be added for the use of the coin redemption fund, as a first step; an emphatic verdict of the people against the efforts to degrade our currency; and then, in view of the fact that the present distrust has become chronic, such further measures as will make our currency system responsive to the demands of business. We complain, Mr. Speaker, that as soon as it became known that the tariff act of 1894 would not produce revenue enough, a year and a half ago, with the Democratic party in control of both Houses of Congress and having the President, they have been continually singing the song, "Revenue enough, or will be next week," and refusing to increase the revenue to meet the current expenses of the Government. So when we came here last December, with a Republican House and a Democratic and Populist Senate, what confronted us? The fact that up to the 1st of January last there had been a deficiency of revenue amounting to nearly \$130,000,000.

Now, what was our duty in these premises? What did we have to face? To be sure we could not proceed—in view of the fact that there was a Democratic and Populist Senate and a Democratic President—to revise the tariff on our lines, because we knew it would do no good, it would be a loss of time, and that while valuable time was being lost there would continue to be an increase in the deficiency.

When the Speaker of the House, at the beginning of the session of Congress, spoke of the fact that we should not be able to revise the tariff on our lines, he spoke what everyone knew was true in the matter. But he did not intend—neither did any of his friends understand that he did—to have it inferred that it was not our duty to take hold of the matter and endeavor to provide more revenue; and while there was no possibility of passing a general tariff bill, it was our duty to offer revenue for the purpose of meeting this deficiency. Hence, what did we do? Within five days after the committees of this House were organized we passed through the House, not a bill framed on Republican protective lines, but a bill to continue only two years and a half, so modified that every patriot who wanted to serve his country and furnish forty millions of revenue and stop this deficiency and distrust in the country could support it. [Loud applause on the Republican side.]

Mr. GROUT. And every Democrat voted against it.

Mr. DINGLEY. We supposed we should have the support of all patriots and not a following of party lines; but we saw every Democrat and every Populist in this House vote against that bill, thus practically saying they would not have more revenue. That bill was sent to the Senate; and what was done with it by a combination of Democrats and Populists having a majority of 1 in that body? Having 1 majority of the Senate entirely outside of any other members of that body, they deliberately voted not even to consider that revenue bill, and up to this hour it has not been taken up, either to act on the proposition of the House or to propose something in the nature of a substitute that would furnish revenue. Not a thing has been done with it. Every Democrat and every Populist in this House and in the Senate has been opposing every step that could be taken in that direction.

Mr. SAYERS. Does the gentleman call the Senators from Montana Populists?

Mr. DINGLEY. I say, without any reference to the five so-called silver Republicans, who abandoned their party on that question and cooperated with the opposition, that the Democrats and Populists, known distinctly as such, had control of the Senate by a majority of 1. Gentlemen on the other side understand that very well, and they must not endeavor to shirk their responsibility by seeking to put some of it on the shoulders of other persons. The responsibility belongs with them, and they will have to take it before the people of this country. [Applause on the Republican side.]

What was said on the other side? Gentlemen told us that "next week" or "next month" we should have revenue enough; but, in fact, there has been a deficiency of \$10,000,000 in current expenses since the 1st of January last, and a further deficiency of \$11,000,000 caused by the necessary payment of maturing Pacific Railroad bonds; making a deficiency of \$21,000,000 since the House passed a bill offering \$40,000,000 increase of revenue to stop this deficiency.

Mr. HAINER of Nebraska. To that must be added \$6,000,000 for the sugar bounties.

Mr. DINGLEY. Yes; and the deficiency is still going on; and our complaint is that they have persisted in refusing to raise more revenue, and thus made necessary the issuance of so many bonds. That is the complaint against them, that their policy has produced the conditions which have brought about this situation, and they refuse to correct those conditions. In the absence of revenue there is nothing to do, unless the Government is to be stopped, but to use the greenbacks redeemed by the proceeds of bond sales to pay so much of the expenditures of the Government as are not met by revenue, and thus place these redeemed greenbacks in a position to be presented again for redemption. But those who refuse to provide revenue are responsible for maintaining conditions that make such use necessary. And the majority of the Senate sent to the House a substitute bill proposing to allow private owners of silver to take their silver in unlimited quantities to our mints and have each 50 cents' worth of that silver coined into a standard dollar and returned to such private owners—a measure of great temporary profit to the private holders of silver, and in the end one which would inevitably drive out gold and leave us nothing but silver as metallic money, and would place this country on the silver basis of Mexico.

The decided vote by which the House refused to concur in this Senate proposition to debase our currency—only 90 members (58 Democrats, 7 Populists, and 25 Republicans) favoring, while 183 Republicans and 32 Democrats opposed it—affords a most instructive object lesson to the people of this country, which will not be lost sight of in the campaign before us.

Mr. Speaker, I need not point out other important and beneficial measures which the House has passed and sent to the Senate—such as the bill requiring that in the future immigrants coming here to become a part of our body politic shall be able to read and write their own language; the bankruptcy bill; the bill abolishing the fee system in paying United States district attorneys and United States marshals; the "filled cheese" bill, so called, to protect the dairy interests of the country; the bill to amend the administrative customs laws so as to prevent, so far as possible, undervaluations; the bill to establish a labor commission to investigate labor questions, etc.; and other bills of importance; but the Senate took up and passed only two of these bills.

Mr. Speaker, the gentleman from Missouri has endeavored to give the impression that the appropriations of this Congress exceed those of other Congresses, particularly those of recent years; but there is not the slightest foundation for this representation. The total appropriations made by this Congress, including the permanent appropriations, will reach not far from \$515,000,000. But it should be borne in mind that nearly \$15,000,000 of this is simply the increased interest arising from the issue of \$262,000,000 of bonds by the present Democratic Administration and the increase of estimate for sinking fund due to the issue of these bonds. This leaves the appropriations at the first session of the Fifty-fourth Congress, compared on the basis of former appropriations, about \$500,000,000; and this is substantially the appropriations heretofore.

It should be borne in mind that this appropriation includes an estimate of about \$50,000,000 for the sinking fund, which is simply an estimate for a reduction of the interest-bearing debt, and not an item of current expenditure. This leaves the aggregate appropriations for carrying on the Government about \$450,000,000, which includes the postal expenditures, more than \$80,000,000 of which will be paid by postal revenue, leaving the annual appropriations for carrying on the Government about \$370,000,000 to be paid by taxation, which is the average for several years. Indeed, the appropriations always exceed the actual expenditures, because of the fact that balances frequently are left after completing the work appropriated for, which are subsequently covered into the Treasury.

The statement of the annual expenditures of the Government paid by various imposts and duties since 1890 is as follows:

| Fiscal year. | Receipts. | Expenditures. |
|--------------|---------------|---------------|
| 1890 | \$408,080,982 | \$297,735,486 |
| 1891 | 392,612,447 | 355,372,685 |
| 1892 | 354,937,784 | 345,023,330 |
| 1893 | 385,819,628 | 389,477,954 |
| | 1,536,450,841 | 1,381,609,455 |

Surplus under four years of Harrison, \$154,841,386.

| Fiscal year. | Receipts. | Expenditures. |
|--------------|---------------|---------------|
| 1894 | \$297,722,019 | \$307,525,279 |
| 1895 | 313,390,075 | 356,195,298 |
| | 611,112,094 | 723,720,577 |

Deficiency under two years of Cleveland, \$112,608,483.

| | |
|---|---------------|
| I desire to call attention to the fact that the— Cash in the Treasury March 1, 1893, when the present Administration came into power, was..... | \$124,128,087 |
| Cash borrowed by sale of bonds..... | 293,454,272 |
| Total cash received to June 1, 1896..... | 417,582,359 |
| Cash in Treasury June 1, 1896..... | 267,193,210 |

Expenditures since March 1, 1893, in excess of receipts..... 150,389,149

Mr. Speaker, it is such a showing as this in time of peace that can not be justified—a deficiency of \$150,389,149 in three years in time of peace, and that deficiency met by borrowing money instead of by increasing the revenue.

The interest-bearing debt has been increased about \$262,000,000 and the annual interest over \$11,500,000 in time of peace.

And gentlemen now excuse themselves from raising revenue because we have \$167,000,000 in the Treasury outside of the coin redemption fund, which ought to consist of redeemed United States notes, and which, if used in meeting deficiencies, will be presented for a second redemption in coin, necessitating an additional issue of bonds to obtain means for such redemption.

Mr. Speaker, recognizing the absolute necessity of maintaining the redemption fund, in order to prevent the depreciation of the greenback notes issued by the Government as currency, as provided by the resumption act of 1875—a measure which in 1879 placed the country on a sound specie basis—and knowing that the authority to issue bonds provided by that act is vital to the maintenance of this resumption fund and business confidence, this Republican House sent to the Senate in December last another bill, which reduced the rate of interest and length of term on such bonds, and which provided that when issued and sold they should be made a popular loan and be offered first to the American people instead of being sold to syndicates. [Applause on the Republican side.]

We went further than this and provided that the proceeds of such bonds should be devoted exclusively to redemption purposes. And then, to make it unnecessary and impossible to use the redeemed greenbacks to meet a deficiency, and thus make it necessary to issue bonds in order to again redeem the greenbacks thus used, our bill authorized the issue of currency certificates of indebtedness to meet any temporary deficiencies.

We sent that measure to the Senate, and the majority of the Senate refused to concur in a single one of these propositions, thus practically sharing in the responsibility of the Executive for the continuation of all these practices of which we and the country complain.

In the face of such a constant deficiency of revenue for three years, in the face of the encroachments on the redemption fund, and the distrust caused by the paralysis of business, the people of the United States determined at the elections of 1894 that they had had enough of it, and elected this Republican House.

The people of this country know a great deal more now than they did in November, 1892. [Applause.]

Mr. GROUT. They have found out the Democratic party.

Mr. DINGLEY. We have had a kindergarten on a large scale. [Laughter.] The tuition came high, but no people ever learned so much in so short a time. [Applause.]

I am aware that here in this House, with our large Republican majority, elected in 1894, we have been powerless to place legislation on the statute book, because of a Democratic and Populist Senate and a Democratic President. But I warn you, gentlemen of the Democratic party, notwithstanding the attempt to divert attention from the real difficulties in this country—I

warn you that in November next the people will complete the work which they set out to accomplish in 1894; and they will give a Senate and a President that will cooperate with a Republican House. [Applause.] Then we shall reestablish that policy of protection to American industries which for thirty years (four years of which were in the midst of a most destructive war) gave the United States such prosperity and elevated the wages of the people of this country as was never before known in the history of any country in the world. [Loud applause.]

Mr. RICHARDSON. I move that the House adjourn.

Mr. GROUT. Mr. Speaker, many gentlemen desire that I shall yield them time on this subject—

Mr. RICHARDSON. Unless we can have a vote on this conference report, I insist on my motion to adjourn.

Mr. GROUT. I move the previous question upon agreeing to the report.

Mr. WILLIS. I rise to a question of personal privilege. I want to correct a mistake that has been made—

The SPEAKER. That is not a question of personal privilege except under very peculiar circumstances. [Laughter.]

Mr. RICHARDSON. If we can have a vote on the conference report I withdraw the motion to adjourn.

The SPEAKER. The motion to adjourn is withdrawn. The gentleman from Vermont calls for the previous question on agreeing to the conference report.

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

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

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the bill (S. 2984) in relation to contempts of court; in which the concurrence of the House was requested.

The message also announced that the Senate had passed with amendment the following resolution; in which the concurrence of the House was requested:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on Monday, the 18th day of May, at 2 o'clock p. m.

The message also announced that the Senate had passed without amendment joint resolution (H. Res. 201) extending the time of payments due from settlers and purchasers on all ceded Indian reservations.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed bills of the following titles:

On June 9, 1896:

An act (H. R. 6614) making appropriations for the services of the Post-Office Department for the fiscal year ending June 30, 1897;

An act (H. R. 956) for the relief of Sophia Sparks and Julia C. Sparks, of Annapolis, Md.;

An act (H. R. 1826) granting a pension to Henry Prince;

An act (H. R. 6603) to pension the minor children of Patrick F. Reynolds;

An act (H. R. 6826) granting a pension to Rhoda Augusta Thompson, daughter of the late Thaddeus Thompson, a private in the Revolutionary war; and

Joint resolution (H. Res. 195) to pay the officers and employees of the Senate and House of Representatives on the day following adjournment.

On June 10, 1896:

An act (H. R. 8383) to establish a site for the erection of a penitentiary on the military reservation at Fort Leavenworth, Kans., and for other purposes;

An act (H. R. 9253) to amend an act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea";

An act (H. R. 2) disposing of two condemned cannon;

An act (H. R. 6249) 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, 1897, and for other purposes;

An act (H. R. 7542) making appropriations for the naval service for the fiscal year ending June 30, 1897, and for other purposes; and

An act (H. R. 2947) increasing the pension of Daniel D. Jennings, late of Company C, Sixty-fifth Ohio Volunteers.

NOTE.—The following bills having been presented to the President on May 27, 1896, and not having been returned by him to the House of Congress in which they originated within the time

prescribed by the Constitution, have become laws without his approval:

- An act (H. R. 5711) granting a pension to Richard P. Pilkington;
- An act (H. R. 8184) granting a pension to Jesse McMillan;
- An act (H. R. 4910) granting a pension to Cyrus Thomas;
- An act (H. R. 138) granting an increase of pension to Mary E. Hazlip; and
- An act (H. R. 4753) granting an increase of pension to Lambert L. Mulford.

FINAL ADJOURNMENT.

Mr. CANNON. Let us now dispose of the resolution with reference to final adjournment.

The SPEAKER laid before the House the following resolution of the House, returned from the Senate with an amendment:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on Monday, the 18th day of May, at 2 o'clock p. m.

The amendment of the Senate was read, as follows:

In lines 5 and 6, strike out "Monday, the 18th day of May, at 2 o'clock p. m." and insert "Thursday, the 11th of June, at 4 o'clock p. m."

Mr. DINGLEY. I move that the House concur in the Senate amendment, and on that I move the previous question.

Mr. WHEELER. Will the gentleman allow me—

Mr. DINGLEY. It is now so late—

Mr. WHEELER. This is a most important resolution coming from the Committee on Ways and Means, and there ought to be a few minutes given to the minority for debate. [Cries of "Vote!" "Vote!"]

The SPEAKER. The Chair will submit the question on the demand of the gentleman from Maine for the previous question.

Mr. WHEELER. Mr. Speaker, this is a motion to adjourn the House to-morrow at 4 o'clock, and I think the motion is one that certainly ought to have some consideration at the hands of the minority. We ought to have some few moments for debate on this question—the minority of the Committee on Ways and Means.

Mr. CANNON. But the gentleman has unlimited leave to print now.

Mr. WHEELER. I know that, but I ask just five minutes on the part of the minority to discuss this question.

The SPEAKER. The Chair desires to be perfectly fair with the gentleman from Alabama, but this is a matter for the House to decide.

Mr. WHEELER. I understand that, Mr. Speaker; but if the chairman of the Committee on Ways and Means would grant a few minutes' debate for me, I am sure that the House will yield its consent. This is the first time in the history of Congress that this resolution has been presented and acted upon without any discussion.

Mr. DINGLEY. But the gentleman has leave to print now.

Mr. WHEELER. I want five minutes to speak on this question. I only ask five minutes.

Mr. DINGLEY. Well, I will yield to the gentleman for five minutes.

Mr. WHEELER. Mr. Speaker, on the 6th day of last month, just five weeks ago to-day, the distinguished chairman of the Committee on Ways and Means presented a resolution to the House fixing May 18 as the day for final adjournment.

I opposed the resolution with all the power I possessed, insisting that we should enact legislation to relieve the people from the distress which prevails throughout the rural portions of our land, or, rather, that we should repeal laws which all will concede are largely the cause of the present unfortunate condition of our country.

UNIVERSAL DEMAND FOR SILVER LEGISLATION.

During these few weeks the wishes and demands of the people of the United States have been expressed with a force and earnestness very seldom manifested. The people have become convinced that the legislation by Congress which confines the money of ultimate redemption to one metal has enabled a few to so control the gold of the United States as to paralyze industries, depress the value of farm products, cause stagnation in legitimate business, and rapidly divide the people into a few millionaires and multimillionaires on the one side, the struggling masses of the people on the other.

In more than three-fourths of the States the people in convention assembled have in the most emphatic and decided manner denounced the single gold standard as destructive to the best interests of the country and absolutely ruinous to the farmers or producing classes.

In the debate which has taken place this afternoon prominent Republicans have sought to excuse their neglect to legislate for the people by minimizing the achievements of the Democratic party in the last House in relieving the people of the burdens which were imposed on them by what was called the war legislation. These burdens were imposed when the Republican party had full control of all branches of the Government.

THE DEMOCRATS OF THE LAST CONGRESS LEGISLATED FOR THE PEOPLE.

The last Congress was the first in thirty-five years in which the Democratic party had the President and both Houses of Congress. It is true we did not accomplish all that we desired, nor all that we attempted, but I have in my mind some laws that we enacted which have met the approval of all right-thinking people.

1. We repealed the Federal election laws, which will forever prevent any interference in elections by Federal officials.

2. We enacted a law providing for taxing greenback and national-bank money.

3. The House passed the voluntary bankrupt act.

4. We passed a beneficent law restricting and placing safeguards upon immigration.

5. The House passed a law to amend the Constitution, so that Senators might be elected by the people.

6. We passed a law reclaiming 48,000,000 acres of land, worth \$1,000,000,000, then illegally held by corporations.

7. We enacted a law admitting Utah to the sisterhood of States.

8. The House passed a law admitting New Mexico and Arizona.

9. We enacted a law extending mail facilities, reducing postal expenditures, and reducing postage upon periodical publications.

10. We enacted laws which removed all tax from the following articles used by farmers, by placing them on the free list, viz:

Agricultural implements.

Iron cotton ties.

Bagging for cotton.

Bags for grain.

Salt.

Many agricultural seeds.

Cotton gins.

Binding twine.

11. We also enacted laws which have reduced the tax on nearly everything bought by farmers from one-half to one-fifth the tax which was imposed by Republicans.

12. We enacted a law reorganizing the Departments by which we were enabled to abolish thousands of offices, so as to reduce the expenses of the Government many million dollars.

13. We enacted a law to place a tax upon incomes which would require the people of wealth to pay their part of the burdens of government, and all this legislation will remove hardships and lift burdens from men who work.

14. In fine, the general provisions of the tariff law which we enacted were such as to accomplish much toward breaking down monopolies and trusts, and is opening foreign markets to the products of American labor. Only last March the London Iron and Trade Review announced the arrival of Alabama pig iron in that market, and said:

England is threatened with an invasion of American pig iron. This is one of the most serious blows to the supremacy of Great Britain as a manufacturing nation.

And about the same time the Cleveland World, published by that eminent protectionist, Mr. Robert P. Porter, announced that an immense order for iron cotton ties for cotton had been received by the iron mills of Youngstown, Ohio. The paper said:

The order is from Bombay, India. An immense amount of cotton ties have already been shipped, but this will form but a small part of the order.

This is a part of the work done by a Democratic Congress, but we enacted much other beneficent legislation which I can not recall at this moment.

The SPEAKER. The gentleman from Alabama should confine himself to the question before the House, which is whether the House and Senate shall adjourn at 4 o'clock to-morrow. [Laughter.]

Mr. WHEELER. Yes, Mr. Speaker, that is the question we are now considering, and I hope that my statements of what the Democratic House did during the last session will induce our Republican friends to vote against adjournment and proceed to enact laws which have been introduced and are now pending, which if enacted would restore the country to prosperity. I want to ask in all seriousness, if you adjourn with your present record, how will you go before the country in November—

A MEMBER. Give it up. [Laughter.]

Mr. WHEELER (continuing). The Republican party will have to give it up unless they pass at least one law for the relief of the people. On what will they base their claims for further support? I appeal to them to stay here and enact laws, which they can enact, to help the producing classes of this country. What have they done?

Mr. OGDEN. They passed the filled-cheese bill. [Laughter.]

Mr. TALBERT. And they stopped prize fighting in the Territories. [Renewed laughter.]

Mr. WHEELER. Yes, they passed the filled-cheese bill, which is an unconstitutional exercise of the taxing power, and they wasted several days in talking about the proposed prize fight between Corbett and Fitzsimmons.

You will also remember that they turned away from their duty and spent several days in making speeches condemnatory of Mr.

Bayard, because he made a speech against the Republican policy of prohibitory protection; and then this immense Republican majority proceeded to cast a vote of censure against the American ambassador, Mr. Bayard. [Laughter and applause.] And every sensible, educated man in the world has cast a vote of censure in his own mind against those who inaugurated this proceeding. This is the record which you have made and upon which you are to ask for votes in November. [Applause.]

The SPEAKER. The time of the gentleman from Alabama has expired. [Laughter.]

Mr. DINGLEY. Mr. Speaker, I move the previous question. The previous question was ordered.

The amendment of the Senate was concurred in.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles; when the Speaker signed the same:

A bill (S. 2928) to extend the routes of the Eckington and Soldiers' Home Railway Company and of the Belt Railway Company of the District of Columbia, and for other purposes;

A bill (S. 2859) changing the time for holding circuit court of the United States at Hartford, in the district of Connecticut;

A bill (S. 2978) to provide an American register for the steamer *Menemsha*;

A bill (H. R. 9253) to amend an act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea";

A bill (S. 1306) to authorize and encourage the holding of a transmississippi and international exposition at the city of Omaha, in the State of Nebraska, in the year 1898;

A bill (S. 2412) to make the city of Santa Barbara, county of Santa Barbara, State of California, a subport of entry;

A bill (H. R. 180) to make the city of Erie, Pa., a port of immediate transportation;

A bill (S. 1767) to provide subports of entry and delivery in the State of Florida;

A bill (S. 3206) to grant a right of way through the new Fort Bliss Military Reservation to the El Paso and Northeastern Railroad Company;

Joint resolution (S. R. 161) authorizing the Secretary of the Treasury to place a bronze tablet or inscription on the Government building erected in Detroit, Mich.;

A bill (S. 768) for the relief of James A. Moore;

A bill (S. 2783) to establish a life-saving station on the coast of New Hampshire or Massachusetts, between the Hampton and Merrimac rivers;

Joint resolution (S. R. 27) granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann;

A bill (S. 2490) to authorize the Secretary of War to improve and maintain the public roads within the limits of the national park at Gettysburg, Pa.;

Joint resolution (S. R. 138) for the relief of James P. Veach;

A bill (S. 3170) to authorize the Butler and Pittsburg Railroad Company to construct and maintain a bridge across the Allegheny River;

A bill (S. 2943) to authorize the construction of a bridge across the Warrior River by the Mobile and Ohio Railroad Company;

A bill (S. 2861) for the relief of Arthur P. Selby;

A bill (S. 2945) to authorize the construction of a bridge across the Alabama River by the Mobile and Ohio Railroad Company;

Joint resolution (S. R. 149) extending the benefits of sections 1426 and 1573 of the Revised Statutes to all enlisted persons of the Navy;

A bill (S. 1011) for the relief of Capt. James Reagan, United States Army;

A bill (S. 2944) to authorize the construction of a bridge across the Cahaba River, in Bibb County, Ala., by the Mobile and Ohio Railroad Company;

A bill (H. R. 9409) making appropriations to supply deficiencies in the appropriations for expenses of the House of Representatives, and for other purposes, for the fiscal year 1896;

A bill (H. R. 7338) for the relief of William H. Scofield, Jacob Brady, James Ketcham, Annie Booth, as administratrix of the goods, chattels, and credits of George W. Booth, deceased; Wilson P. Billar, Ezra L. Waterhouse, Moses C. Bell, George W. Byles, and George A. Scofield;

A bill (H. R. 9226) to change the time and places for the district and circuit courts of the northern district of Texas; and

A bill (S. 1853) for the relief of Edward Rice.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, the following Senate bills and resolutions were taken from the Speaker's table and referred by the Speaker as follows:

A bill (S. 2984) in relation to contempts of court—to the Committee on the Judiciary.

A bill (S. 2555) to authorize the Secretary of the Treasury to issue leases of certain islands in Alaska for the breeding of foxes—to the Committee on the Territories.

A bill (S. 3058) to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Concurrent resolution—

Resolved by the Senate (the House of Representatives concurring), That there be printed 5,000 copies of Senate Miscellaneous Document No. 274, Fifty-third Congress, second session, Proceedings of the Berlin Silver Commission of 1894, with index, 3,000 to be for the use of the House of Representatives and 2,000 for the use of the Senate—

To the Committee on Printing.

Concurrent resolution—

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 60,000 extra copies of the report of the joint Committee on the Dedication of the Chickamauga and Chattanooga National Park; 18,000 copies shall be for the use of the House of Representatives, 6,000 copies for the Senate, 1,000 copies for the National Park Commission to supply the twenty-eight State commissions, and 500 copies for the Secretary of War to supply the governors of the States, and 100 copies for each speaker at the dedication—

To the Committee on Printing.

A bill (S. 525) for the relief of Thomas Guinean, of Oregon—to the Committee on Claims.

A bill (S. 205) for the relief of Rinaldo P. Smith, of Baltimore, Md.—to the Committee on Claims.

A bill (S. 2054) to incorporate the East Washington Heights Traction Railway Company of the District of Columbia—to the Committee on the District of Columbia.

A bill (S. 2840) to incorporate the East Washington Heights Traction Railway Company of the District of Columbia—to the Committee on the District of Columbia.

ORDER OF BUSINESS.

The SPEAKER. The Chair is informed that at half past 9 the important bills will be ready to be signed. The Chair thinks that, after laying before the House a message from the President of the United States, the House should take a recess until half past 9 o'clock this evening, in order that the enrolled bills may be signed.

VETO MESSAGE—FORT OMAHA MILITARY RESERVATION.

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

To the House of Representatives:

I herewith return without my approval House bill numbered 225, entitled "An act to provide for the lease of Fort Omaha Military Reservation to the State of Nebraska."

This bill authorizes and directs the Secretary of War, when Fort Crook, near the city of Omaha, is ready for occupancy, to lease for a nominal rent to the State of Nebraska the possession of Fort Omaha Military Reservation, containing about 80 acres, with all the buildings, appurtenances, and improvements thereof. It is declared that the lease shall be conditional upon the use of said reservation by the State of Nebraska as a place of rendezvous and school of instruction for the National Guard of said State; that the State of Nebraska shall, while it is in possession of said reservation, keep the buildings and improvements thereon in as good condition and repair as at the date it shall enter into possession thereof, and that at any time when in the judgment of the Secretary of War the interests of the United States shall require such action, he shall take possession of said military reservation for the use of the Government, together with all the buildings, appurtenances, and improvements thereon.

On the 23d day of July, 1888, an act was passed authorizing the Secretary of War to purchase suitable grounds of not less than 640 acres in extent, to be situate within 10 miles of the city of Omaha, and to construct the necessary buildings thereon for a ten-company military post, to be known as Fort Omaha, and a necessary sum not exceeding \$200,000 was appropriated to enable the Secretary of War to carry out the provisions of said act.

The said act also authorized the Secretary of War, when the purchase of the new site should be effected, to sell the military reservation known as Fort Omaha, and such of the buildings and improvements thereon as could not be economically removed to the new site, and to cause the said reservation, for the purposes of said sale, to be platted in blocks, streets, and alleys, if in his judgment it would inure to the benefit of the Government in making a sale of such site.

The new site provided for by this act has been purchased, a large sum of money has been spent by the Government in preparing it for use, and I understand it will soon be ready for occupancy. The authority to sell the old site has not been exercised. This may be accounted for by the fact that the Government has not thus far been able to dispense with its use or because the depression in land values at Omaha has rendered it unadvisable.

The authority to sell and to remove any of the buildings from the old reservation to the new site still remains, however, unimpaired. In this condition of affairs it is now proposed to lease this land and these buildings to the State of Nebraska at a nominal rent, allowing the Government to repossess it only "when the interests of the United States shall require such action."

Of course it would be claimed that this language, in view of the statute of 1888, should not be construed as permitting the Government to retake the property for the purpose of selling it, because that is not stipulated in the bill. For that reason it would be plausibly urged that the lease was paramount to the power of sale contained in the law of 1888, and that the omission of any provision that possession might be resumed for the purpose of sale plainly indicated that "the interests of the United States" which allows such resumption contemplates some other and different emergency.

As a practical question we all know that transactions of this character relating to Government property amount to a permanent alienation or certainly pave the way for an absolute grant.

I do not think there should be anything done with this valuable property which will in the least embarrass the Government in its sale, and to that extent reimbursing itself for the cost of the new military post which was plainly contemplated in the law of 1888.

GROVER CLEVELAND.

EXECUTIVE MANSION, June 10, 1896.

Mr. MERCER. Mr. Speaker, I move that the message and the bill be referred to the Committee on Military Affairs.

There was no objection, and it was so ordered.

Mr. DINGLEY. Mr. Speaker, I move that the House take a recess until half past 9 this evening.

Mr. BAILEY. Will the gentleman from Maine agree now to move that when the House adjourns to-day it adjourn to meet to-morrow at 12 o'clock?

Mr. DINGLEY. I can not say now, until we see whether the bills can be engrossed to-night. It is necessary to have this session this evening in order that the enrolled bills be signed.

The motion was agreed to.

Accordingly (at 7.30 o'clock p. m.) the House took a recess until 9.30 o'clock p. m.

The recess having expired, the House, at 9 o'clock and 30 minutes p. m., was called to order by the Speaker.

Mr. DALZELL. Mr. Speaker, I move that the House take a recess till half past 10 o'clock.

The motion was agreed to.

Accordingly the House was in recess until 10 o'clock and 30 minutes p. m.

The recess having expired, the House, at 10 o'clock and 30 minutes p. m., was called to order by the Speaker.

ENROLLED BILLS SIGNED.

Mr. CROWTHER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles; when the Speaker signed the same:

A joint resolution (H. Res. 201) extending the time of payments due from settlers and purchasers on all ceded Indian reservations;

A bill (H. R. 9447) to amend section 1 of the act to amend an act entitled "An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty," approved May 9, 1888;

A bill (H. R. 3990) granting a pension to Mrs. Eliza G. Payne; and

A bill (H. R. 4580) to amend section 3449 of the Revised Statutes.

ORDER OF BUSINESS.

Mr. LITTLE. Mr. Speaker, I desire to complete the unfinished business. There was a second on a motion to suspend the rules and pass the bill for the relief of Albert Augustine. I desire now to complete the passage of that bill, if I can.

Mr. DINGLEY. Mr. Speaker, it was understood that no business would be done to-night except to receive the report of the Committee on Enrolled Bills, because the bills must go to the President and be signed. Because of that understanding many members are not present who would have been here if they had expected any other business would be transacted.

Mr. LITTLE. My friend remembers that a motion was made to suspend the rules, with a second.

Mr. DINGLEY. I am aware of that.

Mr. TERRY. I suggest to the gentleman from Maine that that bill is the unfinished business, and it was actually being passed when it was interrupted by a conference report.

Mr. RICHARDSON. And the gentleman kindly yielded.

Mr. TERRY. Yes.

Mr. LITTLE. I think we ought to have a vote on the bill, but I yield again.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills and joint resolution of the following titles; in which the concurrence of the House was requested:

A bill (S. 2775) to authorize the Herndon and Aldie Railroad to construct a bridge over the Potomac River at or near the Great Falls;

A bill (S. 2630) authorizing and directing the Secretary of the Navy to donate condemned cannon to the Londonderry Soldiers' Monument Association, of Londonderry, N. H.;

A bill (S. 2483) donating condemned cannon and cannon balls to the New Hampshire Soldiers' Home;

A bill (S. 810) to amend the act entitled "An act granting pensions to the soldiers and sailors of the Mexican war, and for other purposes," approved January 29, 1887; and

Joint resolution (S. R. 89) authorizing and directing the Secretary of the Navy to appoint a board of three officers of the Navy to proceed to Navassa Island and Swamm Island, in the West Indies, and examine and report upon the practicability and advisability of establishing a coaling station for the United States Government on either of said islands.

ENROLLED BILLS SIGNED.

Mr. CROWTHER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 8321) to authorize the county of St. Louis, in the

State of Minnesota, to build or authorize the building of a foot and wagon bridge across the St. Louis River, between Minnesota and Wisconsin, at a point near Fond du Lac, in said State of Minnesota; and

A bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes.

And then, on motion of Mr. DINGLEY (at 10 o'clock and 50 minutes p. m.), the House adjourned until to-morrow at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. LACEY, from the Committee on the Public Lands, to which was referred the veto message of the President of the United States on the bill of the House (H. R. 4804) entitled "An act to amend subdivision 10 of section 2238 of the Revised Statutes of the United States," reported the same with the recommendation that said bill do pass, the objection of the President to the contrary notwithstanding, accompanied by a report (No. 2287); which said veto message, bill, and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, Mr. GRAFF, from the Committee on Claims, to which was referred the bill (S. 3269) entitled "An act to pay the Richmond Locomotive and Machine Works its claim for damages and losses incurred in the construction of the armored battle ship *Texas*," reported the same (Report No. 2286); which said bill and report were referred to the Private Calendar.

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. OWENS: A bill (H. R. 9444) to establish a cavalry post in Fayette County, Ky.—to the Committee on Military Affairs.

By Mr. JOY: A bill (H. R. 9445) amending an act to authorize construction of certain bridges—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 9446) amending "An act authorizing the construction of a bridge over the Mississippi River at St. Louis, Mo."—to the Committee on Interstate and Foreign Commerce.

By Mr. KIEFER (by request): A bill (H. R. 9448) to reform the currency of the United States and insure its integrity—to the Committee on Ways and Means.

By Mr. PAYNE (by request): A resolution (House Res. No. 423) to pay James S. Cotton for hauling Congressional seeds from railroad station to House post-office and residences of members—to the Committee on Accounts.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9440) for the relief of Cyrus Allen; and the same was referred to the Committee on Pensions.

PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as follows:

By Mr. APSLEY: A bill (H. R. 9449) for the relief of Egbert Stricksma—to the Committee on Claims.

By Mr. BARTLETT of New York: A bill (H. R. 9450) removing the charge of desertion from the naval record of Philip Treacy, or Tracy—to the Committee on Naval Affairs.

By Mr. BERRY: A bill (H. R. 9451) for the relief of R. F. Harrison—to the Committee on Claims.

By Mr. BRODERICK: A bill (H. R. 9452) granting a pension to Mary C. Williams—to the Committee on Invalid Pensions.

By Mr. CATCHINGS: A bill (H. R. 9453) for the relief of Alice Jordan, of Vicksburg, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 9454) for the relief of N. B. and Mrs. E. A. Lanier, of Warren County, Miss.—to the Committee on War Claims.

By Mr. COX: A bill (H. R. 9455) to carry out the findings of the Court of Claims in the case of Lucius Hough—to the Committee on War Claims.

By Mr. CUMMINGS: A bill (H. R. 9456) for the relief of John Fox—to the Committee on Naval Affairs.

By Mr. HURLEY: A bill (H. R. 9457) for the relief of Mrs. Annie F. Wilson—to the Committee on Claims.

By Mr. MAGUIRE: A bill (H. R. 9458) granting a pension to Daniel Connors—to the Committee on Invalid Pensions.

By Mr. MCCREARY of Kentucky: A bill (H. R. 9459) for the relief of W. G. Anderson—to the Committee on War Claims.

By Mr. SORG: A bill (H. R. 9460) to remove the charge of desertion from the record of Dennis Cain, Company I, Forty-fourth Ohio Infantry—to the Committee on Military Affairs.

By Mr. SOUTHWICK: A bill (H. R. 9461) to pension Roxanna Early Macfarlane and Robert Macfarlane—to the Committee on Invalid Pensions.

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. APSLEY: Petition of Egbert Stricksma, to accompany House bill for his relief—to the Committee on Claims.

By Mr. BARTLETT of New York: Petition of Mary Treacy, to accompany House bill for the removal of the charge of desertion from the naval record of her late husband, Philip Treacy, late landsman, United States Navy, and granting him an honorable discharge—to the Committee on Naval Affairs.

By Mr. CUMMINGS: Paper to accompany House bill for the relief of John Fox—to the Committee on Naval Affairs.

By Mr. FARIS: Affidavits and papers to accompany House bill No. 2368, to correct the military record of John H. Stearns—to the Committee on Military Affairs.

By Mr. KNOX: Papers to accompany House bill No. 2228, to correct the military record of Lawrence Kennedy—to the Committee on Military Affairs.

By Mr. MCCREARY of Kentucky: Petition of J. J. McKinney for increase of pension—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: Petition of R. R. Shiel & Co. and 70 other citizens of Indianapolis, Ind., favoring the passage of House bill No. 260, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. SCRANTON: Petition of Electric City Lodge, No. 230, International Association of Machinists, of Scranton, Pa., asking investigation of grievances of workmen at United States navy-yards and arsenals—to the Committee on Naval Affairs.

By Mr. SORG: Paper to accompany House bill to remove the charge of desertion from the record of Dennis Cain—to the Committee on Military Affairs.

SENATE.

THURSDAY, June 11, 1896.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. MITCHELL of Wisconsin, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

PAY OF LETTER CARRIERS.

Mr. HALE. I wish to withdraw a motion which I entered last night to reconsider the vote by which the bill (S. 3058) to increase the pay of letter carriers was passed.

The VICE-PRESIDENT. The motion is withdrawn.

EMPLOYMENT OF ALIENS IN EXECUTIVE DEPARTMENTS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 9th ultimo, a statement as to the aliens employed in the Department of the Interior; which was ordered to lie on the table and to be printed.

MRS. MARTHA M. GIBSON.

The bill (H. R. 8159) to pension Mrs. Martha M. Gibson was read twice by its title.

Mr. SHERMAN. I ask that the bill be put upon its passage.

Mr. HAWLEY. May I suggest to the Senator from Ohio that this is a House bill, and—

Mr. SHERMAN. It is a House bill, proposing to pension General Gibson's widow.

Mr. HAWLEY. I know; it is all right. It is rather presuming in me to venture a suggestion to a Senator so much more experienced, but the passage of this bill has been secured through the other House, and now does the Senator think there is a good chance to get it signed at this late hour?

Mr. SHERMAN. I think so. No one, I think, was better known than General Gibson. He was a very distinguished officer and a very distinguished lawyer. He left his family dependent. I ask for the present consideration of the bill.

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

pension roll the name of Martha M. Gibson, widow of William H. Gibson, late colonel of the Forty-ninth Regiment Ohio Volunteer Infantry and brevet brigadier-general United States Volunteers, and to pay her a pension at the rate of \$50 per month.

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

The VICE-PRESIDENT (after having called through the order of routine business). The morning business is closed. The Calendar under Rule 8 is in order.

Mr. COCKRELL. I suggest that the Senate take a recess, subject to the call of the Vice-President.

Mr. PLATT. I do not think that on the last day of the session, with very few Senators in the Chamber, it is worth while to go to the Calendar.

Mr. FAULKNER. I think it was contemplated that nothing should be done this morning, and therefore very few are present.

Mr. COCKRELL. Let the Senate be in recess, subject to the call of the Vice-President, so that he can come in and sign enrolled bills at any time.

Mr. ALLISON. I suggest that we postpone taking a recess for a few minutes. I think the District of Columbia appropriation bill will be here very soon.

Mr. COCKRELL. A recess could be taken with the Senate constructively in session, so as to enable the presiding officer to come in and sign the bill.

Mr. PLATT. Here it is.

The VICE-PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 5210) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes; and it was thereupon signed by the Vice-President.

EXECUTIVE SESSION.

Mr. HAWLEY. There is a little executive business to be transacted. It will take only a few minutes, perhaps. I move that the Senate proceed to the consideration of executive business.

Mr. ALLISON. That is a wise motion.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Forest Reservations and the Protection of Game:

A bill (H. R. 119) to protect and administer public forest reservations; and

A bill (H. R. 4058) to set apart a portion of certain lands in the State of Washington, now known as the Pacific Forest Reserve, as a public park, to be known as the Washington National Park.

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

A bill (H. R. 2663) to amend the laws relating to navigation; and

A bill (H. R. 5482) authorizing the Cleveland Bridge Company to construct a bridge across the Arkansas River between Pawnee County, Okla., and the Osage Indian Reservation.

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

A bill (H. R. 4538) for the relief of John Keefe; and

A bill (H. R. 8250) for the relief of William Gemmill.

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

A bill (H. R. 9123) to prevent forest fires on the public domain; and

A bill (H. R. 9345) to enable certain persons in the State of Mississippi to procure title to public lands.

The bill (H. R. 1256) for the relief of Henry A. Webb was read twice by its title, and referred to the Committee on Finance.

The bill (H. R. 7500) to grant a pension to Mrs. Keturah Wilson, widow of James Wilson, deceased, was read twice by its title, and referred to the Committee on Pensions.

The bill (H. R. 8443) to amend section 4878 of the Revised Statutes relating to burials in national cemeteries was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 8886) for the relief of Hiram T. Corum and Silas W. Davis, of Oregon, was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 9149) to regulate the establishment of submarine telegraphic cable lines or systems in the United States was read twice by its title, and referred to the Committee on Foreign Relations.